



Public Facilities Committee Report

City of Newton

In City Council

Wednesday, April 3, 2019

Present: Councilors Crossley (Chair), Kelley, Gentile, Danberg, Laredo

Absent: Councilors Leary, Norton, Lappin

City Staff Present: Commissioner of Public Works Jim McGonagle, Associate City Engineer John Daghlian, Associate City Solicitor Alan Mandl

#114-19 ExteNet Systems petition for wireless grant of location on Adams Street
EXTENET SYSTEMS, LLC petitioning for a grant of location to install a small cell wireless facility on an existing utility pole located in the right-of-way in the vicinity of 132 Adams Street. The installation will include an antenna, radio equipment, an electric meter, and cabling for fiber and power to enhance wireless coverage in the area. (60-day action date: 05/04/19)

Action: **Public Facilities Approved 4-0, Danberg not Voting**

Note: The Chair explained that the ExteNet petitions (#114-19, #115-19, #116-19) are the first petitions for small cell wireless equipment that have been filed with the City since the Procedures and Standards were approved by the Council in August 2018. She noted that the City's internal process is being adjusted to ensure that applications are reviewed and acted on in a timely manner. It was noted that the Federal Communications Commission (FCC) has issued an order relative to the review of wireless equipment. The FCC order includes a "shot clock" provision, requiring the City to act on applications for wireless equipment within a 60-day time period. If the review period is expected to exceed 60-days, the City and the petitioner may agree to a "tolling agreement", allowing an extension of the amount of time to act on the petition. If an application is deemed incomplete and the petitioner must submit supplemental information; the "shot clock" restarts when the supplemental information is submitted. The City's review process currently includes analysis from DPW/Engineering, the Planning Department, Historic Commission (if applicable) and the Fire Department.

Mr. Keenan Brinn represented ExteNet Systems and presented the request to install wireless equipment on a wooden utility pole located on Watertown Street, adjacent to Adams Street. Mr. Brinn stated that ExteNet Systems is a wireless infrastructure provider who provides intermediary service for wireless carriers (i.e. AT&T, Sprint, Verizon, etc.). Mr. Brinn confirmed that the petitions for wireless grants of location on Adams Street/Watertown Street, Beacon Street and Commonwealth Avenue are being facilitated for AT&T. Mr. Brinn confirmed that the wireless grants of location are preceded by private agreements to locate with the utility pole owner and Eversource. If a utility pole is determined to be too old to hold the equipment, ExteNet agrees to funding a replacement pole. Mr. Brinn noted that the proposed equipment includes an 18" cylindrical antennae, equipment cabinet and metering equipment.

Committee members questioned why the petitioner is seeking a grant of location on the wooden utility pole and not the adjacent Dunkin Donuts. Mr. Brinn explained that the dispersion of wireless equipment throughout the country is an effort to meet increased capacity demands in densely populated areas (intersections, near colleges, event venues, beaches, etc.). He noted that the upgrading of service to “5G” is dependent on the location of wireless equipment 30’-35’ above the ground. Mr. Brinn explained that the location of wireless equipment on utility poles is more efficient for wireless carriers than individual agreements with private entities throughout the country would be. The Chair noted that the contents of the application were flagged by City staff as incomplete and the petitioner submitted supplemental information. Associate City Solicitor Alan Mandl noted that some information remained inaccurate and requested that Mr. Brinn correct the documents and submit them to the Clerk’s office.

The Public Hearing was Opened and Closed with no member of the public who wished to speak. It was noted that the petitioner is seeking to locate on a double pole. Committee members noted that the pole under consideration is the new pole and will not need to be relocated. City Engineer John Daghlian confirmed that the Engineering Department has no concerns relative to the grant of location. With that Councilor Gentile moved approval of the item which carried 4-0 (Danberg not Voting).

#115-19 ExteNet Systems petition for wireless grant of location on Beacon Street

EXTENET SYSTEMS, LLC petitioning for a grant of location to install a small cell wireless facility on an existing utility pole located in the right-of-way in the vicinity of 262 Beacon Street. The installation will include an antenna, radio equipment, an electric meter, and cabling for fiber and power to enhance wireless coverage in the area. (60-day action date: 05/04/19)

Action: Public Facilities Held 4-0, Danberg not Voting

Note: Mr. Keenen Brinn presented the request to install equipment on a wooden utility pole located approximately 35’ from the house at 262 Beacon Street. Mr. Brinn noted that the pole is located on the inbound side of Beacon Street, within the Chestnut Hill Historic District. Mr. Brinn noted that he followed the City’s process and was initially told that there would be no adverse effect, the Chestnut Hill Historic District Commission (CHHDC) has requested additional information and has continued their review to their April 18, 2019 meeting. Mr. Brinn stated that the CHHDC has questioned why the pole chosen is necessary to support the wireless network. Mr. Brinn explained that there are no utility poles located on the outbound side of Beacon Street. He stated that approximately five poles were considered but other poles were not considered due to capacity issues.

