



# City of Malden

Malden City Hall  
215 Pleasant Street  
Malden, MA 02148

## Meeting Minutes - Final Public Property Committee

*Chairperson Amanda Linehan  
Vice Chair Stephen Winslow  
Councillor Craig Spadafora*

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Tuesday, April 20, 2021

5:30 PM

Remote Meeting

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### Roll Call

**Present:** 3 - Amanda Linehan, Stephen Winslow and Craig Spadafora

*Also Present: Councillors Camell, Murphy, O'Malley  
Kate Fallon-City Solicitor  
Nelson Miller-Bldg. Commissioner  
Attorney John Weaver-Council for Cellco d/b/a Verizon  
Ralph Colorusso-Cellco Verizon*

*Councillor Linehan called the meeting to order at 5:37 P.M. Jon Miara and UMA are recording the meeting.*

#### 173-21

In accordance with Governor Baker's 3/12/20 Order Suspending Certain Provisions of the Open Meeting Law, G.L.c.30A,ss18, and the Governor's 3/23/20 Revised Guidance on Order by the Governor Prohibiting Assemblage of More than Ten People, this meeting will be conducted via remote participation.

In person attendance by members of the public is prohibited, and all effort will be made to permit public attendance of this meeting, in the manner specified below, via remote access by internet, telephone, and if available via public broadcast of the meeting by Malden Access Cable Television on public access television channels.

Public access will also be provided by posting draft minutes, and/or a transcript, recording, or record of the meeting on the city of Malden website at [cityofmalden.org](http://cityofmalden.org) as soon as practicable after the meeting.

Additional information/guidelines for the public can be found here:

<https://www.cityofmalden.org/DocumentCenter/View/2487/Public-information-on-Public-Meetings-and-Hearings-during-the-Declared-State-of-Emergency-related-to-COVID19PDF>

Members of the public who wish to attend remotely can do so using the following information:

Please click the link below to join the webinar:

<https://cityofmalden.zoom.us/j/96810143768?pwd=VXdla1doaGFIWnQ0K0dVK3pCSGI0UT09>



9. 562 Broadway (Rte. 99)
10. 69 Olive Ave.
11. 4 Northern Rd. (Nichols Rd. Side)
12. 241 Lebanon Street
13. 95 Jacob St. (Valley St. Side)
14. 740 Salem St. (Laurel St. Side)
15. 26 Division Street
16. 30 Rutland Street
17. 98 Pierce St.
18. 145 Cherry St.
19. 50 Hill St. (Kimball St Side)
20. 311 Forest Street

**Sponsors:** Amanda Linehan

*Councillor Linehan turns it over to Nelson Miller, Building Commissioner to discuss his review of the (20) Verizon Petitions. Most of the twenty are identical petitions that have been before the Council previously. The letter of summary of his review is attached.*

*Attorney Weaver is the outside Council for Verizon wireless and explains small cells provide the needs of Malden residence for wireless needs. The pending applications are consistent with applications the committee has seen before. They all meet the FCC regulations and ordinance requirements of the City and this committee has imposed.*

*Councillor Winslow asked Nelson about the 4" array of the design of the apparatus and asked are the brackets 4" long? Nelson answered by saying we have a condition in the ordinance, the distance of the equipment and antennae from the pole should be 4" or less we do have a height restriction the assumption would be that the 4" would be a horizontal distance from the pole out the cylindrical apparatus did meet the requirement but the new three headed equipment is wider. He does not think it makes a big difference, but wanted to mention it in his summary. Councillor Winslow agrees that we should be ok on that.*

*Motion to open the Public Hearing portion of the meeting in favor of the petitions was made by Councillor Winslow seconded by Councillor Spadafora at 5:56 P.M. Councillor Linehan said seeing and hearing no one speaking in favor of the petitions she closes this portion of the Public Hearing at 5:57 P.M. Motion to open the Public Hearing portion of the meeting in opposition of the petitions was made by Councillor Winslow and seconded by Councillor Spadafora at 5:57 P.M. The Clerk of Committees read two letters into the record one from resident John Saia and Michael Tran. Attorney Weaver speaks to the comments and reiterates that the FCC makes determinations about emissions that are considered appropriate they use the FDA, EPA, OSHA as guidelines to inform comments and feedback in studies to inform their regulatory guidelines regarding their emissions. He is aware to the NH report but the FCC finds that there are not creditable evidence and the allegations that are in the NH report.*

*Councillor Camell asks Mr. Weaver if they have checked if any of these petitions are double poles. Mr. Weaver does not know if they have checked but explains they will not attach any equipment as stated by the committee on any double poles until National Grid has removed the double poles. Councillor Camell asked Nelson how does the process go if there is a double pole? Nelson answered his department doesn't inspect telephone poles no oversight on their end however, this is placed upon the approval by the City Council so by nature of the approval the city has the recourse to make them do it if they do not do it. Councillor Camell asked if and when we do find double poles do we make*

