

**TOWN OF BELMONT  
PLANNING BOARD**

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BELMONT, MA

**MEETING MINUTES**

**May 3, 2016**

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Present: Elisabeth Allison, Chair; Barbara Fiacco, Vice Chair; Joseph DeStefano;  
Charles Clark; Karl Haglund; Raffi Manjikian

Staff: Jeffrey Wheeler, Office of Community Development

**7:00 p.m. Meeting called to order**

**1. 582 Pleasant Street - Wireless Telecommunications Facility in Church Steeple**

Both Ms. Fiacco and Mr. DeStefano recused themselves from the public hearing.

Mr. Haglund read the public hearing notice. Ms. Allison reviewed the Board's prior actions and reason for this new application.

Michael Giaimo, representative for the Applicant, provided an overview of the application. He reported that the facility was redesigned so that there was no need to replace the wood louvers with fiberglass ones. He argued that this was a modification of the previous approved plans and not a new application. He added that all the standards for Design and Site Plan Review had been met and that all comments from neighbors had been incorporated into the revised plan. Ben Duvett, engineer for the Applicant, reported that the internal air conditioning units have been redesigned so that there will not be any need for condensers to be placed on the outside of the church. Mr. Giaimo displayed a GPS antenna that will be mounted on the inside of a railing surrounding the steeple. He noted that this will not be visible from the street.

Mr. Clark raised concern about process and how this application works with the Citizens Petitioned amendment to change the zoning for interior facilities such as this. He suggested that there was not anything that could be done until after Town Meeting.

**Comments from Audience**

1. Ted Hess-Mahan, representing Glenn and Karen Heroshian, 585 Pleasant Street, argued that Verizon did not have a specific license for the site, and therefore could not go before the Board until they received one. He added that Verizon did not finish the Section 106 review and therefore could not get a license for the site. He noted that this was a new application, not a revised one, and as such the neighborhood is concerned about the lack of an appropriate FCC license. He requested that the Fire Chief provide a written comment that the facility is safe and not a potential fire hazard.

Mr. Manjikian disclosed that he worked with Mr. Haus-Mann several years ago but that he does not have any long term relationship with his firm.

2. Robert Zarro, Pastor of the Church, spoke about the efforts that the Church made to ensure the community was notified about the project. He also stated that the concerns about health issues were not supported by science. He added that the Church is willing to conduct a post RF study once the antennae are installed and assured the Board that it will

maintain the fire safety system. He concluded by stating that the lease with Verizon allows the Church to do more within the community and that he sincerely regrets the anger and hurt feelings that this has caused within the neighborhood.

3. Danny Morris, 14 Alexander Avenue, stated he lives 26 feet from the church. He spoke about the devaluation of homes in a neighborhood in which there is a cell tower, and read a letter from realtor Steve Savarese which stated that there will be a decrease in the value of homes in the neighborhood.
4. Joe Green, moderator for the Church, spoke in support of the facility.
5. Jacqueline Morris, 14 Alexander Ave. read a letter from Alfred and Sarah Alcorn, who live next to the Church. The letter raised concerns that the tower would pose a health safety issue and that devaluation of the neighborhood would occur. She also stated that she was exhausted by the process and that as a result of it the neighborhood will never be the same.
6. Chet Messer, 23 Partridge Lane, stated that studies do not support health risks. He noted that the Health Report from Mr. Haes was reviewed by a 3<sup>rd</sup> party. He provided a brief overview of how Verizon came to lease the steeple from the Church. He made the point that not having sufficient cell coverage posed a safety concern since many people use their cell phones to make emergency calls. .
7. Fung Fung Jong, 628 Pleasant Street, expressed concern about the children that attend the daycare at the Church. She noted that the current evidence was limited and should not be interpreted as being safe since the studies were originally conducted in the 1990's. She added that she is concerned about the RF waves and urged the Planning Board to take these safety concerns into consideration.
8. Judith Ananian Sarno, 30 Waverley Terrace, showed slides of the existing cell sites in Town and noted that as a result the Town was in compliance with the FCC. She expressed concern that if the tower were allowed in a residential neighborhood, it would set a dangerous precedent. She cautioned the Board about unintended consequences and urged the Board to protect and preserve the neighborhoods.
9. Karen Donnelin, 59 Fairmount Street, stated that the study regarding property devaluation is not supported by its methodology. She spoke in support of the Church. She noted that there was a little bit of inconsistency in the abutters arguments since people have bought housing within close proximity of the Police Station and Belmont Savings Bank where cell antennae are currently located.
10. Michael Cragg, 5 Somerset Street, commented on the negative impact that the cell tower would have on property values. He noted that this was an issue of fundamental fairness and fair government.
11. Ron Creamer, 634 Pleasant Street, pointed out several inconsistencies with the Haes Report. He added that the report does not reflect the current plans.

