

EAST LONGMEADOW PLANNING BOARD

Date: October 19, 2021

Time: 6:00 PM EST

Zoom Webinar



MINUTES

Chair Russel Denver opened the meeting at 6:00 PM.

Present: Russell Denver, Chair
George Kingston, Vice Chair
Jonathan Torcia, Clerk
Peter Punderson
Cassandra Cerasuolo

Staff Present: Bethany Yeo, Director of Planning & Community Development
Nina Fazio, Planning & Community Development Administrative Assistant

APPROVAL OF MINUTES

- October 5, 2021

Motion to approve made by Vice Chair George Kingston; second by Board member Cassandra Cerasuolo and approved by roll call vote five (5)-zero (0).

SITE PLAN WAIVERS

1. **Case SPRW 2021-46:** Request for Site Plan Waiver for a home office at 24 Forest Hills Road (Assessor's Parcel ID 58-26-0) on a .46 +/- acre site in the Residence A zoning district. Applicant: Bruce LaRivere, 24 Forest Hills Road, East Longmeadow, MA 01028.

Applicant Bruce LaRivere was present for discussion. The petitioner presented the details of his application to open a home office at his residence for a small handyman side business. The home office would have no customers, no employees, and no commercial vehicles. There were no comments or questions from the Board at this time.

Motion to approve made by Vice Chair George Kingston; second by Board member Cassandra Cerasuolo and approved by roll call vote five (5)-zero (0).

2. **Case SPRW 2021-47:** Request for Site Plan Review for East Longmeadow Psychic, a retail store at 34 Shaker Road (Assessor's Parcel ID 27-156-D) on a .44 +/- acre site in the Business zoning district. Applicant: Tina Marks, 34 Shaker Road, East Longmeadow, MA 01028.

Applicant Tina Marks was present for discussion. The petitioner presented the details of her application to open a retail store and discussed the types of merchandise for sale. The petitioner explained the business would operate with the hours of 11:00am-5:00pm and serve approximately 8-10 customers per day. The only employee is the owner herself. Vice Chair George Kingston asked a clarifying question regarding the previous tenant. There were no further comments or questions from the Board at this time.

Motion to approve made by Board Member Peter Punderson; second by Vice Chair George Kingston and approved by roll call vote five (5)-zero (0).

- 3. Case SPRW 2021-48:** Request for Site Plan Review at 37 Maple Street (Assessor's Parcel ID 27-18-0) on a .08 +/- acre site in the Business zoning district. Applicant: Jesse Baker, 37 Maple Street, East Longmeadow, MA 01028.

Applicant Jesse Baker was present for discussion. The petitioner presented the details of his application to open a hair salon in a vacant building that was previously a hair salon as well. The petitioner explained the business would operate with the hours of 9:00am-8:00pm Tuesday-Friday and 9:00am-5:00pm Saturday. Chair Russell Denver raised a question about where customers would park, seeing as there is a lack of parking located in front of the building. The petitioner stated he has communicated with the landlord and tenant next door for customers to park on the side of the building, as well as in the Walgreen's parking lot across the street which has parking spots owned by the Town. There were no further comments or questions from the Board at this time.

Motion to approve made by Board Member Peter Punderson; second by Board member Cassandra Cerasuolo and approved by roll call vote five (5)-zero (0).

PUBLIC HEARINGS

- 4. Case SITE 2021-10: 30-34 Shaker Road**—Request for Site Plan Review for the addition of a handicap ramp to an existing structure at 30-34 Shaker Road (Parcel ID 27-156-D) on a +/- .44 acre site in the Business district. Applicant: Marth-E, LLC, P.O. Box 91199, Springfield, MA 01139.

Petitioner Matthew Tortoriello, one of the owners of 34 Shaker Road, was present for discussion on behalf of the applicant. The petitioner presented the details of his application to install a handicap ramp in the back of 34 Shaker Road, which also has frontage on 37 Prospect Street. Board member Peter Punderson asked the petitioner if the Building Department would also need to grant permission for this type of project. The petitioner stated that Building Inspector Kevin Duquette has already come out to the property for an inspection. Vice Chair George Kingston voiced his admiration for adding more handicap accessible entries to businesses in Town.

