

Board Meeting Minutes
June 8, 2022

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**MEETING HELD IN PERSON IN MEETING ROOM 302/B
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HANSFIELD
MASSACHUSETTS

Present: Beth Ashman-Collins, Chair; Joseph Cerretani, Clerk; Sharon Friedman; Ralph Penney; Michael McClanahan and Adrian LeCesne, Alternate

Shaun P. Burke, Director of Planning and Development
Priscilla McGill, Administrative Secretary

Absent: Michael Feck and Brendan Roche, Alternate

1. Planning Board Meeting called to order at 7:00 p.m.

2. Form A (ANR) Plans

There were no Form A plans submitted.

3. Discussion – FireFly’s BBQ and Smuttynose Brewing’s Beer Garden Program

FireFly’s BBQ and Smuttynose Brewing’s Beer Garden Program, to operate a popup beer garden on an available site at 30 Reservoir; Marco Crugnale

Marco Crugnale, owner of 30 Reservoir Street and Andrew Hart of Smuttynose Brewing Co. were present for the discussion. Mr. Crugnale presented an overview of the proposed popup brewery site, which is in the same area as the Marriott Hotel across from the Xfinity Center. Mr. Crugnale said that the purpose of the popup is to determine if enough business could be generated to warrant a permanent restaurant business.

7:05 pm Mr. Penney arrived at the meeting.

Mr. Hart explained that they executed a beer garden last year in Salem, NH at about 5,500 – 6,000 square feet with turf, picnic tables, portable firepits, stage, and live music, all of which was very successful. They were family oriented with themes on different days to generate family fun. Live music was on the weekends from 6:00 pm to 9:00 pm. The hours of operation were 12:00 pm to 9:00 pm seven days per week. With the success of that model, they are now seeking to create the same in Mansfield. Massachusetts is their second largest distribution market for their beer. They teamed with Mr. Crugnale and the owner of Firefly’s BBQ to create the popup including beer and food trucks. Mr. Hart then explained how they outfit and operate at the popup location with beverages, food, artificial turf, picnic tables, furniture, lawn games and live music. After the first two weeks they could adjust the times of operation based on business generated on different days and times.

7:08 pm Mr. LeCesne arrived at the meeting.

Mr. McClanahan inquired as to how the area would be sectioned off. Mr. Hart noted at the other location they used potted shrubs and rope between to control the environment but keep it esthetically pleasing, but are open to suggestions.

Ms. Ashman-Collins asked what the "season" would be. Mr. Hart said they are hoping for a mid-July open target date and run through the fall to mid-October.

Mr. Cerretani asked how this venue would operate with the Xfinity center across the street. Mr. Hart explained that Mr. Crugnali was planning a future brick and mortar restaurant at the space and they would run this in the same format with space for about 300 patrons with two points of access/exit. They would have a host manning the entries and if they reach capacity they would post a sandwich board noting that they are at capacity. The site has sufficient parking for the capacity. They would be closed at 9:00 pm, which is before any concert venue ends. He also confirmed that this location would not have portable fire pits based on past experience, liability with the family orientation, and permitting.

Mr. LeCesne asked about control of waste. Mr. Hart clarified that similar to their other locations, there would be trash/recycle receptacles located around the site. The site would also be cleaned at the end of each day.

Ms. Ashman-Collins asked how the busy road affects the traffic to the site. Mr. Hart said that the location is good for the drive-by traffic and also ideal to the guests of the hotel and feels both would drive business to the site.

Ms. Friedman asked for further explanation of landscaping. Mr. Hart referenced the site plan and explained the location for stations, tables, and perimeter temporary landscaping with potted plants. He also noted that they do not foresee any traffic issues generated from the site. He further explained the site shared parking and potential patron capacity of about 300-350 based on parking with a turn-over time of about 45 minutes without entertainment.

Mr. Penney inquired if there would be a detailed sign at the entrance and if they would hire local workers. Mr. Crugnale stated that they would hire a detail officer for the site and typically the doctor offices would be closed. Mr. Hart said they would hire about 25+ employees and they would be local people.

Mr. Burke asked about site dust control. Mr. Crugnale said that the site will be completed with top course paving, line markings and landscaping by August. Mr. Burke also asked if this would generate more traffic than a sit-down restaurant. Mr. Hart expressed that traffic is already there due to local business and concerts and that it makes the site appealing for the popup and did not feel that it would generate more traffic. The model relies on drive-by traffic, not new trip destination traffic. Mr. Crugnale noted that there is a signal at the existing crosswalk. Mr. Burke expressed concern with added foot traffic crossing to Xfinity. Discussion ensued with foot traffic and police presence for guidance to cross the street.

Ms. Ashman-Collins asked what are the next steps procedurally for this. Mr. Burke explained that they would need to come back to the Planning Board with a site layout and will need to provide the Select Board requirements for licensing and Board of Health for the food trucks. Mr. Hart said they would be sure to follow all proper channels.

