



# City of Malden

Malden City Hall  
215 Pleasant Street  
Malden, MA 02148

## Meeting Minutes - Final Public Property Committee

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Tuesday, September 28, 2021

6:00 PM

City Council Chambers  
215 Pleasant Street  
Malden, MA 02148

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### Roll Call

*Also Present:*

*Attorney Zaheer Samee-Legal Department*

*Attorney John Weaver-Cellco-d/b/a Verizon*

*Attorney Hans Esyenbach-ExteNet*

*Councillor Linehan called the meeting to order at 6:08 P.M. The City of Malden and UMA will be filming the meeting.*

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

[413-21](#)

Please click the link below to join the webinar:

<https://cityofmalden.zoom.us/j/97103334585?pwd=SjlxbGN5VFlyTWVhBUU9CS25iMHY0UT09>

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### Minutes to be Approved

[414-21](#)

Minutes of the June 29, 2021 meeting to be approved.

**Motion to approve the minutes of June 29, 2021 was made by Councillor Winslow and seconded by Councillor Spadafora. All were in favor.**

### Business

**This meeting is for the purpose of a Public Hearing for the following petition:**

[415-21](#)

Cellco Partnership d/b/a Verizon - Installation of necessary

telecommunication equipment and corresponding aerial fiber optic cable on National Grid owned Utility Poles; Verizon also to install antennae and appurtenant equipment and aerial fiber route; To collocate small wireless facilities (also referred to as "small cells" on existing wooden utility poles located within the public right of way at the following location:

1. 1038 Salem St. (Re: Paper 226-21).

*Councillor Linehan begins with Paper #415-21 Cellco Partnership d/b/a Verizon- Installation of necessary telecommunication equipment and corresponding aerial fiber optic cable on National Grid owned Utility Poles; Verizon also to install antennae and appurtenant equipment and aerial fiber route; to collocate small wireless facilities (also referred to as "small cells" on existing wooden utility poles located within the public right of way at the following location: 1038 Salem St. (Re: Paper #226-21) Pole #4979.*

*Councillor Linehan calls up Attorney John Weaver who is the representative for Verizon and he explained this application is left over from previous papers submitted in the Spring but was improperly noticed as 1308 Salem and they then requested this Public Hearing tonight for approval on this application which is similar to the other which were approved in the Spring. The closest home is 90 plus feet away and there are no trees in the area. Councillor Linehan questions the height and wanted to confirm the correct abutters list was sent out. Clerk Cagno confirms the abutter letters were sent out from the City Clerk's office prior to the meeting. Attorney Weaver said the height is in compliance and satisfies the ordinance as amended. Motion to open the public hearing at 6:16 P.M. was made by Councillor Winslow and seconded by Councillor Spadafora. All were in favor. Councillor Linehan calls on Victor Zhang, 1038 Salem Street via zoom and he asked why it is set up so close to the residence. He feels it is not a good idea and is concerned the heat can hurt your hands and it will effect your health. Councillor Winslow explained this is new technology and the power is smaller. Attorney Weaver refers to tab 23 in the packet which was submitted in the Spring which shows the emissions and how it compares to the Government FCC regulations and after you get more than four feet away from the antennae the percentage of emissions declines and essentially the nearest residence is 80 feet and essentially should not have any exposure. He states that distance is more than sufficient. Councillor Linehan explains that the packet is available to the public by appointment in the City Clerk's office. Attorney Weaver also gave his email address: john.weaver@mclane.com of anyone wanted to obtain any of these materials from him. Councillor Linehan calls on KJB he states his name is Kevin Burke who is the trustee for the 1050 Salem Street Condominium Association. He explains that Victor who just spoke is a unit owner at 1038 Salem Street who is very concerned. Kevin states if we are associated the address 1038 he feels the distance would be about 30 feet. He questions which pole they are talking about. Attorney Weaver explained looking at Salem St the park on the end at the corner there is a utility pole across the street on the North side of Salem St., that is the pole in question. He measured and the area is 90 plus feet away from the residence. Kevin said he may be able to alleviate some of Victor's concerns. Councillor Linehan said that they need to confirm the distance and asked the resident to come in to obtain a packet if they would like. Councillor Linehan asked the constituent to email the Clerk so that they may get the information to them. Attorney Weaver asked the committee if they table the paper he would be happy to address any more questions the constituent had. Michael Pattenson, the developer has put the coordinates up. Councillor Linehan said hearing and seeing no more questions: The following motion was made: Motion to close the public hearing for this petition at 6:36 P.M. was made by Councillor Winslow and seconded by Councillor Spadafora. All were in favor. Councillor Spadafora made a motion to table Paper #415-21 seconded by Councillor Winslow. All were in favor.*

**Motion to table Paper #415-21 was made by Councillor Spadafora and seconded**

by Councillor Winslow. All were in favor.

[416-21](#)

The committee will review and discuss letter submitted by Hans Eysenbach, Attorney for ExteNet RE: Request to Reconsider Recommended Denial of Attachment Authorization Request by ExteNet Systems, Inc. for the Utility Pole Adjacent to 71 Plainfield Avenue.

*Councillor Linehan moves onto the next order of business, Paper #416-21 The committee will review and discuss letter submitted by Hans Eysenbach, Attorney for ExteNet Re: Request to reconsider recommended denial of attachment authorization request by ExtyeNet Systems, Inc. for the Utility Pole adjacent to 71 Plainfield Avenue. Attorney Eysenbach explained they are asking the committee to reconsider their recommendation from last October to deny the application for Pole #3357 relating to concerns about the proximity to the tree in between the sidewalk and the residence adjacent to the pole. At the present time there is no tree trimming required or necessary that ExteNet is aware of and that this site meets all the other ordinance requirements and all FCC requirements. Councillor Winslow had looked at what was submitted and said the antennae will be right in the middle of the tree and there are other poles on the street so why is it so important to have this antennae here. The other poles have no trees near them and can you take a look at that. Attorney Eysenbach said that is the carriers decision, ExteNet is the network that is hired by the carrier, moving down the block can change the ability to meet the requirements. Councillor Winslow thinks it is fair for the City to ask them to look at another location he feels that trees grow and they are important to the environment and the community and we need to protect them. Councillor Spadafora agrees with Councillor Winslow given the location and we are giving them the ability to find another location. The following motion was made: Motion to deny 71 Plainfield Avenue was made by Councillor Winslow and seconded by Councillor Spadafora. All were in favor. Attorney Eysenbach said he will go back to the company and see if there is any chance they might have another alternative to this site. Councillor Linehan explains the preference would be to come back for a pole that doesn't have a tree so close and go from there. Motion to adjourn was made by Councillor Spadafora and seconded by Councillor Winslow. All were in favor. Meeting was adjourned at 6:46 P.M.*

**A motion was made by Vice Chair Winslow, seconded by Councillor Spadafora, that the Communication be recommended unfavorably to the Full Council. The motion carried by a unanimous vote.**

## **Other Business**

## **Adjournment**

**A motion was made by Councillor Craig Spadafora, seconded by Vice Chair Stephen Winslow, that this meeting be adjourned at 6:46 P.M. The motion carried unanimously.**