Chair Russell Denver opened the discussion to the public. There were no comments or questions from the public at this time.

Motion to close the public hearing by Vice Chair George Kingston; second by Board member Peter Punderson and approved by roll call vote five (5)-zero (0).

There were no further comments or questions from the Board at this time.

Motion to approve made by Vice Chair George Kingston; second by Board member Cassandra Cerasuolo and approved by roll call vote five (5)-zero (0).

- 5. Case SP 2021-11: 38 White Ave** – Request for Special Permit for a Family Home Daycare at 38 White Avenue (Assessor's Parcel ID 27-184-2) on a .23 +/- acre site in the Residence C zoning district. Applicant: Jeyline Torres, 38 White Avenue, East Longmeadow, MA 01028.

Applicant Jeyline Torres Moulrier was present for discussion. The petitioner presented the details of her application for a child daycare service at her residence. The applicant stated there would be six kids at the daycare with hours of operation being Monday-Friday 7:30am-4:30pm. The application stated she plans to contact the New England Farm Workers to provide transportation for four of the kids to and from her residence. The other two children would have transportation provided by their parents. The petitioner will also be using her garage as a drop off and pick up location, with a driveway capacity of four cars, meaning there will be no need for on street parking. Chair Russell Denver asked Planning Director Yeo to confirm there were no other state requirements to comply with for at home childcare facilities. Planning Director Yeo confirmed that six is the maximum number of children allowed per the zoning bylaws of where the applicant's residence is located. Planning Director Yeo asked the petitioner if she has been in contact with the Board of Health for approval. The petitioner answered she is already licensed with the Board of Health to operate an at home childcare facility.

Chair Russell Denver opened the discussion to the public. There were no comments or questions from the public at this time.

Motion to close the public hearing by Board member Peter Punderson; second by Vice Chair George Kingston and approved by roll call vote five (5)-zero (0).

There were no further comments or questions from the Board at this time.

Motion to approve made by Vice Chair George Kingston; second by Board member Cassandra Cerasuolo and approved by roll call vote five (5)-zero (0).

6. **Case SP 2021-10: 16 Meadowbrook Road** –Request for Special Permit for the installation of a wireless communications monopole and related equipment at 16 Meadowbrook Road (Assessor's Parcel ID 78-1-0) on a 12 +/- acre site in the Residence A zoning district. Applicant: Cellco Partnership d/b/a Verizon Wireless, 20 Alexander Drive, Wallingford, CT 06492.

Before welcoming the petitioners into the discussion, Chair Russell Denver asked Planning Director Yeo to summarize the October 18, 2021 Zoning Board of Appeals meeting which the petitioners had also attended for a zoning variance application at 16 Meadowbrook Road, as well as the guidance the Board had received from Town Counsel regarding the special permit application at 16 Meadowbrook Road. Planning Director Yeo informed the Board that the Zoning Board of Appeals voted for a continuance of the hearing on 16 Meadowbrook Road to November 8, 2021 due to the absence of multiple Zoning Board of Appeals members. Planning Director Yeo also presented the facts of the Telecommunications Act of 1996 (TCA). The facts presented by Planning Director Yeo are as follows:

- The TCA was established to deregulate the telecommunications industry and allow for the expansion of new technologies.
- The act preempts some of the local zoning authority, which limits some of the actions the Planning Board can take in regards to this special permit.

Chair Russell Denver asked Planning Director Yeo to also clarify "dead zones" and their impact on this special permit decision. The facts presented by Planning Director Yeo are as follows:

- The Planning Board is not required to consider the TCA of 1996, but the Board is permitted to consider it, should they choose to do so.