Ms. Friedman expressed concerns with estimated capacity. Mr. Hart said that he would let the Town with Fire and Police dictate the capacity allowed.

Public Comment

There were no public comments

Mr. Burke noted that the next step would be to provide a more extensive site plan and encouraged Mr. Crugnale and Mr. Hart to have a discussion with police for site traffic and pedestrian details.

Ms. Friedman inquired about public restrooms. Mr. Hart noted that there would be rented restroom trailers on site.

Mr. Hart noted the site would be weather dependent and would not have tents if there is inclement weather. If acts are scheduled, they would be notified of weather conditions to cancel.

4. Correspondence

Minutes – May 25, 2022

Motion to approve minutes as presented and amended. (Friedman-LeCesne)

Four (4) in favor, Zero (0) opposed, Two (2) abstained PASSES

5. Around the Table

Mr. LeCesne referenced Highland, River and Draper Roads and resident comments relating to slowing of traffic coming up Highland towards the loop. Mr. Burke referenced previous conversations for the use of temporary speed bumps and the residents could place a call to DPW to inquire about the speed bumps. Mr. Burke also referenced a future public session workshop for early fall to get exposure with the neighborhood for feedback on the proposed traffic pattern.

Ms. Friedman noted that Mansfield Family Fun Night will be taking place on July 12th.

Ms. Friedman inquired as to the status with leasing NRG space at Mansfield Crossing. Mr. Burke said there has been interest but no signed leases. They are still trying to market the two large vacant store fronts.

6. Public Hearing 300 Branch Street Special Permit/Site Plan Approval 8:00 p.m.

Public Hearing 300 Branch Street Special Permit/Site Plan Approval for the construction, operation and maintenance of a wireless communication facility and to construct a monopole-style tower to a height of 120 feet above ground level; Bay Communications III LLC, Applicant

Motion to open the public hearing (Penney-Friedman)

Six (6) in favor, Zero (0) opposed, Zero (0) abstained PASSES

Attorney Michael Dolan of Brown Rudnick was present on behalf of co-applicants Bay Communications and T-Mobile. Atty. Dolan reviewed the application. Mansfield Cable Corp. owns the subject land at 300 Branch Street. Bay Communications has leased a portion of the property and are proposing to build 120-foot-high monopole style telecommunications antennae tower within a 50 foot by 50-foot equipment compound. Co-applicant T-Mobile operates a telecommunications network throughout the country and have signed a sublease with Bay Communications to locate antennas on the proposed tower and put their equipment in the compound. T-Mobile proposes six antennas with six radio heads at the 114-foot centerline height on the tower to fill significant gaps in T-Mobile's coverage and other wireless providers coverage. Consistent with the Mansfield Bylaws, the facility will function as a wireless communications services facility within a local, regional, and national communications system. Due to other wireless communications lack in area coverage, the applicant is proposing a tower that is capable of holding four wireless communication providers. (T-Mobile, Verizon, and others). Bay Communications does have a signed lease with Verizon for this tower.

Atty. Dolan also explained that the application submission lists existing towers and coverage areas, which leaves a gap in the proposed area for the tower. He referenced the Zoning Bylaw which states that there are three zones in which free-standing wireless communication towers are allowed. (Reservoir, Planned Business, and High-Density Industrial districts). Atty. Dolan referenced that if a tower were to be placed in any of the allowed zones, it would still not address the coverage needs. Bay Communications then sought to identify an area of land currently used for commercial uses and large enough for the pole to be setback on the site. The proposed site is over eight acres with commercial use with the Adult Day Care Center and Mansfield Cable Access Corp. on the site. The proposed pole would be setback over 575 feet from Branch Street and ground equipment and compound will not be visible and the upper portion would be visible as referenced in the submitted balloon float results photos. The existing tree coverage also further diminishes visibility. Per FAA requirements, the tower will not have to be marked. The facility will be unmanned and will not generate noise, odor, fumes, glare, smoke, or dust. On average there will only be one to two maintenance trips per month to the site. The site would aid public safety emergency services by allowing an antenna on the pole to increase local communication services coverage.

Mr. LeCesne asked if there would be ground transformers at the site. Vincent Granese of Bay Communications replied that electricity is required at the site and they would meet with Mansfield Electric to meet requirements and construct as needed within the fenced compound.

Atty. Dolan explained the requested relief to build the tower in an R-1 zone where towers are not permitted but Bylaw Section 230-3.6(G)(2)(g) authorizes the Planning Board to grant a Special Permit for Wireless Communication Facilities in districts in which they are otherwise prohibited provided the applicant establishes the existence of a significant gap in coverage, the lack of other suitable locations, and that to disallow the facility would be an effective prohibition of said use and a violation of Section 704 of the Federal Telecommunications Act of 1996. The applicant hopes to demonstrate that there is clearly a lack in coverage to allow for approval of the tower.

Mr. Burke referenced a previous proposed cell tower at a location across from the current application, which was withdrawn prior to a vote due to specific pushback from unresolved issues with Conservation Department and neighborhood opposition.

