

**TOWN OF WESTWOOD**  
COMMONWEALTH of MASSACHUSETTS

**Westwood Town Clerk**

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Kathleen Wynne, Vice Chair  
Joshua C. Ames, Secretary  
Philip M. Giordano  
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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** Elizabeth Jamieson & Catherine Ware  
SBA Towers II LLC (leaseholders)  
134 Flanders Road, Suite 125  
Westborough, MA 01581

**PROPERTY OWNERS** Glacier LLC  
116 Flanders Road, Suite 2000  
Westborough, MA 01581

**PROPERTY LOCUS** 60-90 Glacier Drive  
Assessor’s Map 23, Lot 231

**BACKGROUND AND PROJECT SUMMARY**

Elizabeth Jamieson & Catherine Ware on behalf of SBA Towers II LLC (hereinafter “Applicant”) filed an application (hereinafter “Application”) requesting a WCOD Special Permit pursuant to Sections 7.3, 9.4 and 10.3 of the Town of Westwood Zoning Bylaw (hereinafter “Zoning Bylaw”) that was altered to a WCOD-EIDR to install three (3) DISH Wireless panel antennas and associated equipment expanding within the existing stealth monopole. Proposal also includes 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 60-90 Glacier Drive, Westwood, MA 02090 also known as Assessor’s Map 23, Lot 231. The project is on the Glacier LLC property in the Highway Business (HB) zoning district, within Flexible Multiple Use Overlay District 3 (FMUOD3), 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 Special Permit pursuant to Sections 7.3, 9.4 and 10.3 with the Planning Board on May 30, 2023 that was certified with the Westwood Town Clerk on June 27, 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 27, 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 July 11, 2023 public hearing.
6. Due to a change in staffing at the company, the Applicant or a representative of the Applicant failed to answer questions from staff and failed to attend the public hearing on July 11, 2023 to present, answer questions, and demonstrate that the antennas needed to be located outside the existing stealth monopole. As a result, the Application was denied.
7. Westwood Planning Board members Ellen Larkin Rollings, Joshua C. Ames, and Christopher A. Pfaff were present for the September 26, 2023 hearing, at which Catherine Ware on behalf of SBA Towers II LLC attended to presented a revised plan that showed the antennas and associated equipment will instead be located within the existing stealth monopole – making it a WCOD-EIDR.
8. At the September 26, 2023 hearing, the Applicant demonstrated to the satisfaction of the Planning Board that there exists a significant gap in coverage and that said gap would be sufficiently reduced or eliminated by the proposed wireless communication facility.
9. At the September 26, 2023 hearing, the Applicant demonstrated to the satisfaction of the Planning Board 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.

10. At the September 26, 2023 hearing, the Applicant demonstrated to the satisfaction of the Planning Board 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.
11. At the September 26, 2023 hearing, the Applicant demonstrated that the proposed alterations to an existing wireless 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.
12. At the September 26, 2023 hearing, the Applicant demonstrated to the satisfaction of the Planning Board that the wireless communication facility will have no significant adverse impact on the town and surrounding residential properties.
13. At the September 26, 2023 hearing, the Applicant demonstrated to the satisfaction of the Planning Board that negative effects of the project will not outweigh any positive 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, nor that the uses allowed are in harmony with the general purpose and intent of Section 9.4 and 10.3 of the Zoning Bylaw.
14. At the September 26, 2023 hearing, the Project, as proposed, will not be detrimental to the Town or to the general character or visual appearance of the surrounding properties and will be inconsistent with applicable standards set forth in Sections 7.3, 9.4 and 10.3 of the Westwood Zoning Bylaw.

#### **PROJECT SPECIFIC FINDINGS**

1. The project site (hereinafter "Project Site" or "Property") is located on an approximately 11.79-acre parcel owned by Glacier LLC.
2. The parcel is identified on the Westwood Board of Assessor's Map as 23, Lot 231. The parcel contains two industrial office buildings and two stealth monopole cell towers.
3. The Property is located within the HB zoning district within the WCOD and FMUOD3 zoning overlay districts. A wireless communications facility is a permitted use in this district, subject to all necessary approvals pursuant to Sections 10.3, 9.4 and 7.3 of the Westwood Zoning Bylaw.
4. The Property is bordered by the MBTA Commuter Rail to the west and commercial and industrial development on the remaining sides containing various companies.
5. The Applicant initially proposed the installation of three (3) panel antennas and jumpers, one (1) antenna flush mount, three (3) diplexers, three (3) BIAS Tees, twelve (12) coax cables, and twelve (12) coax clamps within an expanded section of an existing stealth monopole, with a new 36" diameter canister added to a 10-foot long portion of the existing 30" diameter monopole, and to install associated equipment within an existing fenced wireless compound, including 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) Fiber NID, six (6) RRUs, three (3) diplexers, and three (3) BIAS Tees.