- Should the Board deny the special permit application,
 - the applicant must prove denial from the Board is not based on substantial evidence and that denial from the Board constitutes an effective prohibition on wireless towers;
 - the applicant must prove denial from the Board prevents the closing of significant gaps in the availability of the wireless services;
 - the applicant must prove further application of reasonable efforts to the Town would be futile (i.e. there are no other locations permitted under the bylaw that would address the significant gap in coverage).
- The burden is on the applicant to show there is a significant gap in coverage and there is no alternative location for the tower that would remedy the gap under the Act.
- The Board should certainly require similar proof from the applicant if they intend to rely on the Telecommunications Act of 1996 as a basis of preventing requested relief.

Chair Russell Denver asked Planning Director Yeo to clarify if the Board could require such things as fencing and landscaping as conditions of approval. Planning Director Yeo concurred, and made a note that those conditions are already a part of the applicant's presentation. Board member Peter Punderson asked a clarifying question regarding the location of the access road, as well as the makeup of the road. Planning Director Yeo stated she believed the access road would be coming off of Meadowbrook Road and leading to the tower site in the rear of the property; there is no requirement for the material of the road, but the applicant's presentation includes plans for a semi-pervious material of road.

Chair Russell Denver made note of comments submitted by the Department of Public Works regarding the site plans, which should be revised to show: existing and proposed grades, soil erosion and sediment controls measures, and utility profiles of facilities located within the Sewer and Storm Drain Easements.

Vice Chair George Kingston asked a clarifying question regarding coverage gaps, levels of coverage, and types of service being provided, with specificity to 4G vs 5G. Chair Russell Denver suggested waiting until the presentation to get into that question. Board member Peter Punderson vouched for the gaps in coverage as a Town resident residing in an area of Town close to the proposed tower site.

Chair Russell Denver opened the discussion up for presentation by the petitioner. Attorney Michael Fenton of Shatz, Schwartz and Fentin, P.C., representative of the applicant Cellco Partnership d/b/a Verizon Wireless, was present for discussion. Accompanying Atty Fenton for the presentation were the following Verizon Wireless team members: David Vivian, Structure Consultants Group; Gregory Sykier, Chapel Engineering; Kip Divito, Verizon Radio Frequency Specialist and Engineer; Michael Libertine, All Points Technology Co.; Attorney Ellen Freyman and Attorney Steven Sobi of Shatz, Schwartz and Fentin, P.C.

Before beginning, Vice Chair George Kingston disclosed to the Board that he is a client of Shatz, Schwartz and Fentin, P.C, but has not personally worked with the attorneys present tonight. Vice Chair George Kingston stated he does not believe being a client of this law firm will have an impact on his decision tonight. Chair Russell Denver concurred and allowed Vice Chair George Kingston to proceed with the public hearing.

Petitioner Atty Freyman took over for Atty Fenton as the lead for tonight's presentation and began introducing the facts pertaining to the case. Verizon Wireless is seeking approval to erect a 125 ft. cell tower at 16 Meadowbrook Road (Residence A zoning district) to service a section of town with subpar cellular service. Atty Freyman referenced the Town's zoning map to explain the overlap of areas in Town

that need coverage and areas in Town where cell towers are not permitted, per the Town's zoning bylaws. Atty Freyman explained that through the petitioner's own independent research of the Town, this site was chosen because it is in an area of the Town that is one of the most underserved in terms of wireless coverage and based on a thorough review of the area there are no suitable alternative sites to locate the Wireless Facility to satisfy its coverage needs. Atty Freymen stated the tower would not emit noise, light, traffic, or odor and has limited access. The only employee entering/exiting the facility during operation would be a technician checking on the site once every month. There were no comments or questions from the Board directed toward Atty Freyman at this time.