12. Shelly Knickerbocker, 592 Pleasant Street, reported that she lives close by, and that the Church never contacted her. She stated that the health report does not take into account living spaces on the second floor. She added that she is a cancer survivor, and does not want the tower at the expense of her and her children's health. She questioned the need for additional cell service.

Dr. Haes commented that the site will comply with FCC radio frequency exposure limits. Mr. Giaimo stated that the Section 106 process is underway and that the revised plans are in front of the Historic District Commission. He emphasized that the application satisfies the requirements on Design and Site Plan Review.

Mr. Haglund expressed concern about the real estate devaluation statements and questioned whether the Board was getting accurate information. He also stated that the Board has a very narrow set of guidelines to review this application and several of the issues raised are for the Board of Health. Mr. Clark noted that devaluation was local broker hearsay and wanted the Board to wait until after Town Meeting takes action on the Citizens Petition to make a decision. Mr. Manjikian agreed that there were a narrow set of issues for the Board. Ms. Allison stated that this was a superior application to the previous one.

**MOTION made by Mr. Haglund to close the public hearing. Seconded by Mr. Manjikian. Motion passed. Mr. Clark abstained.**

**MOTION made by Mr. Manjikian to approve the Design and Site Plan Review for the interior wireless telecommunications facility at 582 Pleasant Street. Seconded by Mr. Haglund. Motion passed. Mr. Clark abstained.**

## **2. Discussion with Developers of 122 Waverly Street**

Mr. Manjikian recused himself as he is a direct abutter to the property.

Ms. Allison reviewed the authority of the Board and enforcement pointing out that the Building Inspector and not the Planning Board is the enforcement agency.

Don Cusano, Applicant, apologized to the neighborhood and stated that he was not trying to show deceit. He explained that he asked the Building Department to allow the addition of a ½ bath in the basement and did not realize that the Board had review over the interior spaces. He added that the size of the building has not changed and that the realtor was advertising space below grade. He noted that the ½ bath was 28 square feet and that the finished void space was not included as living area by the Building Department since it is not considered habitable.

Ms. Allison stated that the Assessor defines living area as anything from the first floor up and does not include garages, porches or decks. She noted that Lot B-1 was approved through Design and Site Plan Review since it was on a conforming lot.

### **Comments from the Audience:**

1. Judith Ananian Sarno, 30 Waverley Terrace, stated she called the Assessor and was told

that void spaces do count as total living area.

2. Stephanie Warner, 14 Waverly Terrace, expressed concern about the ½ bath in the basement and that this was a significant increase in living space. She also expressed concern about what was going on with the other houses.
3. Paul Marzocchi, 19 Waverly Terrace, reviewed the conditions of the permit and stated that the ½ bath, wet bar and finished void space were not on the plans. He questioned why these changes were allowed and added that they were clear violations of the By-Laws.
4. Kevin Cunningham, Chandler Street, expressed concern about the ability to enforce the Board's decisions.

Mr. Cusano stated that the void space is not habitable since it must have 7 foot ceilings and a window and that a permit was issued for the ½ bath. He added that if the addition of a wet bar is problematic, he will remove it. He noted that he has not heard anything but complements about the project. Mr. Wheeler stated that the plans say that the basement will be used as a play room, and that the addition of the ½ bath occurred after the board approved the application. The Board was concerned about issues of transparency. Ms. Fiacco stated that the bath was not disclosed to the Board and that this was troubling for the Board and the neighborhood. Mr. Cusano said he intended no deceit but thought it was a matter for the Building department, not the Planning Board and that the bathroom was added as a convenience. Mr. Haglund stated that he was concerned that the Board was not notified about the bathroom. Mr. Wheeler explained the Certificate of Occupancy process and noted that these discrepancies would have been identified at that time. Ms. Allison stated that she is confident that these issues would have been discovered and that the Board is concerned about single-family homes being converted into two-family homes. She noted that the Board needs to think about how to deter this from happening again in the future.

### **3. Permanent Building Committee re: High School Building Project**

Pat Bruschi and Bill Lovallo, representing the Permanent Building Committee, discussed the process for reviewing public buildings. She stated that it is useful to have a pre-meeting so that issues such as snow removal, parking, working with an architect, and landscaping can be discussed during the design process. She noted that noise needs to be resolved and that changes to the Noise Bylaw may need to be made.

### **4. Updates on Potential Cases and Planning Board Projects, and Committee Reports**

The Board agreed to meet in the morning and evening on May 23.

### **5. Review and Approval of Minutes**

The Board did not take action on this agenda item.

**Adjourn: 9:45 p.m.**