

Approved 7/26
Lenox Planning Board
Meeting Minutes
June 28th, 2022
6:00 p.m.
Lenox Town Hall and Zoom

Present in-person: Tom Delasco, Kate McNulty Vaughan, Jim Harwood, Susan Lyman, (all from Planning Board), Amy Judd, David Maxson (Isotrope), Gwen Miller (Town Planner)
Present on Zoom: Pam Kueber (Planning Board), Scott Barrow, Courtney Gilardi, Ellen Jacobson, Robert Petrocci, Eric Haythorne, Amy Judd

Documents made available in advance of this meeting: red-line version of proposed wireless infrastructure bylaw; meeting agenda; wireless coverage drive-test results

A recording of this meeting and the PowerPoint presentation shared by David Maxson, Isotrope Consulting, is available on the Town of Lenox website:

<https://www.townoflenox.com/planning-board>

1. Meet with Isotrope LLC to discuss Wireless Communications Facilities Needs Analysis and Master Plan drive test and infrastructure findings, draft bylaw markup, and next steps.

Tom Delasco introduced David Maxson of Isotrope Consulting to the group, and GM provided a brief background of the work the PB has done to date on creating a stronger wireless bylaw that will help create better cell coverage in Lenox but also allow for greater local control over where the infrastructure goes and what it looks like. She said that David Maxson has conducted a drive test to evaluate coverage from three (3) distinct carriers—AT&T, Verizon, T-Mobile. He will talk about physical infrastructure and coverage; and at a future meeting talk about ways to solve coverage gaps. The red-lined zoning bylaw will also be discussed at a future meeting.

DM provided his professional experience. Looking at his records, he saw there had been a wireless proposal on Lee Road from T-Mobile that he had reviewed. He said he was familiar with the town from that work. He also had been the sound recording engineer for a classical radio station in Boston and had often come out to the Shed at Tanglewood early in his career. He migrated from broadcasting to wireless communications.

He had prepared a PowerPoint presentation. He described the work they will do to: 1) measure coverage through the drive test of three carriers across town; look for “pressure points”. “Pressure points” are where there is limited coverage, topography, and high density of use; 3) consider ways to encourage preferred kinds of new facilities; and 4) peer review wireless bylaw to give the Town effective controls, avoid unintended consequences, maintain focus.

DM described the results from the drive test and displayed the maps showing the coverage of three carriers. He noted that it’s not just enough to see where there is coverage or not coverage; as cell

phones have evolved in what they can do and provide, the type of use and what coverage can handle has changed. Now carriers also look at the number of scheduled users. The maps basically demonstrate there are very few areas of “excellent” coverage areas in Lenox. You can see good spots where there are physical towers.

PK asked if the coverage maps, where black, meant there was no coverage. DM said essentially yes, though there could be some coverage in the right conditions, and it could be very overloaded with multiple users. Blue was described as being edgy, but it’s marginal and will waste cell capacity because there are so many users also trying to use the coverage. It will take more effort to use the weaker signal strength. PK asked how this would change if you were in your house. DM said the yellow color reflects a signal thought to be effective at penetrating vehicles or houses. The green coverage areas are stronger signals intended to penetrate more substantial structures, like those made with brick and steel. He talked about how the topography of the community can impact the strength of signal. He went over each drive test result map and talked about the “pressure points” visible—areas of low or poor coverage, why they might be so, and why areas with good coverage might be so—proximity to existing infrastructure in Lenox or just over the line in a neighboring community.

DM described tools the Town can use in regulating wireless infrastructure through the Zoning Bylaw. He suggested using existing infrastructure when possible; siting in industrial areas when possible; having targeted areas where they can be sited; and being able to evaluate proposals with flexibility to judge on merits—like having the ZBA or the Planning Board decide Special Permits. DM also talked about overlay districts versus the ability to let the permitting authority have discretion so long as proposals meet a list of requirements. He referred to the Wellesley bylaw as a good example of this—this opens up opportunity but also provides the Town strong guidelines. He provided an opposite example—Medfield has one location where towers are allowed, but it is a good location that has been attractive to developers. He said the key is to successfully guide developers to good locations.

DM had a thought on setbacks. He has seen a lot of setbacks based on tower height—he says towers rarely fall over. Setbacks can be very limiting to opportunities. It can be helpful to let the permitting authority waive setbacks.

Limiting height can create more challenges as well. Cites an example from Harvard, Massachusetts where there is a 100 ft height limit. Every tower proposal needs a variance. He says the location context is really what drives the needed height and visual impacts.

DM continued on to highlight four things to keep in mind in creating a new wireless policy:

- Give the permitting authority tools to say yes to good solutions and no to poor ones
- Avoid tying the permitting authority’s hands with arbitrary and excessive limitations
- Suggest locations that can be acceptable
- Authorize the selectboard to make certain town properties eligible

JH said it was clear that everybody wants great cell coverage, but nobody wants a cell tower in their backyard. He explained he would like to see a cell tower proposal that has an economic benefit. He understood the health concerns and visual impact concerns people have. He talked about how the Town is not allowed to have any local control over location; PK corrected him. TD followed up saying they were not allowed to use health concerns as a factor. GM said they were hoping to have a bylaw that is

less restrictive than the current bylaw; and one that pro-actively guides developers to where and how they can provide cell coverage. JH said he is representing citizens of the town who view health as a valid concern related to cell towers.