Petitioner Greg Sykier began discussion of site plans regarding the location and dimensions of the tower, as well as the access road. The petitioner detailed a 50 ft. x 50 ft. site location in the northeast corner of the parcel, which is approximately 12 acres of open land that houses a single family dwelling in the southeast corner of the lot. Petitioner Greg Sykier explained the details of the access road which would begin off of the existing driveway to the single family dwelling and run along the east border of the parcel, ending at the facility site. Underground utilities would run along the east border of the parcel from the facility site to an existing utilities pole in the southeast corner of the lot, as well as to an additional utilities pole proposed in the southeast corner of the lot. Petitioner Greg Sykier went into detail on the dimensions of the "equipment compound" where the cell tower would be located. The 50 ft. x 50 ft. area that houses the tower, electrical equipment, generator, and Verizon's corresponding equipment would be fenced in, as well as surrounded by screening trees to hide to appearance of the equipment compound. The dimensions of the fence are 50 ft. in width x 8 ft. in height. The area is designed to have enough room to house future additional co-locators should other service providers wish to use the cell tower. Petitioner Greg Sykier noted it is not up to Verizon to predict if other carriers will install additional co-locators in the future, but it is up to them to ensure the cell tower is designed to accommodate multiple carriers. Petitioner Greg Sykier then noted the ground in the equipment compound will consist of grass and gravel and that the site has "forgiving" terrain, expressing that there is minimal grading to the site. Chair Russell Denver clarified the pole would be 125 ft. in height and asked the petitioner to speak on why the pole needs to be that high. Petitioners Greg Sykier and Atty Freyman directed the question Kit Divito, Verizon's Radio Frequency Engineer, to answer in his portion of the presentation. Petitioner Greg Sykier then showed plans for dimensions, sizes, and weights of the equipment Verizon Wireless intends to install at the top of the pole. Atty Freyman pointed out the distance of the tower in relation to the parcel and abutters. The tower is 640 ft. from the nearest residence in the rear. The current setbacks of the proposed 50 ft. x 50 ft. compound are 105 ft. to the rear and 100 ft. to the east side yard, which does not comply with the zoning setback requirement of 250 ft., equaling twice the height of the tower. Atty Freyman stated the tower is designed with a snapping point so the tower would collapse on itself, in the rare occasion the tower did fall. Atty Freyman noted that should that catastrophe occur the tower itself is within 125 ft. of the property lines, meaning the tower would not fall outside of this parcel and on to another property. This non-compliance of zoning setback requirements will be addressed by the Zoning Board of Appeals at their meeting on November 8, 2021. Clerk Jonathan Torcia raised a question regarding if the closest residences to the rear of the parcel would be able to see the tower, or if that land is densely vegetated enough to block their view. Petitioner Greg Sykier answered that the abutters in the North have highly wooded properties and their views would be obstructed. Atty Freyman suggested directing that question to Michael Libertine during his photo-simulations portion of the presentation. Vice Chair George Kingston pointed out that although adjacent parcels are wooded and undeveloped at this time that may not be the case in the future. Future developments may be constructed closer to the tower and the presence of the tower may impact the value of future developments. Chair Russell Denver noted Vice Chair George Kingston's point about the possible value degradation of future developments.

There were no further comments or questions from the Board directed towards petitioner Greg Sykier at this time.

