

**Tyringham Planning Board**  
**Meeting Minutes – December 12, 2011**  
(Approved 01/9/12)

**Present:** Barbara Palmer, Ed Nardi, Rich Biasin, Jerry Miller, Carey McIntosh, Robin Almgren.

**(1) Minutes** - Minutes for 28 Nov 2012 approved as circulated.

**(2) ANRs & Building Permits** - No ANR's. Two building permits, neither requiring action from us. The PB has received copies of Conditions that the Monterey ZBA placed on two new wireless communication units in that town, which might be useful for us if/when we ourselves are writing conditions for a wireless communications device in Tyringham. They are filed with other documents from tonight's meeting.

**(3) Attorney General Feedback on Bylaw 6.7** - The Mass Attorney General's office has written us: first, about including in our Notice of a Public Hearing the place where materials for the Hearing may be inspected; second, about our Wireless Communications bylaw. They approve of our having rescinded last spring's 6.7. The letter contains a number of detailed comments that we shall have to take into account as we revise 6.7. For example: 1. there are legal constraints on hiring registered engineers; 2. we may not be allowed to require that a tower reserve space for emergency communications; 3. it looks as if fees can be charged for services rendered only; 4. surety. Jerry asked Kelly Gunagan if she could recommend a model bylaw for us, and she couldn't.

**(4) Retaining a Consultant** -- we need a real expert to help us write this new wireless communications bylaw and to be quickly available to vet a new application. It looks as though we have to go through the Massachusetts Request for a Proposal procedure to get one, but a Bulletin that Jerry obtained from the Inspector General gives guidelines on this. We have so far been unable to get an opinion on those guidelines from Counsel. Molly forwarded to us a sample RfP from Stockbridge, 10 pages long! Some RfP's include rating systems that give different weights to different qualifications, so as to end up with a score. Ed will ask the BRPC if they can help. Rich will inquire at Berkshire Wireless. Jerry will get back to the Inspector General's office. Barbara will ask a member of the Monterey PB how they have handled this.

**(5) Revising 6.7** -- The Board continued to revise and rewrite the Wireless Communications bylaw. Discussion touched on whether to require that the landowner be responsible for a tower along with the tower's owner. Further discussion on setbacks, an issue we shall surely need expert advice on. Members were asked to go through the Working Draft

of 11/28/11 and make their own changes.

**(6) Planning Board Files** - The Town Office has found space for our files here in Town Hall.

**(7) Additional Board Meeting** - Given the amount of work we still have to do on 6.7, and deadlines for getting it on the Annual Town Meeting warrant, we agreed tentatively to an extra PB meeting on Jan. 23, 2012.

Adjourned.