The Public Hearing was Opened and Closed with no member of the public who wished to speak. The Chair noted that during the discussion and drafting of the Procedures and Standards, Councilors were made aware that the Council’s process may run concurrently with the Historic District Commission processes. Committee members questioned whether the item should be voted subject to second call, pending HDC approval or held in Committee. Commissioner of Public Works Jim McGonagle noted that the City is going to seek an amendment to the Procedures and Standards, requiring Historic Commission approval prior to filing of the grant of location. Committee members noted that the Historic Commission may have input

that changes the proposed pole location. Committee members agreed that given the City's change in process, it would be appropriate to hold the item. With that, Committee members voted 4-0 in support of a motion to hold from Councilor Laredo.

#116-19 **ExteNet Systems petition for wireless grant of location on Commonwealth Avenue**
EXTENET SYSTEMS, LLC petitioning for a grant of location to install a small cell wireless facility on an existing city-owned streetlight pole located in the right-of-way in the vicinity of 140 Commonwealth Avenue. The installation will include an antenna, radio equipment, an electric meter, and cabling for fiber and power to enhance wireless coverage in the area. (60-day action date: 05/04/19)

Action: **Public Facilities Held 4-0, Danberg not Voting**

Note: Mr. Keenen Brinn presented the request to install wireless equipment on a streetlight pole in the vicinity of 140 Commonwealth Avenue, on Boston College property. Mr. Brinn noted that the pole is a City-owned pole and subject to a licensing agreement with the City. It was confirmed that the pole needs a grant of location as well as a licensing agreement. The Chair explained that the City has determined that the City's existing streetlight poles are not structurally stable enough to carry additional equipment. In the event that a carrier petitions to locate on a City streetlight pole, the petitioner is required to replace the streetlight pole. Mr. Brinn noted that the City of Boston designed a street light pole and offered to provide examples of types of replacement poles. It was noted that there are hollow poles that conceal equipment. Atty. Mandl confirmed that the City is working on a draft licensing agreement and confirmed that the City is waiting on design specifications for the replacement pole. Commissioner McGonagle confirmed that Public Works reviews the replacement pole specifications.

The Public Hearing was Opened and Closed with no member of the public who wished to speak. Councilor Laredo motioned to hold the item, pending the submission of examples of replacement streetlight poles. Committee members voted 4-0 in support of holding the item.

#279-18 **Petition for Drain Extension in Staniford Street**
JAMES BARBERIO, 49 STANIFORD STREET, ET AL petition for main drain extensions in STANIFORD STREET from the property at 65 Staniford Street 450'± easterly to the existing sewer manhole at the intersection of Staniford Street and Freeman Street and from the property at 68 Staniford Street 700'± to the existing sewer manhole at the intersection of Staniford Street and West Pine Street.

Action: **Public Facilities Approved 4-0, Danberg not Voting**

Referred to Public Facilities and Finance Committees

#118-19 **Funding for a sewer main extension in Staniford Street**
HER HONOR THE MAYOR requesting authorization to appropriate and expend two hundred fifty-six thousand dollars (\$256,000) from the Sewer Fund Reserve for the purpose of funding the Staniford Street Sewer Extension.

Action: **Public Facilities Approved 4-0, Danberg not Voting**

Note: Associate City Engineer John Daghlian stated that Weston and Sampson was hired to perform a comprehensive design of the sanitary sewer main extension on Staniford Street. Mr. Daghlian noted that Weston and Sampson did borings and the soil is suited for the sewer. The proposed sewer main extension includes the construction of 8 laterals to the property line. The betterment assessments are approximately \$16,000 for each property.

Councilor Gentile confirmed that residents on the lower portion of Staniford Street have hooked up to an existing sewer line or have new septic systems and are not interested in connecting. He noted that the proposed sewer construction has gone out to bid in conjunction with the sewer at Rumford Avenue. Associate City Engineer John Daghlian confirmed that no pump is necessary for the sewer line and stated that the \$16,000 estimate covers the cost of the main line and the lateral to the property line. He noted that property owners are not required to tie into the sewer at the time of construction. Commissioner McGonagle confirmed that the sewer construction will be coordinated with National Grid and the City's construction coordinator will keep residents informed of the construction schedule and details. It is anticipated that the sewer project will be completed during 2019. The public hearing was closed with no other member of the public who wished to speak. With that, Councilor Gentile moved approval of items #279-18 and #118-19. Both items carried 4-0.

#133-19 Partial easement relocation on Boston College Middle Campus

COMMISSIONER OF PUBLIC WORKS requesting the relocation of a portion of an easement from the Trustees of Boston College to the City of Newton for drain lines in Section 63, Block 9, Lot 2 (Boston College Middle Campus) originally granted in 1917 and partially relocated in 2010 and 2013 under Board Orders # 232-10 and #232-10(2) and again in 2018 under Council Order #357-18 to reroute a portion of the existing City storm drain beyond the footprint of the planned Integrated Science Building. There will be no cost to the City.

Action: Public Facilities Approved 4-0, Danberg not Voting

Note: Associate City Engineer John Daghlian presented the request to relocate an easement and drainage system on the Boston College property. Mr. Daghlian explained that Boston College submitted a petition to erect a new Science and Innovation Center, requiring demolishing of the existing Cushing Hall. The existing sewer line goes through the footprint of the building. The proposed drainage system and easement will be relocated around the new building. A Committee member noted that locating the drainage system on the exterior of the building footprint makes sense for future access. Committee members expressed no concerns relative to the request and voted unanimously in favor of a motion to approve

The Committee adjourned at 8:01 pm.

Respectfully Submitted,

Deborah Crossley, Chair