Petitioner Kip Divito, Verizon Wireless' Radio Frequency Engineer, introduced the details behind the need for the tower. Petitioner Kip Divito cited a map showing existing Verizon cell towers, pointing out that most of the Town residents are currently being served from towers outside of the Town, specifically from towers located in Hampden, MA. Chair Russell Denver asked where the closets tower within the Town is located. Petitioners Kip Divito and Atty Freyman stated it is located on the water tower on Benton Drive. Petitioner Kip Divito explained the proposed cell tower serves multiple purposes, including: increased area of indoor coverage, increased area of outdoor coverage, increased area of in-vehicle coverage, and increased levels of efficiency in service. Petitioner Kip Divito then cited coverage maps constructed by Verizon Wireless. The "Proposed 700 MHz 4G Coverage Map" showed increased reliable indoor service, outdoor service, and in-vehicle service compared to the "Existing 700 MHz 4G Coverage Map" as well as a shrinkage in gaps with no service. The "Proposed 2100 MHz 4G Coverage Map" showed increased reliable indoor service, outdoor service, and in-vehicle service compared to the "Existing 2100 MHz 4G Coverage Map" as well as a shrinkage in gaps with no service. Petitioner Kip Divito explained 700 MHz is the coverage that allows users to access service, while 2100 MHz is the coverage that allows customers increased efficiency of service. Petitioner Kip Divito then referenced a graph that showed how the existing Verizon Wireless cell towers in the area are being strained to pick up the service of customers in areas of Town with gaps of coverage. Chair Russell Denver asked a clarifying question regarding the strained and degraded service of existing cell towers. Petitioner Kip Divito answered that the existing cell towers cannot work to their full capacity because they are strained to provide service to residents in the portion of Town where the proposed tower would be located. The proposed cell tower would relieve that strain and cause the existing towers to provide better coverage to other areas of the Town. Chair Russell Denver clarified that the existing cell tower in Town, located on Benton Drive, is providing the surrounding businesses with degraded service due to the strain of servicing too many users in Town. Petitioner Kip Divito then referenced other existing locations to locate the cell tower and reasons as to why these alternatives were not feasible. Some of these alternative locations included the Fire Department's tower and The 1st Baptist Church. Chair Russell Denver stated that cell co-locaters used to be placed in church spires and asked why The 1st Baptist Church would not be a feasible location. Petitioner David Vivian of Structure Consultants Group answered that Verizon Wireless had been in contact with the Church as a possible location, however the steeple was too short to provide adequate service and the Pastor had declined to move forward with any more proposals. Petitioner Kip Divito answered Chair Russell Denver's previous question regarding the need for 125 ft. to be the height of the tower. Petitioner Kip Divito answered the site was designed to be high enough to provide adequate coverage without being too high that it jeopardizes the aesthetic of the Town. Chair Russell Denver asked for an approximate number of Town residents that would be provided with improved service. None of the petitioners had an answer regarding population size. There were no further questions from the Board directed towards Petitioner Kip Divito at this time.

Petitioner Michael Libertine of All Points Technology Co. presented photo-simulations for visualization of the proposed tower from different sites around Town. Petitioner Michael Libertine noted that visibility of the tower would vary based on the amount of leaf coverage which changes with the seasons. Some public locations on portions of Somers Road, Mill Road, and Hampden Road were depicted to have the starkest view of the tower within the quarter mile of visibility. Some public locations on portions of Silver Fox Lane, Frasier Drive, Sylvester Street, and Parker Street were depicted to have a moderate view of the tower within the quarter mile of visibility. Some public locations on portions of Silver Fox Lane and Prospect Street were depicted to have an obstructed view of the tower within the

quarter mile radius of visibility. Atty Freyman wanted to point out that in most of the photo-simulations shown today the existing wires and utility poles are very visible in our everyday lives but we begin to subconsciously block them out of our view. There were no comments or questions from the Board directed towards Petitioner Michael Libertine at this time.

Atty Freyman stated that all representatives have completed their portion of the presentation and are available for questions. Vice Chair George Kingston opened discussion by pointing out a disparity between the coverage map on the Verizon Wireless website and the coverage map presented by the petitioners tonight. The coverage maps on the Verizon Wireless website shows no gaps in coverage in the section of Town where the proposed tower is located. Vice Chair George Kingston also noted that the coverage map on the T-Mobile website shows the availability of 5G in Town with no coverage gaps through the performance of existing towers. Petitioner Kip Divito answered that the coverage maps on the Verizon Wireless website are for marketing purposes. Petitioner Kip Divito also stated he cannot speak to the validity of the T-Mobile coverage maps. Chair Russell Denver stated that was not much of an answer.

Board member Peter Punderson asked if the access road was designed to fit emergency vehicles and if they would have enough room to turn around. Petitioner Greg Sykier answered the road is designed to be 12 ft. in width, consist of hard compacted gravel, and will be designed with a hammer-head end by the equipment compound so that emergency vehicles have enough room to maneuver. Board member Peter Punderson also suggested a common gate key for the Police and Fire Departments to be able to access the compound in case of an emergency. Planning Director Yeo stated the Fire Department has reviewed this application and had no concerns on the matter.

