



TOWN OF AVON, MASSACHUSETTS

A Great Place to Live, Work and Do Business.

BUCKLEY CENTER, Avon, MA 02322
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Avon Planning Board - Meeting Minutes

Date: July 8, 2010
Members Attending: Charles Comeau, Dolores Daigle, Charles Marinelli, Robert Pillarella, Matthew Curley
Also Present: Robert Borden, Building Inspector
Absent: -
Visitor's Forum: Attorney Francis Parisi and Michael Johnson for TMobile Northeast, LLC, 100 Ladge Drive; Dave Young, Conservation Commission.

APPOINTMENTS

TMobile, Northeast, LLC, 100 Ladge Drive, Avon

Attorney Michael Holden in re: 109 East Main Street, 24 Rock Street

PUBLIC HEARING

None.

Charles Comeau called the meeting of the Planning Board to order at 7:04P.M. Robert Pillarella made a motion to approve the meeting minutes of June 17, 2010, seconded by Dolores Daigle. All in favor. Note that Matthew Curley did not vote due to his absence at said meeting.

APPOINTMENTS

TMobile, Northeast, LLC, 100 Ladge Drive, Avon

The Planning Board welcomed Attorney Francis Parisi and Michael Johnson, representatives for TMobile Northeast, LLC. Attorney Parisi stated that the TMobile representatives requested a continuance of the June 17, 2010 meeting by fax and email. Charles Comeau stated that the board did not receive the request for a continuance and as a result the board dismissed the application without prejudice at the June 17, 2010 meeting. Attorney Francis Parisi stated that they have been working with the Conservation Committee and have paid approximately \$8,000 (Eight Thousand) Dollars for a review of the site in the water supply district and they are currently scheduled at the next meeting in July although they believe that this meeting will be

continued. Attorney Francis Parisi is requesting that the board vote to go forward and continue the hearing. Charles Comeau stated that there have been some bylaw changes which were approved at town meeting on June 8, 2010 and that one of these bylaws along with many zoning district changes includes tower height and the placement of these towers. Attorney Parisi asked how this would affect the current application and the Planning Board stated that they were not sure and would have to look into the subject for more information. Attorney Parisi noted that the Zoning Board of Appeals had already approved the application a few months prior and that the worst case and best case scenario being either a required use variance or that they would be grandfathered in as to the prior bylaw. Attorney Francis Parisi stated that the Conservation has jurisdiction in the water supply district in which Charles Comeau commented that the Planning Board also has jurisdiction if the board feels that the plan would be detrimental to the area. Attorney Parisi noted that TMobile, Northeast, LLC is equally concerned and that the Conservation Committee is thoroughly reviewing the site. The Planning Board is concerned about the threat to the wells in the area and wants to protect the townspeople's water. The Planning Board noted that they have not received any information pertaining to the Conservation Committees review of the proposed placement of the tower on Ladge Drive. Attorney Francis Parisi stated that they will provide the Planning Board with copies of information from the Conservation Committee and that he requests the board vote to reopen the public hearing. Michael Johnson stated that the reports from the Conservation Committee would be distributed to the Planning Board. Attorney Parisi requested a meeting with the Planning Board on August 5, 2010 and that the material would be available for review prior to the meeting. The Planning Board members and the representatives for TMobile, Northeast, LLC agreed to meet on August 5, 2010.

Attorney Michael Holden in re: 109 East Main Street, 24 Rock Street

Did not attend.

OTHER BUSINESS

The Planning Board noted that they are waiting for a meeting with Messina in regard to line painting at Stockwell Drive.

The Planning Board discussed the new information pertaining to the Open Meeting Law.

The Planning Board will follow-up with Scott Arnold, the towns consulting engineer to meet at 225 Bodwell Street and review the 'as built' plans.

The Planning Board received the plans for the foundation at 8 Parkview Lane and spoke with Bob Borden, Building Inspector who stated that the plan meets required specifications.

David Young requested information in regard to Home Depot and Diaz. Bob Borden, Building Inspector noted that he has the information requested.

ADJOURNMENT : Meeting adjourned at 8:10 P.M.

Respectfully Submitted,

Dolores T. Daigle, Clerk

Avon Planning Board

