

**Minutes
Topsfield Zoning Board of Appeals
Virtual over ZOOM
Board of Selectmen Meeting Room
September 22, 2020**

Chairman Bob Moriarty called the meeting to order at 7:04PM. Board members present included Chairman Moriarty, David Merrill, Gregor Smith, Jody Clineff, and Dave Moniz. Donna Rich, Community Development Coordinator, was also present.

Visitors: Jeff, Rob Skeffington, Michael Giaimo, Robinson & Cole, LLP, Warren Rothberg, Al Mayers, Bloomberg Communications, Inc., Noah Demers, BCATv.

GOVERNOR’S ORDER

Chairman Moriarty stated “Pursuant to Governor Baker’s March 12, 2020 order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor’s March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the Zoning Board of Appeals will be conducted via remote participation to the greatest extent possible. Specific information and the general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting can be found on the Topsfield website at www.topsfield-ma.gov For this meeting, members of the public who wish to watch or listen to the meeting may do so in the following manner: Video conference (see log-in information below.) No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means”.

ANNOUNCEMENTS

Chairman Moriarty made the following announcement: the meeting is being recorded by the Boxford Cable TV via ZOOM and it will be available on the Topsfield website Cable Video on Demand page. Is there anyone else present who wishes to record the meeting? While we are conducting town business using remote participation via ZOOM, we ask that those of you not recognized by the chair or otherwise engaged in the discussion of the moment to please mute your microphone to avoid interruptions outside the conversation. Thank you.

Public Hearing:

286 Boston Street – Robinson & Cole, LLP & Bloomberg Communications, Inc. Clerk Dave Merrill read the Legal Notice to open the Hearing. Chairman Moriarty asked Michael Giaimo, Robinson & Cole, LLP to explain the request. Mr. Giaimo stated that the applicant is requesting a Finding. There is an antenna on an existing lattice tower that has been there for 40 years and the tree canopy in the area is compromising the signal which requires the request for a 15-foot mast/pole to be added and then adding 2 small radio antennas onto that pole. There would be no

change to the actual tower height or foot print of the existing tower. In addition, there is a second tower on the property, along with a dish antenna that is obsolete, which would be removed as part of this project. This request would have no impact on the neighborhood, it is not visible to the public, it would, however, provide a service that will be used in Topsfield and the surrounding area. Al Mayer, Bloomberg Communications, Inc. noted that 6 years ago Bloomberg Communications extended their radio footprint into the Boston area and decided to utilize FM transmitter technology. The company moved forward with their business plan and in order to better serve the communities and cover gaps between Newburyport and Boston they require the Topsfield antenna. The tower offers 250 watts, a range of 12 miles in a 360-degree radius. Mr. Mayer explained that the radio programs this antenna would serve are very solid all news and business in an unbiased format. The members requested clarification on the height extension and visual appearance from the road of the tower. Mr. Mayer explained that the 122-foot-high, triangular structured steel tower, which is narrower on top, requires the proposed 15-foot pipe with 2-small radio antenna on the side, being self-supported with no wires and is barely seen from along the Route 1 corridor. The second tower on the site is slightly higher and is used by the owner for his amateur radio connection with friends. The goal is to put the Bloomberg Communication antenna on the top and the ham radio antenna onto the one tower allowing for the dismantling of the second guided tower. On the base of the tower there would be a fenced off structure with a self-containing cabinet 5-feet x 4-feet on a concrete pedestal, which would house all the equipment and an air conditioning unit, which is presently existing on the site. Members noted that the increase in height was incremental and not a detriment to the neighborhood.

Hearing no comments from the public, Gregor Smith made a motion to close the Public Hearing, seconded by Dave Merrill; motion carried with a roll call vote as follows:

Chairman Bob Moriarty-yes

Clerk Dave Merrill-yes

Member Gregor Smith-yes

Member Dave Moniz-yes

Member Jody Clineff-yes

Gregor Smith made a motion to approve the Finding for Bloomberg Communication Inc, at 286 Boston Street to increase the height on the existing communication antenna 15-feet and remove the second communication tower, seconded by Dave Merrill; motion carried with a roll call vote as follows:

Chairman Bob Moriarty-yes

Clerk Dave Merrill-yes

Member Gregor Smith-yes

Member Dave Moniz-yes

Member Jody Clineff-yes

Minutes: Dave Moniz made a motion to approve the August 4, 2020 minutes as written, seconded by Gregor Smith; motion carried with a roll call vote as follows:

Chairman Bob Moriarty-yes

Clerk Dave Merrill-yes

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Member Gregor Smith-yes
Member Dave Moniz-yes
Member Jody Clineff-yes

At 7:30pm Bob Moriarty made a motion to adjourn, seconded by Dave Merrill; motion carried with a roll call vote as follows:

Chairman Bob Moriarty-yes
Clerk Dave Merrill-yes
Member Gregor Smith-yes
Member Dave Moniz-yes
Member Jody Clineff-yes

Respectfully submitted,

Donna C. Rich
Community Development Coordinator

Per the Open Meeting Law, the documents that were either distributed to the Zoning Board of Appeals before the meeting in a packet, or at the meeting were:

1. Agenda
2. Minutes of August 4, 2020
3. Application for 286 Boston Street

Approved as written at the November 24, 2020 Zoning Board of Appeals meeting.

Pursuant to the 'Open Meeting Law,' G.L. 39, § 23B, the approval of these minutes by the Committee constitutes a certification of the date, time and place of the meeting, the members present and absent, and the actions taken at the meeting. Any other description of statements made by any person, or the summary of the discussion of any matter, is included for the purpose of context only, and no certification, express or implied, is made by the Committee as to the completeness or accuracy of such statements.