Board member Cassandra Cerasuolo asked if this tower was only capable of 4G and if future construction would need to be completed to implement 5G, or if an entirely new tower would be needed to implement 5G as technology advances. Petitioner Kip Divito answered that the proposed tower will have both 4G and 5G capability. Petitioner Kip Divito wanted to revise his earlier response to the question regarding the coverage maps available on the Verizon Wireless website which show no gaps in coverage. Petitioner Kip Divito stated the map on the Verizon Wireless website shows a lesser coverage signal and therefore has no gaps in coverage. The map shown in the presentation tonight is at a higher, more reliable indoor coverage signal and therefore depicts coverage gaps that will need the proposed tower to remedy. Petitioner Kip Divito stated this proposed site covers the needs of technology now, but cannot speak for the future needs of technology. Petitioner David Vivian wanted to clarify that this proposed tower will house antennas for both 4G and 5G and there will not be a need for another tower in this area. Petitioner David Vivian also added that the discrepancy between coverage maps is because the coverage map on the Verizon Wireless website shows in-vehicle coverage, while the coverage maps shown today are targeting in-house coverage. There were no further comments or questions from the Board at this time.

Chair Russell Denver opened the discussion to the public.

Dr. Daniela LaBarre, 19 Silver Fox Lane, spoke in opposition of the project. The resident noted that the view of the tower from the public streets depicted in the photo-simulations is very different from the view residences would have from their properties. The resident stated she believes the tower would be more visible than described tonight. The resident also raised concern on the lack of health and safety protocols mentioned in tonight's presentation. The resident referenced an article published on health

issues of residents who live near other Verizon Wireless cell towers and the legal actions being taken by the residents. The resident noted that proximity of the tower to an elementary school in Town.

Cindy Normandin, 540 Somers Road, spoke in opposition of the project. The resident raised concern about her loss in property value due to the presence of the proposed tower. The resident stated she believed there are more appropriate locations for the proposed tower.

Marilyn Richards, 342 Pinehurst Road, spoke in opposition of the project. The resident asked Atty Freyman to clarify that the access road would be attached to the existing driveway of 16 Meadowbrook Road. The resident cited Tax Classification 61a in stating she believes the Town has Right of First Refusal on this property, which was not offered to the Town. Planning Director Yeo referenced notes Town Counsel had given on the matter; the applicant can address this issue after approval from the Town on zoning and planning matters. Town Counsel was not positive if the passive use of the cell tower would trigger a change in land use when a majority of the parcel continues with its previous use.

Philip Abair, 7 Silver Fox Lane, spoke in opposition of the project. The resident raised concern on the lack of health and safety protocols mentioned in tonight's presentation. Atty Freyman stated Verizon Wireless complies with the federal regulations on RF emissions. Atty Freyman referenced the article cited by Dr. LaBarre earlier; stating that studies showed the Verizon Wireless tower in question was emitting 1/50 of the RF emissions allowed under federal regulations. Atty Freyman referenced the TCA of 1996 which states towns are not allowed to regulate proposed cell towers based on health concerns due to the already high level of federal regulations. Atty Freyman stated the proposed tower passed all federal regulations regarding RF emissions before the tower was even proposed to the Town. Atty Freyman added that Verizon Wireless does possess their Federal Communications Commission (FCC) license. The resident voiced his lack of trust in the federal regulations, as well as Verizon Wireless' ability to follow them. Atty Freyman stated that the tower is remotely regulated 24/7 to ensure RF emission levels are below the federal limit. Petitioner Kip Divito added that Verizon Wireless does not operate above the federal limit, they are compliant of all testing protocols, and their towers operate at a fraction of the power that is allowed by the FCC.

Dr. Daniela LaBarre, 19 Silver Fox Lane, joined the public hearing again to voice further opposition. The resident added that she completed remote work from home very successfully with the current levels of coverage. The resident spoke in agreement of Vice Chair George Kingston's concern on the discrepancy of coverage maps.

There were no further comments or questions from the public at this time.

Vice Chair George Kingston asked the petitioners to disclose the relationship between Cellco Partnerships and the d/b/a Verizon Wireless. Vice Chair George Kingston expressed his concern about the number of ownership changes the cell tower on Benton Drive has gone through. Atty Freyman answered the cell tower will be owned by Verizon Wireless.

Chair Russell Denver made note of the need for answers from the petitioners to questions raised by the public and Board members tonight.

