



# Town of Carlisle

MASSACHUSETTS 01741

Office of

*PLANNING BOARD*

P.O. BOX 827  
CARLISLE, MA 01741  
(978) 369-9702

MINUTES  
Special Meeting  
May 29, 2003

**Authorization for one member to approve invoices and payroll vouchers pending organization of the Board at meeting of June 9, 2003, or thereafter**  
**Identification and analysis of potential sites for Wireless Communications Facilities [Broadcast Signal Lab and GPR]**

Vice Chair Louise Hara called the meeting to order at 7:00 p.m.

**Present:** Michael Abend, David Freedman, Louise Hara, Dan Holzman, and Tom Lane. Rich Colman arrived at 7:30 p.m. Also present, Planning Administrator George Mansfield

**Authorization for one member to approve invoices and payroll vouchers pending organization of the Board at meeting of June 9, 2003, or thereafter**

Abend nominated Hara to act as Chair Pro Tem, until the organization of the 2003-04 Board, Lane seconded the motion. Since the Board is expected to vote an organization plan at its next meeting, 6/9/03, members did not believe it was necessary to authorize a single member to approve invoices and payrolls between this date and then. The motion was approved unanimously, 5-0. The members present approved all currently outstanding bills.

In reviewing the bills for copying costs related to a public records request, Mansfield provided the Board with some background information about pending litigation by Richard Howe regarding the status of "Rangeway Road." (That complaint is filed against the Town, not the Planning Board.)

**Identification and analysis of potential sites for Wireless Communications Facilities [Broadcast Signal Lab and GPR]**

Hara noted that the Selectmen would like copies of the draft BSL report, but only the basic report without appendices. Mansfield replied that he believes the Town Administrator has a copy of the report, and he will ask her to send copies to the Selectmen.

Mansfield briefed the Board on the status of the depositions requested by attorneys for AT&T and the other plaintiffs in the 662 Bedford Road (Duren) suit and the Woodward/Anderegg suit (both actions brought as appeals to decisions of the Zoning Board of Appeals in denying/approving variances for wireless communications facilities). David Maxson of BSL and Cal Goldsmith of GPR, contractor and subcontractor respectively to the Planning Board for the Wireless Facilities Site Study, were deposed on matters relating to that study on May 22 and 23. Both depositions were continued to unscheduled dates. In addition, Town Counsel Kim Saillant has recommended that Mansfield be designated by the Town to be deposed on the same matters, also at an unspecified future date. (Board of Appeals Chair Terry Herndon is also expected to be deposed.) Board members recommended that, in light of the uncertainty of the dates of these depositions, that the Wireless Site Study be brought to its conclusion as originally scheduled, provided that Town Counsel believed that this was in the best interests of the Town and Maxson agreed. If that were the case, Mansfield was directed to send the Board's comments on the draft report to Maxson, with a note that Abend was available to discuss them if he had any questions, and to schedule the oral presentation of the final report on June 23, if the Selectmen were available to attend, or June 24 (at a Selectmen's meeting), if the Selectmen so preferred. Invitations will then be sent to other boards and committees identified at the Board's 5/12/03 meeting, and Board members will attend meetings of some of these other boards in advance to give them a brief overview of the Wireless Site Study.

*(Abend left the meeting.)*

Since the current contract with BSL is due to expire on May 31, 2003, **Freedman** moved to extend that contract to June 30, 2003. **Holzman** seconded the motion and it was approved 4-0.

*(Colman arrived.)*

Finally, the Board discussed the responsibility for the costs their consultants are incurring associated with preparing for and attending the depositions. Maxson has discussed this matter with Mansfield, the Town Administrator and Town Counsel. Board members asked Mansfield to ask Counsel what the standard practice is in such situations, whether the Town has a legal obligation to pay the consultants for this time, and whether a motion to ask the court to assess the plaintiffs for these costs would be in order. The Board also asked Mansfield to tell Maxson that they will discuss resolving the invoices for other expenses above the amount of the original contract only after the questions of the costs of the depositions are resolved.

The meeting was adjourned at 7:40 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "George Mansfield ams." The signature is written in dark ink and is positioned above the printed name and title.

George Mansfield  
Planning Administrator