

TOWN OF WESTWOOD
COMMONWEALTH of MASSACHUSETTS

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Kathleen Wynne, Vice Chair
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PLANNING BOARD

DECISION OF THE PLANNING BOARD

**Wireless Communication Overlay District Environmental Impact & Design Review
(WCOD-EIDR) Pursuant to Sections 7.3 & 9.4 of the Town of Westwood Zoning
Bylaw**

APPLICANT Ersilia Davis
DISH Wireless
1777 Sentry Parkway W., VEVA 17, Suite 400
Blue Bell, PA 19422

PROPERTY OWNERS First Baptist Church of Westwood
808 High Street
Westwood, MA 02090

POLE OWNERS Crown Castle
260 Franklin Street, Suite 630
Boston, MA 02110

PROPERTY LOCUS 808 High Street
Assessor's Map 14, Lot 140

BACKGROUND AND PROJECT SUMMARY

Ersilia Davis on behalf of DISH Wireless and Crown Castle (hereinafter "Applicant") filed an application (hereinafter "Application") requesting a WCOD-EIDR Approval pursuant to Sections 7.3 and 9.4 of the Town of Westwood Zoning Bylaw (hereinafter "Zoning Bylaw") to install DISH Wireless wireless communication facilities in the existing stealth monopole. Proposal will also include related amplifiers, cables, fiber and other associated antenna equipment, including remote radio heads and other appurtenances with associated electronic equipment within the existing fenced compound area at the base located at 808 High Street, Westwood, MA 02090 also known as Assessor's Map 14, Lot 140. The project is on the First Baptist Church property in the Single Residence C (SRC) zoning district and within the Wireless Communication Overlay District (WCOD).

STATEMENT OF FINDINGS

PROCEDURAL FINDINGS

Having reviewed the plans and reports filed by the Applicant and its representatives and considered the technical analysis, supplemental information provided during the course of the public hearing, correspondence and testimony from the various boards, commissions, Town departments, and all other interested parties, the Town of Westwood Planning Board (hereinafter "Planning Board") determined the following procedural and project findings:

1. The Applicant filed an Application requesting a Planning Board WCOD-EIDR pursuant to Sections 7.3 and 9.4 with the Planning Board on May 12, 2023 that was certified with the Westwood Town Clerk on June 16, 2023.
2. Pursuant to M.G.L. Chapter 40A, Sections 9 and 11 and the applicable provisions of the Zoning Bylaw and Town of Westwood Planning Board Rules and Regulations (hereinafter "Rules and Regulations"), the Planning Board caused notice of the public hearing to be published in *Hometown Weekly*, a newspaper of general circulation in Westwood, on June 22, 2023 and June 29, 2023. Notice of the public hearing was posted in Westwood Town Hall commencing on June 16, 2023, and continuing through the opening of the public hearing on July 11, 2023. Said notice was mailed postage prepaid to all Parties in Interest as defined in M.G.L. Chapter 40A, Section 11 on June 21, 2023.
3. The Planning Board provided digital copies of the Application to Town boards, commissions, departments, and officials – including, but not limited to, the Board of Health, Building Commissioner, Department of Public Works, Town Engineer, Conservation Commission, and Fire and Police Chiefs on June 15, 2023.
4. Public hearing for the Application opened July 11, 2023. The Planning Board met remotely via Zoom Webinar. Public comment was accepted through live time audio and the Question function on Zoom during hearings, in addition to in writing or by phone.
5. Westwood Planning Board Members Ellen Larkin Rollings, Kathleen Wynne, Joshua C. Ames, Philip M. Giordano, and Christopher A. Pfaff were present for the public hearing and deliberated on the Application at a duly authorized meeting on July 11, 2023.

PROJECT SPECIFIC FINDINGS

1. The project site (hereinafter "Project Site" or "Property") is located on an approximately 8.85-acre parcel owned by First Baptist Church of Westwood.
2. The parcel is identified on the Westwood Board of Assessor's Map as 14, Lot 140. The parcel contains First Baptist Church of Westwood, two parking lots, and a stealth monopole.
3. The Property is located within the SRC and WCOD zoning districts. A wireless communications facility is a permitted use in this district, subject to all necessary approvals pursuant to Sections 9.4 and 7.3 of the Westwood Zoning Bylaw.
4. The Property is bordered by conservation land to the east, single family residential homes to the west, a vacant Town-owned parcel to the north, and Thurston Middle School to the south.
5. The Applicant proposes installing three (3) panel antennas and jumpers, three (3) diplexers, and 12 coax cables within an existing stealth monopole. In addition, the Applicant proposes installing associated equipment within an existing fenced wireless compound, including one (1) metal platform, one (1) ice bridge, one (1) PPC cabinet,

one (1) equipment cabinet, one (1) power conduit, one (1) TELCO conduit, one (1) TELCO fiber box, one (1) GPS unit, one (1) safety switch, and one (1) fiber NID, one (1) fence gate.

