

**ZONING BOARD OF APPEALS**

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02181-5992

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ZBA 97-56

Petition of AT&T Wireless Services
62 Walnut Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, July 24, 1997 at 8 p.m. in the Selectmen's Meeting Room (Conference Room B) at the Town Hall, 525 Washington Street, Wellesley, on the petition of AT&T WIRELESS SERVICES requesting a Special Permit pursuant to the provisions of Section XXII-C and Section XXV of the Zoning Bylaw to allow its proposed roof antenna to extend 20.1 feet above the highest point of the roof at 62 WALNUT STREET, in a Business A District, as the maximum height allowed by right is 12 feet above the highest point of the roof.

On July 7, 1997, 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 Thomas Schnorr of Palmer & Dodge, legal counsel representing AT&T Wireless Services. Mr. Schnorr was accompanied by Tom Fields, Team Leader/Site Aquisition Specialist and Lee Fenster, Project Engineer, both from AT&T.

Mr. Schnorr said that the proposed antenna will be mounted on top of the existing penthouse, which is already 10 feet above the roof of the building at 62 Walnut Street. Anything that is mounted on the penthouse will be more than the allowed 12 feet above the roof.

The Board asked how many similar petitions AT&T planned to submit in the future. Mr. Fields said that AT&T has identified five sites in Wellesley. The first antenna, at the Wellesley Office Park, is already installed. The second antenna is the proposed one at 62 Walnut Street; the third at Mass Bay Community College; the fourth at the Congregational Church in Wellesley Square; and the fifth is the proposed monopole at the Wellesley Motor Inn property. At this time, these five will meet their needs for the next year. Three of the sites will have by-right installations.

The Board asked if the antennas would be removed when the technology is developed to make them outmoded. Mr. Fields said that AT&T is committed to doing that.

Mr. Fields said that the antenna design for the Walnut Street site has taken months to develop as the landlord was intent on making the antenna as invisible as possible. Typically, there would be nine antennas spaced 12 feet apart. In this instance, three eight foot antennas forming a triangle will be used. There will be an equipment cabinet, which will be fenced, located on the ground behind the building by the parking garage.

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The Board asked if the experimental triangular antenna array did not work, would AT&T be back before the Board requesting another antenna. Mr. Fields said it would be highly unlikely.

Mr. Fields said that the antennas are galvanized steel. When one is standing in the street, the antenna looks cylindrical, and similar to a smokestack.

The Board stated that the recommendations of the Design Review Board shall be incorporated into the decision.

No other person present had any comment on the petition.

Statement of Fact

The subject premises for the location of the three rooftop mounted cross-polar panel antennas is the roof of the building at 62 Walnut Street, in a Business A District, which is owned by the Nelson Companies, Ltd.

The petitioner is requesting a Special Permit to allow the proposed three antennas to exceed the allowed height of 12 feet above the highest point of the roof by installing them at a height of 20.1 feet above the highest point of the roof.

The three antennas will be enclosed in a fiber glass cylinder to be mounted on a mast attached to the rear side of the building's existing mechanical penthouse, and will extend 10.1 feet above the penthouse, which extends 10 feet above the roof of the building. The antennas will be connected by cables to two 4 foot by 5 foot by 6 foot equipment cabinets on the ground in a 10 foot by 17 foot area enclosed by an 8 foot wooden fence at the side and near the rear of the building.

The following written materials were submitted: Application and Information Survey; A 15 page Memorandum dated June 4, 1997 from Thomas G. Schnorr; Letter of Permission dated June 4, 1997 signed by Arthur H. Nelson, President of Newton Wellesley Executive Office Park Limited Partnership, the property owner; and photographs.

The following plans were submitted: Title Sheet (T1), Survey Control Plan (A1), Site Plan (A2), East Elevation (A3), North Elevation (A4), all dated 5/15/97 and signed by Louis F. Bruno, Registered Professional Civil Engineer; Antenna Mast Plan and Details (S1) dated 5/15/97, signed by Garrick N. Goldenberg, Registered Professional Structural Engineer; Ground Floor Plan & Elec. Room Part Plan (E1), Equip. Compound Grounding & Power Plans (E2), Elevations (E3), Roof Plan, Single Line Dia. & Elevation (E4), General Notes, Specifications & Schedules (E5), and Details (E6), all dated 5/15/97 and signed by Justin L. McGee, Registered Professional Engineer.

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On June 17, 1997, the Design Review Board reviewed the project and voted unanimously to approve the proposal as presented based on the following criteria: 1. The base unit will be screened with an 8 foot wooden fence and existing trees; 2. The antenna has limited visibility from Walnut Street; 3. The color of the cylinder will match the existing roof equipment;

On July 22, 1997, the Planning Board reviewed the petition and voted to recommend no objection to the granting of the Special Permit.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The proposed antennas will exceed the allowed height of 12 feet above the highest point of the roof pursuant to Section XXII-C of the Zoning Bylaw.

This Authority has made the following findings:

1. The requested installation is essential to the proper functioning of the telecommunications services to be provided by the device at that location, and that an alternative installation meeting the 12 foot limitation is not workable. The three antennas provide the second stage linkage between the antenna at Wellesley Office Park and that at Mass Bay Community College, which are the first three sites of the AT&T communications network. The three antennas represent a scaled down installation as the usual installation consists of nine antennas.
2. The requested installation will not adversely impact adjacent property, as the design of the antennas will resemble a second smokestack, and will hardly be visible from Walnut Street. The color of the galvanized steel will blend in with the other rooftop equipment.
3. The requested height of 20.1 feet above the highest point of the roof is necessary. For the wireless communication facility to operate, it must be mounted above the tree line, as well as above the higher elevations to the north and west in Newton and to the east and northeast along Route 128.
4. The report of the Design Review Board has been received, and the installation and the special permit are consistent with that report under the guidelines established in Part D.1.

Therefore, a Special Permit is hereby granted, as voted unanimously by this Authority at the Public Hearing, for the installation of the three antennas enclosed in a fiber glass cylinder at attached to the mechanical penthouse at 62 Walnut Street, at a height of 20.1 feet, subject to construction in accordance with the submitted plans.

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

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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

cc: Planning Board
Inspector of Buildings
edg



Kendall P. Bates, Acting Chairman



William E. Polletta



Robert A. Bastille

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