

Heath Planning Board Minutes

Tuesday, November 22, 2011

7:00 PM

Agenda:

- Municipal Fixed Wireless Broadband Facility Ordinance.
- Heath Commercial Wind bylaws.
 - Specifically, we are meeting with Peggy Sloan to Discuss current state of FRCOG recommended bylaws.

Attendees:

- **Douglas Mason, Bob Viarengo, Calvin Carr, Peggy Sloan, Tommy Flynn, Steve Kinsman, Steve Ryack.**

Opening:

The regular meeting of the Heath Planning Board was called to order at 7:07 on 11/22/2011 in Heath Library by Calvin Carr .

Wireless Broadband...

"Middle mile" will build the network to Heath.

The final mile could be built by wireless broadband.

We agreed that we should we should consider having a wireless service bylaw to direct creation of towers.

- Typical Broad Band Wireless tower is 75 feet.
- Peggy would like to work with us to put together a bylaw for these towers.
- A site plan review is needed for work within zoning bylaw requirements.
- Special permits are discretionary, the planning board can say yes, yes with discretion or actions required, or no.
- Peggy will find out how many towers would be needed to wirelessly address Heath's internet needs. She will also find out if the transmitter would be allowed and work on an existing windmill.
- The planning board will review the "Guideline for the Development of a Municipal Fixed Wireless Broadband Facility Ordinance". We will decide weather this should be by special permit or by right.
- Mass Broadband is funding the consultants that Peggy will refer our technical questions to.
 - Can they go on an existing windmill, power line, barn, etc.?
 - Is it an umbrella or line of sight technology?

- What are the economics of this, setup cost? Monthly cost?
- How many towers would be needed in Heath?
- How many customers are needed to start?
- How fast is the connection?

Discussion of Commercial wind bylaws.

- Received and will review the Berkshire Regional Planning Commission's "Model Large Scale Wind Energy Facility Zoning Bylaw"
 - We need to review each potential bylaw and make an outline or working bylaw. Peggy will start with the Berkshire bylaw.
 - We need to define commercial wind.
 - We need to define setbacks.
 - We need to define noise levels based on our ambient sound level.
 - We need to define a maximum height for any turbine.
 - Think about how this will affect quality of life and property value in adjacent properties.
- We discussed requesting that the Select Board create a moratorium on any wind development of any large scale wind project.
- Steve Ryack would like to approach the Select Board about creating an advisory committee to the Planning Board. Doug would act as liaison between this committee and the Planning Board.
 - The Planning Board needs to ask the Select Board to apply for local technical assistance from the FRCOG. A letter from the FRCOG asking for town requests for planning assistance is expected to be sent sometime in December.
 - We received Amendment to a Zoning Ordinance or By-law: "Allowing Conditional use of Wind Energy Facilities". Prepared by Mass Dept. of Energy Resources and Massachusetts Executive Office of Environmental Affairs.

Open Issues

- We have decided that we are going to begin research and create a bylaw for town meeting in May.
- We will discuss and create a Wireless internet bylaw after receiving further information from Peggy.

- Doug will forward concepts and wording to be added by Peggy to the beginning document on Commercial wind bylaws.
- Doug will send Peggy the current bylaws from Heath
- Cal will forward Letter from AG to town clerk needs to be sent to Peggy Sloan.

New Business

Summarize the discussion for new issues, state the next steps and assign any action item.

Agenda for Next Meeting

Commercial Wind Bylaws

Wireless internet (tower) bylaws

Adjournment:

Meeting was adjourned at 8:38 by Calvin Carr. The next general meeting will be at the Heath Library on January 17 at 7:00pm.

Minutes submitted by:

Douglas Mason