



Town of Southwick

Planning Board

MINUTES



Tuesday, October 20, 2020

MEMBERS IN ATTENDANCE: Michael Doherty, Chair
Marcus Phelps, Vice Chair
Richard Utzinger
David Sutton
Jessica Thornton, Associate
Alan Slessler, Town Planner
Meghan Lightcap, Secretary

ABSENT: David Spina

A meeting of the Planning Board was conducted via Zoom and was called to order at 7:00 p.m. by Mr. Doherty. He stated that the meeting was being recorded and asked if anyone in the audience was recording the meeting. Selectmen Doug Moglin and Joe Deedy were in attendance as well as Dennis Clarke from the Conservation Commission and many residents, including: Jeff King, James Amistadi, Christopher and Stacy Rooney, Karina Yarrows, Oleg Kulyak, Stacey Grimaldi, Jason Fiore, Mark and Cori Rolland, Tony Vedovelli, Colleen Serre, Jeremy Fiorentino, Amy Stack, Bill and Elizabeth Teich, Dave Dziadzio, Jennifer and David Reale, Jim and Deb Patryn, Jeffrey and Elizabeth McCarthy, Heather and Matthew Bulmer, Gary Liquori, Phil Losito, Marie Griffiths, Craig Parrow, Celeste St. Jacques, Mark Kuether, Ann and Joe Ottalagana, Christopher and Brenda Scott, Brian and Daniela Labodycz, Ryan and Sarah Hedges, Michelle Wood, Vinny and Susan Abbondanza, Danielle Dickstein, Mark Kuether, John and Denise Griffin, Bridie Dwane, Brian Webber, Bob Dwane, and Marissa and Brian Hughes. Dennis Hackett, a reporter with The Reminder, Hope Tremblay, a reporter with The Westfield News, and Police Chief Kevin Bishop, Officer Marc Siegel and Sergeant Rhett Bannish from the Southwick Police Department were also at the meeting. The Verizon representatives were Michael Fenton, Stephen Sobey, Jay Latorre, Kip Divito, Ellen Freyman, David Vivian, Sylvester Bhembé and Dean Gustafson.

PLANNER'S REPORT: 7:00 p.m.

1. Had a field meeting with George Zantouliadis, owner of Zanto Restaurant, regarding removing and rebuilding a residential building at 581 College Highway and making it a possible mixed use building.
2. Had conversation with Mrs. Prifti about the use of her property on Granville Road. ANR was approved but now wants to open it up.

3. Had conversations with owner of property on Mort Vining Road. Wants to do additional ANR lots or possibly subdivision.
4. Request for ANR for 14-acre parcel of vacant land on College Highway. Land was excluded from the Greens East. Mr. Whalley is purchasing. Attorneys want clarification that it is not part of subdivision.
5. Received additional information regarding proposed Verizon cell tower project. Items have been shared and added to town web page.

PUBLIC COMMENTS: 7:10 p.m.

None

APPOINTMENTS:

7:05 p.m. College Highway 14 Acres ANR

Mr. Doherty showed the map for the proposed ANR on College Highway, next to the Greens East project, and there was a discussion between Board Members. The land is being sold to Mr. Whalley. The ANR request was submitted to establish that the property is not a part of the flexible sub-division. They need to do this to get title insurance. Jason Fiore of Fiore Realty Holdings attended the meeting and gave more detail as to why he was seeking ANR.

A **MOTION** was made by Mr. Phelps and **SECONDED** by Mr. Utzinger to accept the ANR.

Roll call vote:

Mr. Doherty, yes Mr. Phelps, yes Mr. Utzinger, yes Mr. Sutton, yes

The motion passed unanimously.

7:15 p.m. Verizon Cell Tower Continued Public Hearing

Attorney Michael Fenton read a brief summary of additional, updated materials based on questions from the last meeting, including an updated engineering necessity case (with user data, re-shaded radio frequency maps, and expanded maps showing the coverage to south in Connecticut as well as in Agawam), additional radio frequency maps showing impact of potential Agawam Country Club tower, information regarding recent equipment updates on other towers, statement regarding small cell feasibility, revised zoning drawings, overlay map and statement of alternative facilities, and summary of environmental effects. Attorney Fenton received information regarding equipment from Police/Fire, which can be addressed by Verizon. He also discussed a preliminary survey by an arborist that was submitted, which recommended a full 20-foot clearing for the road.

