

MINUTES
Hamilton Historic District Commission / Historical Commission
January 17, 2018

Members Present: Tom Catalano, Chair, Stefanie Serafini, Edwin Howard, Jack Hauck and George Connolly.

Staff Present: Patrick Reffett and Dorr Fox

Tom Catalano opened the meeting at 6:35 p.m. It was noted that Richard Boroff, Hamilton Planning Board member, was taping a portion of the meeting.

MINUTES

Jack Hauck made a motion to approve the minutes of the December 14, 2017 meeting. Ed Howard seconded the motion and it was unanimously approved.

PROPOSED CELL TOWER BEHIND TOWN HALL AT 577 BAY ROAD

Mr. Catalano explained that a representative from Varsity Wireless was present to further discuss the proposed cell tower behind Town Hall. Mr. Howard recused himself from the discussion and left the table where the Commission was seated.

Patrick Reffett gave a presentation regarding the background of the tower proposal. He noted that cell service has historically been poor in Hamilton. He noted that service has gotten a little better since a new tower has recently been constructed on Asbury Street. He noted that cell service is needed for several reasons including public safety, such as 911 calls and life alerts. Cell service is also needed for telecommuting and high speed internet service. Mr. Catalano noted that people have land lines and that there is high speed internet service existing in the town. He believes that the primary issue is the visual impact of the proposed tower on the historic district.

Jack Hauck stated that they need to know why the tower needs to be located in the DPW Yard behind Town Hall. Mr. Reffett explained that the vendor initially looked at thirteen different sites. It was determined that they could only consider a town owned site and that the two most appropriate sites were the site behind Town Hall and the Public Safety Building site.

Mr. Catalano noted that they have an email from Mary Green of 569 Bay Road.

Christopher Davis of Varsity Wireless explained that they had applied to the Planning Board and were denied. They have appealed that decision. They also have to do a NEPA Assessment under the National Environmental Policy Act. As part of this review, they must determine the impact on historic resources. The project is reviewed by the Massachusetts Historical Commission under this process. The Massachusetts Historical Commission reaches out to local Historic District

Commissions for their assessment. In this case, the Hamilton Historic District Commission stated concerns regarding the proposed tower. They are now in a process where they must look at alternative locations for the tower or propose mitigation for the impacts. At the conclusion of this process, the state must determine whether to side with the applicant or the local historical commission. He is hoping that Varsity Wireless and the Commission can come up with a resolution to their differences. Otherwise, the state will be making the decision. If the state sides with the Commission, the applicant can appeal this decision to the FCC.

He stated that he is not in favor of hiding the proposed tower within a fake tree. He appreciates that there is an email that opposes this concept. The concept would cost a lot of money to construct. He believes that a battleship gray tower would be less visible than a fake tree. He does not believe that anyone in Town would like to see a fake tree surrounding the cell tower. He is coming to the Commission to see if there is another resolution for the tower, other than the fake tree or not building a tower at all. They are not willing to walk away from building the tower. They are not actually proposing the fake tree. He can come up with solutions, however, he is hoping that the Commission can give them ideas of how to resolve the issues.

Mr. Catalano inquired whether they could build an unadorned concealed monopole instead of a tower with arrays. Mr. Davis stated that in this case, he does not think that the concealed monopole is an option. He stated that there is a lot of equipment that is needed to be placed into the pole. They cannot construct a monopole at the proposed height with the number of carriers they are proposing.

Mr. Catalano stated that there is a monopole at the Liberty Tree Mall. He noted that it is less offensive than a tower with arrays or a fake tree. Mr. Davis stated that there are fewer impediments at that location. He will look into this monopole further. He noted that every carrier needs thirty feet of height to locate on the tower. He believes that the higher the tower, the more visible it would be. Also they are limited by the setbacks on the site. Mr. Catalano stated that a taller tower without arrays would be less visible. He stated that he would be in favor of a taller tower if there was a cleaner look.