6. After the denial, the Applicant modified the proposal to install three (3) panel antennas and jumpers, one (1) antenna flush mount, three (3) diplexers, three (3) BIAS Tees, twelve (12) coax cables, and twelve (12) coax clamps within the existing monopole instead.
7. The updated proposal will not change the exterior appearance of the monopole and defeat the intentional stealth nature of that monopole nor expand the footprint of the fenced wireless compound.

### **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 September 26, 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.
6. Waiver from strict compliance with Section 9.4.6.4 requiring the submission of color photographs or computerized renditions of the wireless communication facility and its components and accessory structures.

### **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 27, 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 Special Permit #PB-23-37, including project description, and waiver requests, submitted by the Applicant, and received by the Town Clerk and Planning Department on June 27, 2023 (as supplemented through July 11, 2023)
2. Narrative entitled "DISH NSD Project No. BOBOS00803B SBA Project No. MA12228-A 60-90 Glacier Drive, Westwood, MA 02090", prepared by the Applicant, dated September 26, 2023, consisting of one (1) page
3. Site plans entitled "Plans", prepared by B+T GRP, 1717 S. Boulder, Suite 300, Tulsa, OK 74119, stamped by Peter D. Smith, Civil Engineer, dated December 5, 2022 and revised September 20, 2023, consisting of nineteen (19) sheets
4. Locus map entitled "Locus Map", prepared by SBA Communications Corporation, 134 Flanders Road, Suite 125, Westborough, MA 01581, dated March 31, 2023, consisting of two (2) sheets
5. Owner authorization entitled "Property Owner Authorization", signed by John R. Egan, dated December 6, 2009
6. Radio Frequency Report entitled "Radio Frequency Theoretical Modeling Report", prepared by Fox Hill Telecom, Inc., 255 Park Avenue, Suite 703, Worcester, MA 01609, dated May 12, 2023, consisting of twenty-three (23) pages
7. Structural analysis entitled "Structural Analysis Report", prepared by Tower Engineering Solutions, 1320 Greenway Drive, Suite 600, Irving, TX 75083, stamped by Civil Engineer Kyle Wyant, dated August 4, 2022 and updated through September 2023, consisting of 31 pages
8. Lease agreement for DISH Wireless entitled "Supplement to the Master Lease Agreement", dated November 28, 2022, consisting of 11 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 four (4) in favor and zero (0) opposed, hereby **approves** the requested WCOD Special Permit pursuant to Sections 7.3, 9.4 and 10.3 of the Zoning Bylaw for the Project as described above and in the Application therefore filed with the Town Clerk on June 27, 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. The DISH wireless communication facility shall constitute the fourth collocation on the existing Pole #1 Wireless Communication Facility at 60-90 Glacier Drive, and no additional carrier shall be permitted at Pole #1 unless an amended WCOD Special

Permit is granted by the Planning Board pursuant to the provisions of Section 9.4 of the Westwood Zoning Bylaw.

3. 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.
4. 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.
5. All antennas and associated cabling shall be installed within the existing thirty-inch (30") 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 six-foot (6') height of the existing fence.
6. 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.
7. 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.
8. 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.
9. The routine generator testing shall only occur between Noon and 2:00 pm 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.
10. 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.

11. 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.
12. 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.
13. This WCOD-EIDR Approval shall extend the period of validity for the WCOD Special Permit, which was initially issued on November 27, 2001, and amended on January 21, 2003, October 11, 2005, June 17, 2008, and October 27, 2009, so that the Special Permit for the Wireless Communication Facility at Pole #1 at 60-90 Glacier Drive will remain valid for a period of five (5) years from the date of the recording of this decision in the Office of the Town Clerk. At the end of this 5-year period, the monopole and all equipment shelters shall be removed and the Project Site shall be returned to a condition satisfactory to the property owner, unless the Applicant receives approval from the Planning Board to renew the WCOD Special Permit for a specified period to be determined by the Planning Board.
14. 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 September 26, 2023 to **approve** the WCOD-EIDR for the abovementioned Project with conditions as set forth above: Ellen Larkin Rollings, Joshua C. Ames, Philip M. Giordano, and Christopher A. Pfaff.

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

The following member of the Planning Board was not present to vote: Kathleen Wynne.



Elijah Romulus, Town Planner  
October 10, 2023