Jay Latorre, Radio Frequency Engineer for Verizon, spoke about the updated changes to the engineering case, the small cell feasibility statement, the overlay map and statement regarding alternate facilities. Project need overview – added narrative about details of areas to be improved, value of tower to cover coverage gap and insufficiency. Upgrades on 2 existing facilities – Transfer Station and Tannery Road - in past year. Maps expanded out to better show

coverage and show Agawam and Suffield – additional towers do not impact coverage gap, including the proposed Agawam Country Club site. Mr. Latorre presented a chart of the population and area covered by each facility, with the proposed facility estimated to cover 15% of the population of Southwick and 10% of the area of Southwick. Mr. Latorre presented a new analysis of degradation over the course of a day after the upgrades to existing towers. Mr. Latorre explained small cell facilities, which Verizon uses and are typically attached to existing utility/light poles or on buildings, providing 500-750 feet of coverage. He stated that these facilities were not very reliable (no generator backup, only possible battery backup for few hours), would be repaired last if pole damaged, were not feasible for this coverage gap (which would require approximately 57 small cells), and did not allow for co-location for other providers. Mr. Latorre discussed the evaluation of possible alternative sites, providing a revised map, and indicating that no other sites were found to be appropriate (in district, meet setbacks, within search area).

Mr. Doherty asked Mr. Latorre to go into more detail as to how he calculated the total percentage of population that would gain better coverage with the tower. Mr. Latorre explained that they determined where the proposed tower was the dominant tower, calculated the number of residents within that area, and found the percentage of population using the total population from the census. In response to a question from Mr. Doherty about small cells, Mr. Latorre stated that they are most often used to enhance network capacity/relieve demand and resolve small coverage gaps along main roads. He indicated that the analysis conducted is to eliminate coverage gap as much as possible, then address small gaps or increased demand areas with another tower or small cells, using the same analysis. He indicated that the coverage gap here is too large to address with only small cells. Mr. Doherty also raised for further consideration whether locations just over the border in Suffield were considered.

Questions were then opened to the public. Jeremy Fiorentino asked who determines setback requirements and who grants an exception to those requirements if setback is close to meeting a requirement. Mr. Doherty told him that the setback requirements are set in the Town Bylaws, and offered his opinion that properties outside of the district should be considered if appropriate and Board inclined towards change. Mr. Fenton stated that Verizon would not consider evaluating sites outside of the Wireless Overlay District. He also said they would not apply for a variance on another site when there was another suitable location in town that actually meets the requirements of the overlay district. Mr. Fenton stated that Verizon would not recommend the town change their wireless district map. Phil Losito asked if the Planning Board was seeking a realtor's professional insight as it pertains to property value loss with the installation of the tower. Mr. Doherty told him the Board had not requested one, but that anyone that wanted to submit an opinion from a realtor were welcome to submit it. Mr. Fenton said Verizon intended to submit an appraisal to the Board stating how property values would be affected. Mr. Doherty noted that there was no specific requirement in the Bylaws to retain a consultant for appraisals, no ability to require the applicant to pay for a consultant, and there was little money available. Cori Rolland noted that there were studies which indicated that cell towers impacted both property value and buyer pools. She also noted that health concerns, while not able to be considered directly, do impact property values through perception. Mr. Doherty noted, as a general matter, that local studies were more persuasive than national studies. She asked why Verizon previously stated that a 12-foot road would be built, which changed to 20-feet of tree clearance, and the plans now showed an 80-foot section of tree clearing. Mr. Bhembé, an engineer from Verizon, stated that an 80-foot tree clearance, 50 feet into the property, was

necessary for safety reasons, to see the oncoming traffic. Mrs. Rolland indicated that she had no issues with visibility from her driveway, which was next to the proposed road. Joe Ottalagana asked for clarification on the tower height, given the addition of a 4-foot antenna, which is included in the FCC application, as well as why a 500-foot radius is included in the specification. Mr. Fenton stated that the 500-foot radius in the submission was required by the Town Bylaws. He also stated that it was a decision for the Planning Board as to whether or not the antenna height should be included in any calculation, as the Bylaws are silent, but that if it was included, Verizon would reduce the tower height by 4-feet to compensate. He also noted that the Southwick DPW and public safety departments' submission to Verizon for their proposed equipment included a 23-foot whip antenna, which would likely extend above the height of the tower, and inclusion of antennae in the tower height calculation may impact the effectiveness of the Town antenna. Mr. Ottalagana felt that the tower height determination was relevant to the proposed balloon test. He also noted that the amount of trees removed would impact the visibility of the tower. Mr. Doherty noted that in the Bylaws, antennae are included with ancillary equipment, so that may not be appropriate to consider with tower height. He indicated that Town Counsel could weigh in on this issue. Bob Dwane stated that there would be a significant impact on property tax collection due to the value of homes in the area and the impact of the cell tower on property values, noting studies in the Appraisal Journal. He stated that the neighborhood contributed property taxes in the amount of \$1,379,885.00 in 2020, which was 5.8% of the total property taxes paid in Town, and questioned if the Town could really absorb this reduction in tax revenue. Mr. Doherty noted that the Board could not address why residential-zoned properties were included in the Wireless Overlay District, as it was created in 2001. He did note that the Bylaws do indicate a strong preference for non-residential location of cell towers. In response to a written question, Mr. Fenton noted that Verizon had an approved lease for the Agawam Country Club site, but had not received a permit or variance. Amy Stack asked about possible consideration of other locations, including locations in Suffield, and whether carrier specific data can be presented. Mr. Doherty did not believe carrier specific data was required. Mr. Latorre indicated that Verizon would respond in writing in further detail. Mr. Doherty asked if any existing sites were available for co-location. Mr. Latorre indicated that Verizon would respond in writing in further detail. Dave Dziadzio asked about the 120-foot vs. 124-foot tower height issue, and whether up to 20-feet could be added by right after the tower is installed under the §6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012. Mr. Fenton indicated that they would not increase the height of the tower without coming back to the Board, and that they did not believe the law allowed them to increase the height without coming back to the Board. Verizon indicated that they would submit a memo on the issue. Sarah Hedges stated that she was disappointed that the Town would even consider a cell tower in this location. She believed property values would go down, and noted that families, including hers, used the property in question. She also noted that she has Verizon as a cell service provider, and did not experience any service issues in the neighborhood. Finally, she wanted to know more about the process by which the land was leased to Verizon. Gary Liquori stated that he has a 30-acre parcel in a residential/agricultural zone on South Longyard that he was willing to lease for a cell tower. He noted that it was at a higher elevation than the proposed property. Verizon indicated that they would address this property at the next meeting, but noted that it was not in the Wireless Overlay District. Chris Rooney stated that the neighborhood was much different at the time the Wireless Bylaw was created, and that Bylaws should be re-evaluated to address the changes over time. Mr. Doherty indicated that under the current Bylaw, there is likely no other

