

**ZONING BOARD OF APPEALS**

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

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ZBA 2008-52
Petition of Metro PCS Massachusetts, LLC
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 METRO PCS MASSACHUSETTS LLC 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 George Hall, who said that he was representing Metro PCS Massachusetts, LLC (the "Petitioner"). He said that Metro PCS Massachusetts, LLC (Metro PCS) is a regional carrier with locations in Texas, Florida and other locations. He said that Metro PCS is in the process of building out areas in Philadelphia, New York and Boston. He said that they are not currently on the air but expect to be by the end of the year.

Mr. Hall said that the proposal is for a 65 foot stealth monopole with three antennas concealed inside. Equipment cabinets will be located at the base of the pole and will be fenced in. He said that the height of the pole will be the same as the existing pole on the site.

Mr. Hall said that the pole will be located in a wooded area of the campus. He said that a 65 foot pole would project just above the tree canopy but below the area where the poles are visible. He said that there will be no visual impact on the neighbors or on the campus.

Mr. Hall said that it is Wellesley College's preference that all of the carriers install single poles that are no taller than 65 feet. The antennas will be nestled into the trees but not on top of each other.

Mr. Frantz Pierre, RF Engineer, MetroPCS, displayed renderings of the gap in coverage and coverage with a 65 foot pole. He said that a 65 foot pole would provide coverage for the Wellesley College campus and for neighboring sites.

The Board asked about the other proposed sites in Wellesley. Mr. Hall said that they are currently meeting with the Design Review Board with a proposal for another site at 372 Washington Street. He said that there is an existing Cingular rooftop installation at that location.

Mr. Michael Johnsen, Site Acquisition Specialist, MetroPCS, said that there are other sites outside of Wellesley that have been installed.

Mr. Hall said that there is a fully executed lease with Wellesley College.

Mr. Hall said that Wellesley College did not want to have a more traditional type of antenna installed. The College made it clear that only the stealth monopole would be considered. The College was not happy with the antennas located on the water tower. The proposed monopole will contain the three antennas on the inside.

The Board said that the 65 foot monopole would have no visual impact on the neighbors whereas a larger device may have. Mr. Hall said that the monopole is site specific and fits in with the topography of the site and the neighborhood.

Mr. Johnsen said that gel-batteries will be used in the equipment cabinets. A tub encasement could be installed at the base of the pad. He said that there will be no generators.

Mr. Johnsen said that the barbed wire fence around the pad at the base that is shown on drawing C-2 should have been removed from the plan.

Mr. Hall said that the monopoles will be located approximately 75 feet away from each other. He said that the site was staked out to ensure that there will be sufficient horizontal separation from the other poles.

The Board said that revised drawings should show that the Zoning District is Educational and that the site is located in a Water Supply Protection District.

Mr. Johnsen said that Metro PCS is aggressively trying to get as many sites as possible to get their network launched quickly and efficiently. He said that Wellesley College was specific about what type of antenna could be put there. He said that Metro PCS usually does try to co-locate antennas.

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 6/18/08, signed by Scott F. Lacy, Anderson & Kreiger LLP
- Letter of Authorization, Signed by Sandra E. Roberts, Lessor
- Map of Radio Frequency Coverage for monopole at 65 feet high
- Map of Radio Frequency Coverage for monopole at 45 feet high
- Photograph of existing Sprint monopole on the site
- FCC Radio Station Authorization, Registration #0015005598, granted 11/29/06
- T-1, Title Sheet, dated 3/18/08, revised 4/16/08 & 5/21/08, stamped by Hossein V. Vahesh, Registered Architect
- C-1, Overall Site Plan, dated 5/13/08, 3/18/08, revised 4/16/08 & 5/21/08, stamped by Hossein V. Vahesh, Registered Architect
- C-2, Site Plan, Elevation & Detail, dated 3/18/08, revised 4/16/08 & 5/21/08, stamped by Hossein V. Vahesh, Registered Architect
- A-1, Equipment Details, dated 3/18/08, revised 4/16/08 & 5/21/08, stamped by Hossein V. Vahesh, Registered Architect

On May 28, 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
5. A copy of the lease shall be submitted before application for a Building Permit
6. Plan T-1 shall be revised to show that the Zoning District is Educational and that the site is located in a Water Supply Protection District.

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