Ryan Monte de Ramos, RF Engineer from T-Mobile explained the current gap in coverage and the location of the gap in coverage and how the proposed facility would address the need. He referenced the existing LTE Mansfield indoor/outdoor coverage map and explained the color representation relating to coverage and gaps. The proposal would create continuous coverage in the area and referenced a map depicting new coverage areas.

Ms. Friedman asked and the applicant confirmed that the cell tower would be no higher than 120 feet. Atty. Dolan explained that each carrier would require ten feet for their antennas with separation between carriers. The proposed tower would have carrier antennas at 114, 104, 94, and 84 feet. The Town could add a omni antenna on the top which would extend the height the length of the omni antenna and would not be visible as it is only a few inches in diameter. Mr. Burke noted that typically the Town has used a whip antenna and the base of the antenna is placed on the top of the tower. A rendering of the proposed antenna was shown and submitted in the application package.

Mr. Penney confirmed that no homes could be built near the tower and that the closest existing home is more than 500 feet away.

Mr. LeCesne referenced the 1996 Telecommunications Act in which towns have to allow for coverage to fill voids without unreasonable restrictions.

Ms. Friedman inquired as to the expired FAA determination and if an extension was requested. Atty. Dolan stated that they did receive an extension and that it has been submitted as a supplement to the application.

Mr. Burke referenced the balloon float photo simulations and requested if a repeat of the test could be done. Atty. Dolan affirmed they could recreate the balloon float.

Mr. Burke asked for explanation of 4G versus 5G and if antennas are required to be closer together. Mr. Monte de Ramos explained the frequency, bandwidth and speed differences. Mr. Burke asked how change in technology affects the proposed tower. Mr. Monte de Ramos explained that it would be a function of the number of users rather than the technology. Atty. Dolan further explained that each generation of telecommunication technology is still used, since 1996, antennas on towers and that the use and need will not be going away.

Public Comment

Robert Mattice of 288 Branch Street, in reference to 5G that in his research antennas could be placed on phone poles with a shorter range. He read a statement summarizing his opposition of the tower and referenced wetlands and trees. He noted that his house is 0.13 miles from the proposed tower location and that he read that the tower should be no closer than 0.25 miles from homes due RF emissions. He further expressed potential decrease in home resale values for the area. He also suggested moving the tower further back on the property.

Julie Galante of 278 Branch Street, abutter of the proposed site, urged cell tower not be allowed at the proposed site. She also referenced research of independent scientists, non-industry funded research, and many other organizations research that referenced radiation with potential long-term health impacts and impact to wildlife. She expressed strong opposition of the tower.

Atty. Dolan referenced Tab 8 of the application for the MPE (Maximum Permissible Exposure) study which shows that the emissions from this proposed facility will be less than 1% than the FCC allowable limit for RF emissions. Mr. Burke referenced other tower locations in Town.

Michelle Farley of 18 Lincoln Road referenced the balloon pictures and she will be able to see the tower from her home. She agreed with recommendation of prior resident of moving the tower back on the property to alleviate RF emissions and local resident concerns.

Adam Kelly of 279 Branch Street expressed concern that the tower would be visible from his residence and that in winter it would be more visible and agreed with moving it further back.

Mr. Granese noted that the tower would be about 280 feet from the edge of pavement that exists at the property.

Brian Bussiere of 295 Branch Street expressed opposition and concern to health risk, visibility from property, property value, and agreed with moving it further back or other locations.

Troy High of 268 Branch Street also agreed with previously stated health concerns and would like consideration of other locations.

Michael Maitland of 287 Branch Street expressed concerns of health factors and home value.

Mr. LeCesne noted public concerns and asked if the tower could be moved further back. Mr. Granese answered that they did consider moving it back, but there is significant wetland area in the back which would be impacted. Mr. McClanahan recommended a site visit on a different day than balloon simulation.

Discussion ensued for next balloon simulation date. The Board confirmed the date of Saturday, June 18th, weather permitting with Sunday, June 19th as backup date. Ms. McGill stated that the dates for balloon test and site visit will be posted on the Town Planning Department website page.

Discussion ensued for interest of residents that would like to have a photo point from their property. It was determined that if there were interested parties for photo permission from their property, they should provide their names and information to Ms. McGill and she will forward to Atty. Dole for follow-up.

The applicant requested continuation to the next Planning Board meeting date of June 22nd.

Motion to continue the public hearing to June 22, 2022 at 8:00 p.m. (Penney-Cerretani)
Six (6) in favor, Zero (0) opposed, Zero (0) abstained PASSES

7. Adjournment

Motion: To adjourn at 9:31 p.m. (McClanahan-Penney)
Six (6) in favor, Zero (0) opposed, Zero (0) abstained PASSES

Date of Next Planning Board Meeting: June 22, 2022 at 7:00 p.m.

Signature of Clerk

Date of Approval