area in Southwick that is more residential than the proposed property. Town Moderator Celeste St. Jacques stated that people need to get involved at an earlier stage of the process, and she encouraged residents to review Board agendas and attend meetings in Town, including annual town meetings. Mr. Doherty noted that the Planning Board was not involved in the lease discussion in 2017. Daniela Labodycz inquired about whether the Wildlife Management area was part of the Wireless Overlay District, and was informed that it is not within the District. Jeff King inquired about the process to change the Bylaws. Mr. Doherty indicated that an application would need to be made to change the zoning for properties outside of the District, and if granted, be approved at Town Meeting. He noted that it would likely be appropriate to consider adding other properties to the District. Mr. Dziadzio asked about recording the meeting minutes and actionable items. Mr. Doherty noted that the audio was on the Town website, and that minutes get prepared, though it takes time. Chris Scott asked about the process to address properties outside of the Wireless Overlay District, like Mr. Liquori's property. Mr. Doherty explained the process about changing the properties included in the District. Mr. Doherty asked for further detail about the alternate locations, including the explanation of "RF Search Area."

A **MOTION** was made by Mr. Phelps and **SECONDED** by Mr. Utzinger to continue the public hearing to 7:30 p.m. on November 10, 2020.

Roll call vote:

Mr. Doherty, yes	Mr. Phelps, yes	Mr. Utzinger, yes	Mr. Sutton, yes
Mrs. Thornton, yes			

The motion passed unanimously.

ROUTINE BUSINESS:

8:00 p.m.

Greens East Conservation Restriction Discussion

There was a brief discussion on the Greens East open space and whether public access was going to be allowed or not, as Town Counsel is looking to the Board for input, given the lack of clarity of the decision. There is no parking lot but there are two access points to the open space on the property with adequate parking off of College Highway. The Conservation Commission was under the impression that there would be public access with parking off College Highway, based on a representation at a walkthrough with the Conservation Commission. Mr. Phelps did not recall much discussion of it at the time of the hearing, and felt we should be consistent with Greens West. He also noted that public access was not required in the Bylaws, and felt liability was an issue. Mr. Doherty noted that the Greens West does not allow public access, there would likely be insurance on the property anyway, and that public access is allowed in some other developments in Town (Ferrin Heights, Coyote Glen). Mr. Fiore noted that insurance would increase substantially if public access is allowed. Dennis Clark, Conservation Coordinator, stated that if the Board makes the open space private, the Conservation Commission would have to monitor and enforce the conservation restriction in a private development with limited resources. He would prefer the development pay a land trust to hold the conservation restriction on the property. He indicated that there were statutes in place to address the liability. Mr. Doherty indicated that the conservation restrictions for Greens West, Amberleaf, and the Ranch specifically do not allow public access. The Board decided they would like to see the original

paperwork that was submitted in order to make a final decision. The issue was deferred to November 10, 2020 for further discussion and decision.

Being no further business to be brought before the Board, **A MOTION** was made by Mr. Phelps and **SECONDED** by Mr. Utzinger to adjourn at 10:46 p.m.

Roll call vote:

Mr. Doherty, yes Mr. Phelps, yes Mr. Utzinger, yes Mrs. Thornton, yes

The motion was passed unanimously.

Due to future meetings being held via Zoom, the meeting minutes will be approved via electronic signature on 11/10/20

Respectfully submitted,
Meghan Lightcap

The Next Meeting is November 10, 2020