

**ZONING BOARD OF APPEALS**

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482-5992

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ZBA 2008-47
Petition of Omnipoint Communications, Inc.
106 Central Street

Pursuant to due notice, the Special Permit Granting authority held a Public Hearing on Thursday, July 10, 2008 at 7:30 p.m. at the Town Hall, 525 Washington Street, Wellesley, on the petition of OMNIPOINT COMMUNICATIONS, INC. requesting a Special Permit pursuant to the provisions of Section XXII-C and Section XXV of the Zoning Bylaw to install a 65 foot tall single carrier stealth monopole with equipment cabinets mounted on a concrete pad at the base of the pole, on the WELLESLEY COLLEGE CAMPUS at 106 CENTRAL STREET, in an Educational District and a Water Supply Protection District.

On June 24, 2008, the petitioner filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication.

Presenting the case at the hearing was Joseph Giammarco, who said that he was representing Omnipoint Communications, Inc. (the "Petitioner"). Mr. Giammarco said that also present was Shaikh Mahmood, Radio Frequency Engineer.

Mr. Giammarco said that the proposal is to construct a 65 foot high stealth monopole with the antennas mounted inside the pole. He said that there will be a small equipment compound at the base of the pole with a locked chain link fence. He said that existing driveways on the campus will be used to access the facility.

Mr. Giammarco said that there is currently a water tank on the site that is covered with antennas. He said that there is no additional space for another carrier. He said that there is an existing 65 foot stealth monopole at the site.

Mr. Giammarco said that the stealth poles are designed for one carrier. He said that a 45 foot pole would not have sufficient height for proper signal transmission and that another antenna would be needed further down Route 16. He said that 65 feet is the minimum height above the tree line. He said that the nearest lot line will be 200 feet away from the equipment.

Mr. Mahmood displayed a rendering of existing coverage from the cell sites within Wellesley. He displayed a rendering of coverage with a stealth monopole at 65 feet high. He said that the proposed antenna will bring Omnipoint Communications, Inc.'s level of service up to that of their competitors.

Mr. Giammarco said that the proposal is to paint the monopole green to match the existing monopole. He said that the proposed antenna will be a passive use in that it does not produce any smoke, odor or waste. Maintenance personnel will visit the site one or two times a month. There will be no lighting or generators. The only noise will emanate from a small electric fan that vents the cabinets.

The Board asked if there is room for co-location on the existing monopole. Mr. Giammarco said that there is a possibility of putting something on the lower segment in the future but the height of 65 feet is really needed to get above the trees. There needs to be 10 feet of separation between the antennas, which would call for a 75 foot pole. The pole would need to be bulkier to handle the weight of the coaxial cable.

The Board said that the Federal Communications Commission (FCC) License was issued to T-Mobile License LLC. Mr. Giammarco said that Omnipoint Communications, Inc. is a wholly owned subsidiary of T-Mobile USA, Inc.

The Board said that the proposed site is in a Water Supply Protection District. Mr. Giammarco said that gel-type batteries that are designed to solidify if ruptured will be used in the equipment cabinets. He said that an edge on the pad could be added for protection.

The Board asked about notations on the drawings for future equipment. Mr. Giammarco said that as additional customers sign on and additional services are offered, Omnipoint Communications, Inc. may need more capacity at the site. There may be a future need for more equipment at the base or more antennas inside the pole.

The Board said that its approval would be limited to the petition before them at this Public Hearing.

There was no one present at the Public Hearing who wished to speak to the petition.

Statement of Facts

The subject property is located at 106 Central Street, in an Educational District and a Water Supply Protection District.

The petitioner is requesting a Special Permit to install a 65 foot tall single carrier stealth monopole with equipment cabinets mounted on a concrete pad at the base of the pole, that will exceed the height that is allowed by right.

The following materials were submitted:

- Completed Zoning Board of Appeals Application form and Antenna Survey
- Project Description, dated 5/27/08, signed by Craig M. Tateronis, Prince, Lobel, Glovsky & Tye
- FCC Radio Station Authorization, Registration #0001565449, granted 6/5/07
- Affidavit of Radio Frequency Expert, dated 5/20/08, signed by Shaikh Mahmood, RF Engineer
- Existing & Proposed RF Coverage in Wellesley, MA

- T-1, Title Sheet, dated 5/13/08, stamped by David A. Chappell, Registered Professional Engineer
- C-1, Locus Plan, dated 5/13/08, stamped by David A. Chappell, Registered Professional Engineer
- C-2, Site Plan & Notes, dated 5/13/08, stamped by Louis F. Bruno, Professional Land Surveyor
- Z-1, Compound Plan, Elevations & Details, dated 5/13/08, stamped by David A. Chappell, Registered Professional Engineer
- Lease Agreement, signed by Pete Zuravy, Lessor & Ayo Sanderson, Lessee
- Photosimulation 4BS-0507-E2, proposed antenna facility
- Photosimulation 4BS-0507-E1 existing water tower with antennas

On June 11, 2008 the Design Review Board voted to

Recommend the Zoning Board of Appeals approve the proposed 65' monopole to be located at Wellesley College, 106 Central Street, as presented.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The subject structure does not conform to the current Zoning Bylaw, as noted in the foregoing Statement of Facts.

It is the finding of this Authority that installation of a 65 foot tall single carrier stealth monopole with equipment cabinets mounted on a concrete pad at the base of the pole, that will exceed 45 feet in height will not adversely impact adjacent properties.

Therefore, a Special Permit is hereby granted, as voted unanimously by this Authority at the Public Hearing, for installation of a 65 foot tall single carrier stealth monopole with equipment cabinets mounted on a concrete pad at the base of the pole, subject to the following conditions:

1. The color of the monopole shall be green
2. The monopole shall be no higher than 65 feet
3. Gel-batteries shall be used
4. This permit shall not apply to future installations.

The Inspector of Buildings is hereby authorized to issue a permit for the installation upon receipt and approval of a building application and detailed constructions plans.

APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN THE
OFFICE OF THE TOWN CLERK.

J. Randolph Becker, Acting Chairman

Robert W. Levy

David L. Grissino

cc: Planning Board
Inspector of Buildings
lrm