*amendments or how do we stop it, what is the actual procedure?*

*Councillor Condon said the committee is on top of this and we have been getting cooperation so far. Nelson said something his department does is inspect the wiring so there is an option to check to see if there are double poles at that point. Councillor Winslow said 22 Sharon Street does have a double pole in Maplewood on google earth during his virtual survey.*

*Councillor Murphy asked Mr. Weaver about an array that was going on the corner of Willard and Pagum St. and we agreed to move that. She received a call from a resident near 46 Willard St and saw an apparatus installed near the house next door and asked if that was Verizon putting it up without approval or is it not Verizon. Mr. Weaver said to the best of his knowledge that is not Verizon Wireless they will be submitting a supplemental site in the future but the pole in question is not Verizon equipment. Councillor Murphy asks with the proliferation of these units have we spoken about what's acceptable for the distance between the units installed from different companies? Councillor Winslow said that has come up in ordinance and been discussed but no action has been taken as of yet. Councillor Murphy said we need to be very careful as to how we move forward on all of this and be proactive letting residents know this roll out is happening.*

*Councillor Linehan reads Mr. Saia's questions from the Q&A: The City Ordinance only allows the City a petitioner to put a signal to public space and he asked whether this will be transmitting into private rights of way and private air space? Mr. Weaver said the ordinance only addresses where these could be installed in public ways if a utility pole was halfway up someone's property it would not be subject to this ordinance that would be the zoning ordinance. The service area varies by trees or topography but extends coverage of about an eighth of a mile and the radius around it. Q: Are there devices the public can use to measure the output generated by these installations. A: The devices their experts use when they measure these he doesn't feel are classified devices he has never purchased one but believes they are public available.*

*Councillor Spadafora makes a condition to make sure that the emission affidavits are included in the petitions. Mr. Weaver said he would make sure the clerk gets the copies of those. Councillor Spadafora said it's \$500 per pole for the petitions but the mailings to alert the abutters is \$1,250.00 while \$500 seems expensive for an application process due to the ordinance, but in some cases we are losing considerable dollars for the postage. We want to make sure the residents get proper notification the legal department is looking into putting up notifications on the pole so that residents can see it. Motion to close the Public Hearing portion on those opposed to the petitions was made by Councillor Winslow and seconded by Councillor Spadafora at 6:18 P.M. All were in favor.*

*Councillor Winslow has concerns with 145 Cherry Street with the distance and will reclude himself from Jacob St as he lives on Jacob Street. The pole Mr. Tran is questioning is not in proximity to the home he may be referring to the other side. He feels that these are very little radiation devices. Motion to recommend to approve the petitions and to table 145 Cherry Street, Pole #3050, pending the distance of the homes was made by Councillor Winslow and seconded by Councillor Spadafora. All were in favor. Motion to reclude himself from 95 Jacob Street, Pole #2595 was made by Councillor Winslow and seconded by Councillor Spadafora. All in favor. Motion to recommend approving Pole #2595 was made by Councillor Spadafora and seconded by Councillor Linehan. Motion to adjourn was made by Councillor Spadafora and seconded by Councillor Winslow. All were in favor. Meeting was adjourned at 6:33 P.M.*

A motion was made by Vice Chair Winslow, seconded by Councillor Spadafora, that the Petitions be recommended favorably as amended at the following locations: 448 Ferry St, (Essex St side), 72 Upham St(Linwood St side), 445 Bryant St, 22 Sharon St.(Maplewood Side), 41 Maplewood St, 175 Broadway(Eastern Ave side), 632 Broadway(Rte. 99), 135 Elwell St, 562 Broadway(Rte 99), 69 Olive Ave, 4 Northern Rd,(Nichols Rd side), 241 Lebanon St, 95 Jacob St,(Valley St side),740 Salem St(Laurel St Side), 26 Division St, 30 Rutland St, 98 Pierce St, 50 Hill St(Kimball St side), 311 Forest St, with the condition that equipment not be installed on any poles that are double poles or adjacent to double poles until National Grid replaces them and these installations do not include mechanical cooling devices or fans and table the petition a the following location: 145 Cherry Street pending further confirmation of the actual distance of the antennas from the homes. \*NOTE: Councillor Winslow recused himself from the vote on 95 Jacob Street. The motion carried by the following vote:

Yea: 3 - Chairperson Linehan, Vice Chair Winslow and Spadafora

## Other Business

## Adjournment

A motion was made by Councillor Craig Spadafora, seconded by Vice Chair Stephen Winslow, that the meeting was adjourned at 6:33 P.M. The motion carried by the following vote:

Yea: 3 - Chairperson Linehan, Vice Chair Winslow and Spadafora