DM said he has been involved in hundreds of project reviews; the Courts have determined that Zoning and Planning Boards can regulate the zoning and land use of these towers but not placement of wireless facilities on the basis of their environmental effects of their emissions, which include perceived health effects. “Perceived” is used because the FCC has established science-based standards. DM has been following the standards since 1985. He feels comfortable with the FCC standards. The FCC referred to the FDA to establish the standards. The FDA did a systematic review of the science. He explained the systematic reviews take all the science available. He says that public health does not share enough about their methodology, which has left a gap where people can cherry pick information to make a point. Attorneys have suggested to not do anything that looks like you are regulating based on the basis of emissions.

SL said she agreed w/ Jim’s premise that most want the best cell coverage with the least number of towers. She wondered if any specific sites had been identified. DM said no. SL asked what kind of process is usually done through Planning Boards. DM and GM said this is the process for Lenox. JH said the Planning Board could make suggestions that are not practical. DM said they will take information and guidance from the Planning Board, and his company will review their suitability for coverage.

DM noted that there are such big gaps of coverage in town, where a carrier will want a large umbrella for coverage but will still want smaller opportunities to strengthen coverage in areas of greater density or very busy. The group discussed some of the existing towers and boosters in or near Lenox.

PK said this would be a next step of the process with Isotrope—giving feedback, giving filters to David, and he and his team can analyze where these will work.

The group brainstormed a bit about location and number of towers—there was consensus about best coverage with least number of cell sites (i.e., towers).

SL asked if DM could guide them to model bylaws. DM cautioned against this, since bylaws are so specific to each community.

JH asked if there is a score card, they could use in reviewing proposals. TD said they can set performance standards.

PK wondered if they were thinking about having a wireless overlay district or prioritizing individual sites. DM said you could do one or the other, or a combination. He can’t make suggestion without getting input from the Planning Board and public.

JH talked about the replica Westinghouse lamps. The Town would like more of these, could they also house small wireless infrastructure. PK said this has been addressed in the draft bylaw and there would always be a role for a large tower, because they are much more efficient to get coverage in a large area to the most people in a rural community.

Some town owned sites were suggested:

The Kennedy Park water tank

The Wastewater Treatment Plant on Crystal Street

The old pump house on Brunell (visible from Parsons Marsh)

The Mountainview cemetery in Lenox Dale

The library cupola/dome

Next steps were identified:

Feed Gwen suggested sites

Send to David for his analysis

DM explained how they will conduct the analysis.

Look at existing coverage, topography and pressure points.

There were questions from community members at the meeting.

Ellen Jacobson had been confused by the colors on the maps; she would refer back to the recording and a screenshot she took of the maps. She asked about specific next steps. TD said they will brainstorm potential sites, and feed that information to the consultants. EJ said there might be specific locations discussed at the next meeting. TD said that was a possibility.

Scott Barrow said he and the group he has been working with are concerned about health impacts. He heard that it's important to keep the situation open enough so cell carriers are excited to come to Lenox. It seems as though the situation needs to be, so the Town has as much control as possible. Would be hesitant to have so much work done on the bylaw by somebody who is so interested in having cell companies come to Lenox. There needs to be a balance between thinking about health concerns and encouraging better cell coverage. Scott and his group want setbacks for health reasons; the concern from the consultants is how far a cell tower will fall if it falls. There is a big disconnect. SB is happy to help identify locations. Hopes the group can come up with a compromise for the comfort of all involved.

JH said certain restrictions are baked into the regulations; hopefully there will be happy coincidence with what SB and his group are working toward and what the Board will develop. DM said there is an opportunity now to identify where things can work without being in residential areas, for example. IF there are sites that satisfy these different interests, those are sites that should be on the list. If you adopt a really large setback, you will find yourself

excluding new infrastructure from the community. Is there an area remote enough to make you feel more comfortable yet close enough to provide service to areas where they are going to attempt to provide service in the future? Identify those locations now. SB said that is an excellent way to approach it and is happy to help.

GM said it is an excellent opportunity for the Town to be proactive. There are already cell carriers interested in developing further coverage in Lenox and spend time telling them where they can increase coverage in Lenox instead of spending energy and time where they don't want to see things; Lenox has the opportunity to do this.

Amy Judd asked for clarification on the four different documents on the Planning Board website. PK explained the purposes they serve.

Courtney Gilardi asked if the antennae are safe. DM said yes. He has been tracking the safety standards since the 1980s. CG asked if he knew which organizations were doing the systematic review of the science. DM did know and identified them.

DM said there are factions that will look for ways to discredit the public health bodies and that this back and forth has been going on since the 1980s.

PK asked if the conversation could stay focused on land use issues. TD asked CG if she had any specific land use questions. CG asked how else people can participate in the brainstorming process. DM said that by putting something on the list, it's not an endorsement of a site. It's a list of ideas that might be acceptable by the majority of the community, and they can be reviewed to see if they are suitable. CG asked if the presentation would be available. The group said it would be posted on the Town website.

The meeting adjourned at 8:15 p.m.

Prepared by Gwen Miller