6. The Project will not change the exterior appearance of the stealth monopole or expand the footprint of the fenced wireless compound.
7. The Applicant demonstrated that there exists a significant gap in coverage and that said gap would be sufficiently reduced or eliminated by the proposed wireless communication facility.
8. The Applicant demonstrated that the wireless communication facility must be located at the proposed site due to technical, topographical or other unique circumstances, in order to satisfy a demonstrated gap in coverage.
9. The Applicant demonstrated that the visual and aesthetic impacts of the wireless communication facility on nearby properties will be minimal, and that no reasonable combination of locations, techniques or technologies will mitigate the height or visual impact of the proposed wireless communication facility.
10. The Applicant demonstrated that the proposed alterations to an existing wireless facility would provide adequate screening and buffering such that the proposed facility would not be detrimental to the Town or to the general character or visual appearance of the surrounding neighborhood or abutting uses, and would be consistent with the intent of the Bylaw.
11. The Applicant demonstrated that the wireless communication facility will have no significant adverse impact on the town and surrounding residential properties.
12. The beneficial effects of the project will outweigh any adverse impacts on the Town or the neighborhood, in view of the particular characteristics of the site, and of the project in relation to that site, and the uses allowed are in harmony with the general purpose and intent of Sections 7.3 and 9.4 of the Zoning Bylaw.
13. The Project, as modified by the Conditions of this Decision, will not be detrimental to the Town or to the general character or visual appearance of the surrounding properties, and will be consistent with all applicable standards set forth in Sections 7.3 and 9.4 of the Westwood Zoning Bylaw.

WAIVERS

The Planning Board considered requests for the specific waivers listed below, and determined that such waivers will result in a substantially improved project; that such project will otherwise meet the performance and design standards set forth in this Section; and that such waivers will pose no substantial detriment to any adjacent property or proximate neighborhood, and will not nullify or substantially derogate from the intent or purpose of the Westwood Zoning Bylaw. On July 11, 2023, the following waivers are hereby granted by the Planning Board:

1. Waiver from strict compliance with Section 7.3.7.1.6 of the Zoning Bylaw requiring the submission of Stormwater Drainage Runoff Calculations.
2. Waiver from strict compliance with Section 7.3.7.2 of the Zoning Bylaw requiring the submission of a photometric plan.
3. Waiver from strict compliance with Section 7.3.7.3 of the Zoning Bylaw requiring the submission of a full Traffic Study to allow for acceptance the submitted summary Traffic Analysis.
4. Waiver from strict compliance with Section 7.3.7.5 of the Zoning Bylaw requiring the submission of photographs.
5. Waiver from strict compliance with Section 7.3.7.7 of the Zoning Bylaw requiring the submission of a presentation model.

APPLICATIONS AND PLANS

The Planning Board evaluated the Application filed by or on behalf of the Applicants in the Office of the Town Clerk on June 16, 2023, and all material submitted through the close of the public hearing on July 11, 2023. All of the following plans and material are hereby incorporated by reference and made part of this Decision:

1. WCOD-EDIR application #PB-23-32, including project description, photographs, and waiver requests, submitted by the Applicant, and received by the Town Clerk and Planning Department on June 16, 2023 (as supplemented through July 11, 2023).
2. Site plans entitled "DISH Wireless L.L.C. SITE ID: BOBOS00802A, DISH Wireless L.L.C., Site Address: 808 808 High Street, Westwood, MA 02090", prepared by TEP Northeast, 45 Beechwood Drive, North Andover, MA 01845, stamped by Daniel P. Hamm, Civil Engineer, dated January 24, 2022, and revised through May 24, 2023, consisting of twenty (20) sheets.
3. Co-location criteria verification form entitled "Nationwide Programmatic Agreement Co-location Criteria Verification Form", prepared by Crown Castle, dated September 9, 2022, consisting of one (1) page.
4. Coverage maps entitled "Coverage Maps BOBOS00802A", prepared by Dish Wireless, dated April 4, 2023, consisting of four (4) sheets.
5. Property owner authorization entitled "Property Owner Application Authorization", signed by First Baptist Church of Westwood, no date.
6. Structural analysis entitled "Structural Analysis Report", prepared by Crown Castle, 2000 Corporate Drive, Canonsburg, PA 15317, stamped by Terry P. Styran, P.E., dated November 2, 2022, consisting of thirty-three (33) pages.
7. Radio Frequency Report, titled "Radio Frequency - Electromagnetic Energy (RF-EME) Report, Site No. BOBOS00802A, 808 High Street Westwood, Massachusetts 02090",

prepared by EBI Consulting, 21 B Street, Burlington, MA 01803, dated October 24, 2022, consisting of twenty-one (21) pages.