Mr. Catalano inquired about the timeline for the project. Mr. Davis responded that there was time for the Historic District Commission to come up with some ideas for the project and present them. Mr. Catalano inquired about the number of carriers that would be on the tower. Mr. Davis stated that Verizon would be the primary carrier. However, there are two or three other carriers that are in the steeple at the seminary that might locate on the tower, for a total of three or four carriers. Mr. Davis stated that this means there would be a total of three arrays. Additional arrays would require additional permission from the Town.

Mr. Hauck stated that they will need to tell people that the proposed tower with the arrays will fit into the historic district. He asked Mr. Davis to help them explain to others how this is the case. Mr. Davis stated that there are two views that will be impacted by the tower which are the views from the driveways to Town Hall. Mr.

Hauck corrected him that the views from the driveways behind Town Hall will also be impacted, and that these are public views that they should be concerned about. Mr. Davis also noted that this view includes the DPW yard. He suggested that they could buffer the view of the tower by planting real trees. He is proposing a tower in another town where they are planting 25 foot pin oaks. He believes that fake trees draw more attention visually than a tower. Mr. Hauck stated that most people he knows do not like faux trees. He also believes that faux trees are usually awful. Mr. Davis noted that the technology has improved and that the faux trees that are now being constructed are better than the faux trees constructed twenty years ago. He has also been willing to put up a bond to maintain faux trees in other towns.

Mr. Catalano inquired whether there are towers in or adjacent to historic districts that have been approved and constructed. He would like to know what they look like. Mr. Davis stated that they would do research to find out about other towers in historic districts. He discussed a tower in New Hampshire where Varsity opened up vistas from a hill to create other views from the hill so that people would not focus on the tower. They also funded signs indicating the bounds of the historic district. In other communities they have planted trees as a buffer to the view of the tower.

Mr. Hauck noted that abutters are concerned about the devaluation of their properties. Mr. Davis stated that this issue was extensively covered at the Planning Board meeting. He believes that it is a Planning Board issue. Varsity Wireless believes that there will be no diminution of value to the adjoining homes. He noted that the tower is being located in a DPW yard which already creates a significant impact on the neighborhood. Mr. Hauck explained that they need an argument that the tower is not adversely affecting the appearance of the neighborhood. Mr. Davis stated that screening is possibly the best mitigation on the site. He also stated that they could consider mitigation in other parts of the town.

Mr. Davis stated that the process starts with Varsity Wireless making a proposal to the Massachusetts Historical Commission. Then they request input from the local historical commission, but they still make the decision. While Varsity Wireless does not want to build a fake tree, the mitigation is up to the Massachusetts Historical Commission. It is best to have a solution that the local historical commission supports. They are not willing to build a concealed monopole because their clients, the carriers, do not want a monopole.

Mr. Catalano inquired whether they could research plantings that would mitigate the views that will be most impacted. He suggested reaching out to the neighbors. Mr. Davis stated that they can look into this issue, especially blocking the view from the driveway going into the parking lot behind Town Hall. Mr. Catalano suggested that they could look into landscaping along the boundary of the DPW yard.

Stefanie Serafini inquired whether they should take into account the addition that will be proposed for Town Hall. She and Mr. Catalano noted that they do not know whether there will be an expansion of the building. Ms. Serafini noted that all of the images they have been given of the proposed tower indicates trees in full bloom.

There are no winter scenes. Mr. Davis stated that this was due to the time of year they started the process. He stated that they could develop a plan with a mixture of deciduous trees and evergreens that could buffer views of the tower.

Mr. Catalano inquired about noise issues related to the air conditioning units. He wanted to know about the schedule for the generators. Mr. Davis stated that he believes that they had provided a noise study. It was noted that the Planning Board reviewed this issue. Mr. Reffett stated that it will run between 8 AM until 5 PM. Mr. Davis noted that they will make less noise than a household generator and will usually be on for less than an hour. He does not believe they need to worry about this issue.

