CAPE COD
COMMISSION

Minutes
Committee on Planning and Regulation (CPR) Meeting
March 24, 2022

Elizabeth Taylor, Chair called the Committee on Planning and Regulation meeting to order on Thursday, March 24, 2022 at 1:00 p.m. The meeting was conducted virtually using the Zoom meeting platform, with all members participating remotely as allowed pursuant to Chapter 20 of the Acts of 2021, an Act Relative to Extending Certain Covid-19 Measures Adopted During the State of Emergency, signed into law on June 16, 2021. The Chair announced that all votes or actions would be taken by roll call vote and that the members participating would be announced as the roll call was taken. The Commission Clerk called the roll, and a quorum of members was established as follows:

Elizabeth Taylor (Chair)	Present
Tom Wilson (Vice Chair)	Present
Harold Mitchell	Present
Jacqueline Etsten	Absent
John Harris	Absent
Fred Chirigotis (Alternate)	Present

Summary of Actions Taken/Votes

- **Approval of Minutes:** The minutes of the February 10, 2022 Committee on Planning and Regulation meeting were approved
- **Blue Sky Towers Mashpee Minor Modification Type 2:** The Committee approved the request by Blue Sky Towers III, LLC for a minor modification type #2 and directed staff to draft a decision approving the request

Minutes of February 10, 2022 Meeting:

Upon a motion to approve the minutes from February 10, 2022 meeting made by Tom Wilson, seconded by Fred Chirigotis, the motion carried. Roll call vote was as follows: Elizabeth Taylor, Yes; Tom Wilson, Yes; Harold Mitchell, Yes; Fred Chirigotis, Yes;

The Chair read the following item on the agenda:

Blue Sky Towers, Mashpee – (CCC File No. 18012) Minor Modification Type 2 - The Applicant, Blue Sky Towers III, LLC seeks to modify its Development of Regional Impact (DRI) decision for the above referenced Project, dated October 18, 2018, which permitted a 150-foot Wireless Communications Tower ("Tower") with associated improvements on the Project Site, located at 101 Red Brook Road in Mashpee, MA. The proposed Minor Modification would permit a site plan change that includes moving the Tower of the same height to a different location on the Project Site.

The Chair asked for the Applicant's presentation.

Atty. Ricardo Sousa, on behalf of the applicant Blue Sky Towers III, LLC, reviewed the Compiled Plot Plan, Sheet A-2 showing the proposed location for the tower and the new location of the driveway. He explained that by moving the tower further into the lot there would be minimum visibility and by changing the access of the driveway to make it more accessible.

The Chair asked for staff comments.

Using a power point, Jeffrey Ribeiro explained a Minor Modification Type 2 to an approved project. He displayed a plan of the existing conditions and the proposed project modification. He noted the visual impacts and how they will not affect proximate historic resources. He explained that a full archaeological survey was reviewed by Commission staff and NEPA review is in progress. He said Staff recommended one substantive condition, which he read from the slide. He noted that there would be additional tree clearing for the proposed location, but that would neither impact the open space requirement nor have significant impacts to natural resources.

The Chair asked if the decision would be conditioned on completion of the NEPA process. Mr. Ribeiro replied that the original DRI decision requires copies of all permits to be submitted to the Commission. He said that additionally his understanding was that the only items outstanding for NEPA were those being explicitly required by condition. Atty. Sousa confirmed that was correct.

The Chair asked for comments/questions from the members.

Mr. Mitchell stated that he served on the subcommittee that reviewed this project initially. He asked if the Fire Dept would be using the tower and Mr. Sousa indicated that yes, it would. He is in favor of the relocation of the tower for minimizing visual impacts and likes the design of the new proposed driveway. He is in support of this modification.

The Chair asked if members of the public had any comments.

There were no public comments.

The Chair asked for a motion.

Upon a motion to approve the request by Blue Sky Towers III, LLC for a minor modification type #2 and direct staff to draft a decision approving the request as presented by Harold Mitchell, seconded by Fred Chirigotis, the motion carried. Roll call vote was called as follows: Elizabeth Taylor, Yes; Tom Wilson, Yes; Harold Mitchell, Yes; Fred Chirigotis, Yes

New Business

There was no new business

Meeting Adjournment

The Chair asked for a motion to adjourn.

Upon a motion to adjourn the meeting at 1:22 p.m. made by Harold Mitchell, seconded by Fred Chirigotis, the motion carried. Roll call vote was as follows: Elizabeth Taylor, Yes; Tom Wilson, Yes; Harold Mitchell, Yes; Fred Chirigotis, Yes

Documents used at the March 24, 2022 meeting

- Committee on Planning and Regulation Agenda, March 24, 2022
- DRAFT Minutes of the Committee on Planning and Regulation, February 10, 2022
- Mashpee Fire Station – Compiled Plot Plan, Sheet A-2
- Meeting Power Point prepared by Cape Cod Commission Staff inclusive of all agenda items

Approved by the Committee on Planning and Regulations on:_____