DECISION

On July 11, 2023, the Planning Board evaluated the Application in relation to the above Findings and – as the approving authority – on a roll call vote with five (5) in favor and zero (0) opposed, hereby **grants** the requested WCOD-EIDR Approval pursuant to Sections 7.3 and 9.4 of the Zoning Bylaw for the Project as described above and in the Application therefore filed with the Town Clerk on June 16, 2023, subject to the Conditions stated herein, all of which are an integral part hereof:

CONDITIONS of APPROVAL

1. Except as modified by the Conditions and Findings hereof, the Project shall comply with the Project Plans, and with all prior approvals for this wireless communication facility, in all respects and the Applicant shall pursue completion of the Project with reasonable diligence and continuity.
2. If the Project, or any Condition imposed in this Decision, requires permit, license, or other approval from any other board, committee, or agency of the Town of Westwood or other regulatory agency of the Commonwealth or the federal government, the Applicant shall make an appropriate application for the same. If any condition of such permit, license, or other approval from any other board, committee, or agency is inconsistent with this Decision, the Applicant shall make application to the Planning Board for amendment of this Decision, and the Planning Board shall consider such application in accordance with the requirements of M.G.L. Chapter 40A § 9 and all applicable Planning Board rules and regulations.
3. Prior to the issuance of a Building Permit, the Applicant shall submit confirmation to the Town Planner that the wireless communication facility complies with all applicable federal and state standards, regulations, statutes and other requirements. This shall include, if applicable, a written statement that the wireless communication facility is in compliance with, or is exempt from, applicable regulations administered by the Federal Aviation Administration (FAA), Federal Communications Commission (FCC), Massachusetts Aeronautics Commission, and the Massachusetts Department of Public Health.
4. All antennas and associated cabling shall be installed within the existing 48" canister and shall not be visible from the exterior of the stealth monopole. All other equipment shall be installed within the fenced enclosure and shall not be visible above the 6.5' height of the existing fence.
5. All visible equipment, including ice bridge, mounting brackets, cables, bands, and cabinets, shall be painted to match the matte color of the existing facility and shall be repainted as necessary to minimize any fading or discoloration.
6. The visual and aesthetic impact of all equipment, mounting brackets and all other attachments shall be minimized to the fullest practical extent. All cables and bands shall be bundled in the most unobtrusive manner possible.

7. The Applicant shall not post any signs for advertisement or any other reasons on or in the vicinity of the Project, with the exception of a sign not exceeding four (4) square feet to display the name and telephone number of the person and company responsible for the maintenance of the Project and accept as required per FCC and OSHA guidelines, for radiofrequency warning signs as noted on plan sheet C-6.
8. The routine generator testing shall only occur between Noon and 2:00 p.m. during the week. The routine testing is prohibited during the weekends. If more than one generator is employed at this facility, only one generator shall be tested at a time to limit the noise impact and shall be coordinated with all carriers. No two generators shall be tested at the same time.
9. The Applicant shall verify through post-installation monitoring and report of an independent radio engineering consultant that the new and replacement antennas and remote radio heads will not interfere with nor have any negative effect on the Town's emergency radio communications.
10. The Planning Board shall be notified within thirty (30) days of any discontinuance of use of the wireless facility. All antennas, brackets, cabling and any other associated equipment shall be fully removed within six (6) months of abandonment or discontinuance of the use.
11. This WCOD-EIDR Approval shall lapse if a substantial use thereof or construction thereunder has not begun, except for good cause, within two (2) years following the grant thereof. The Planning Board may extend such approval, for good cause, upon the written request of the Applicant. In the case of the EIDR Approval, the term "substantial use thereof or construction thereunder" shall mean the commencement and substantial progress of approved vertical construction activity.
12. A copy of this Decision and the Project Plans shall be kept on the Project Site at all times during construction.

RECORD OF VOTE

The following members of the Planning Board voted on July 11, 2023 to **grant** the WCOD-EIDR Approval for the abovementioned Project with conditions as set forth above: Ellen Larkin Rollings, Kathleen Wynne, Joshua C. Ames, Philip M. Giordano, and Christopher A. Pfaff.

The following members of the Planning Board voted in opposition to the grant of the WCOD-EIDR Approval for the abovementioned Project: zero (none).



Elijah Romulus, Town Planner
July 13, 2023