Mr. Hauck stated that he appreciates Mr. Davis' attitude of being cooperative. Mr. Davis stated that he believes that they can get more done at the Hamilton Historical Commission than the Massachusetts Historical Commission. Mr. Hauck inquired about the boards that did not approve the project. Mr. Reffett responded that the Planning Board denied the project because there was need for a super majority to approve it and only four of the seven members voted in favor of the project.

Ms. Serafini inquired about locating the tower behind the Public Safety Building. Mr. Davis stated that he believes this site could be used in the future. There is a lot of underground infrastructure on the site and possibly wet areas. There are also other cell tower sites closer to this site. This site may be appropriate at a later date, however, it is a difficult solution at this time. He stated that the Public Safety Building site is not duplicative to the Town Hall site and would not serve as a replacement.

Mr. Davis stated that he would talk with his consultants to see if they have examples of other towers near town halls and historic districts. He would come back with this information. He would like the Hamilton Historical Commission to come up with some ideas. Mr. Hauck stated that he believes that the landscape screening is a good idea. Mr. Davis stated that will look into this idea. He also wanted to know if there were other solutions that the Historical Commission could come up with, possibly on other sites or in other issue areas. Mr. Catalano stated that the Commission will consider this concept.

Ms. Serafini inquired about their tower in Ipswich. Mr. Davis stated that it has been built. He stated that it is on Topsfield Road on a hill near the Turner Golf Course. It was erected this past fall. The tower is 165 feet tall.

Mr. Boroff inquired about a tower in Danvers near the old Danvers State Hospital. It is near the intersection of Route 1 and Route 95. He noted that it is near a multi-family residential complex. Mr. Davis stated that he believes that the tower is 190 feet in height because it is not lit. He believes that it is owned by SPA, which is one of the three largest tower companies. He believes that the tower was built prior to the residences.

Mr. Davis stated that he and his consultants will look into the issues and will coordinate with Mr. Reffett. He will look into planting real vegetation to screen the tower, which he would prefer over a fake tree. He noted that fake trees can cost between \$30,000 and \$70,000. He believes that money could be better spent on other alternative mitigation. Mr. Hauck also requested that they provide the studies which demonstrate that towers do not have an impact on neighboring property values.

OTHER BUSINESS

Mr. Catalano inquired whether he should send an email to the Board of Selectmen regarding placing the proposed demolition delay bylaw on one of their agendas. The other members of the Commission stated that he should. He also noted that there were additional issues brought up by the Planning Board that they wished to discuss. One issue was whether the removal of 25% or more of a building is the correct threshold to constitute a demolition.

Another issue is whether 90 days is too long to initiate a public hearing. Mr. Catalano thinks that 45 days is the appropriate number. Dorr Fox suggested 60 days to give time to notice a public hearing.

Mr. Fox noted that the Planning Board suggested a number of changes to the proposed bylaw. The current version includes those changes. However, the Planning Board has additional changes that they are proposing. They are drafting a list that they plan to send to the Historic District Commission. Mr. Howard stated that the Planning Board is working on this now. Mr. Fox stated that some of the issues are that the bylaw is too long and the time frame is too long. Mr. Catalano stated that the delay should be a minimum of one year.

Mr. Hauck asked Mr. Howard about his thoughts on the cell tower meeting, since he had recused himself. Mr. Howard stated that he and other Planning Board members have hired an attorney to defend themselves in the case involving the Planning Board denial of the tower. He recused himself from the discussion because of the lawsuit.

Mr. Fox inquired whether the tower could be set back further from the front of the DPW yard. Mr. Catalano noted that there are setback constraints and that the tower needed to be located where it is currently proposed. Mr. Catalano suggested that the tower be located in Patton Park. Mr. Fox stated that he mentioned this to Mr. Reffett who thought this would have a greater impact. Mr. Catalano concurred that it would, but he noted that it would not be in the historic district. Mr. Fox suggested that they look further at the Public Safety Building.

Mr. Hauck made a motion to adjourn the meeting at 8:10 p.m. Ms. Serafini seconded the motion and it was unanimously approved.