Motion to continue the public hearing to the next meeting of the Planning Board, Tuesday, November 16, 2021 at 6:00 PM via Zoom made by Board Member Peter Punderson; second by Vice Chair George Kingston and approved by roll call vote five (5)-zero (0).

Vice Chair George Kingston raised the question on if there is actually a critical gap in cell coverage. Vice Chair George Kingston again cited the discrepancy of the cell coverage map on the Verizon Wireless website compared to the coverage map presented tonight. Atty Freyman stated the coverage map on the Verizon Wireless website it not a part of the petitioner's testimony and they cannot testify to the validity of it. The petitioners can only certify to the validity of the coverage map they have presented tonight.

Board member Peter Punderson again vouched for the gaps in coverage as a Town resident residing in an area of Town close to the proposed tower site. Board member Peter Punderson stated he personally receives his service from the cell towers in Hampden, not the existing cell tower on Benton Drive in Town, which results in a compromise of reliable service. Board member Peter Punderson voiced his concern for the lack of service, especially in times of emergency.

Chair Russell Denver asked Atty Freyman to revise their next presentation to include: addressing the discrepancy in coverage maps, further addressing the FCC RF emission standards and Verizon Wireless' compliance of them, addressing the comments provided by the Department of Public Works on revisions to the site plan, and providing a population report on the number of residents and businesses that would receive an increase in reliable service from the proposed tower.

Planning Director Yeo stated that by the Planning Board's next meeting of November 16, 2021, the Zoning Board of Appeals would have already approved or denied the applicants request for a dimensional and use variance at their meeting on November 8, 2021 at 6:30 PM via Zoom.

There were no further comments or questions from the Board at this time.

CONTINUED PUBLIC HEARINGS

- 7. Case ZN 2021-03: Ground-Mounted Photovoltaic Installations Bylaw Amendment**--For the purpose of amending and clarifying the Town of East Longmeadow Zoning Bylaws SECTION 7.5 Ground-Mounted Photovoltaic Installations and Schedule of Uses SECTION 3.041-Ground-Mounted Photovoltaic Arrays by adding language permitting ground-mounted photovoltaic installations in residence zoning districts. Petitioner: East Longmeadow Planning Board (Cont. 9/21/2021; 10/5/2021)

Chair Russell Denver stated Planning Director Yeo was able to research and gather information on some of the questions raised by the Board, but was not able to research and gather information on all of the questions.

Chair Russell Denver opened discussion to the public. There were no comments or questions from the public at this time.

Motion to continue the public hearing to the next meeting of the Planning Board, Tuesday, November 16, 2021 at 6:00 PM via Zoom made by Board Member Peter Punderson; second by Vice Chair George Kingston and approved by roll call vote five (5)-zero (0).

Chair Russell Denver informed the Board he intends to deliver a proposal relating to this solar bylaw to the Town Council by the end of the calendar year.

Board member Cassandra Cerasuolo asked a clarifying question regarding solar covered car ports and their classification. Planning Director Yeo answered that solar covered car ports are not mentioned specifically in the Town's bylaws and the Building Inspector has been treating their installations as Site Plan Review Waivers in industrial and commercial zones. Vice Chair George Kingston clarified that solar covered car ports have, in the past, been considered as their own building structure.

There were no further comments or questions from the Board at this time.

OTHER BUSINESS

8. Director's Report

Planning Director Yeo informed the Board of the upcoming Civic Engagement Fair taking place at the Council on Aging on Thursday November 21, 2021 at 1:00pm-3:00pm and 5:00pm-6:00pm. Several organizations from the Town will be presenting on opportunities they have for residents to get involved.

Chair Russell Denver thanked the Board for their questions and comments today directed at the petitioners of 16 Meadowbrook. Board member Peter Punderson and Chair Russell Denver concurred that petitioner's case is very heavily regulated by the federal government.

There was no further discussion by the Board at this time.

Motion to adjourn made by Vice Chair George Kingston; second by Board Member Peter Punderson and approved by roll call vote five (5)-zero (0) at 7:45 PM.