

TOWN OF WESTWOOD
Commonwealth of Massachusetts

Robert C. Malster, Chairman
Steven H. Olanoff, Vice Chairman
Robert E. Moore, Jr., Secretary
Bruce H. Montgomery
Henry W. Gale



Nora Loughane, Town Planner
Janice Barba, Land Use Assistant
2008 OCT 24 A 12:41

PLANNING BOARD

TOWN CLERK
TOWN OF WESTWOOD

**DECISION OF THE PLANNING BOARD
OF THE TOWN OF WESTWOOD**

NOTICE OF DECISION

In compliance with Chapter 40A of the General Laws of the Commonwealth of Massachusetts, you are hereby notified that the Westwood Planning Board has, by a vote of five in favor, voted to **grant** the application of Westwood Board of Health dated September 18, 2008, and recorded in the Office of the Town Clerk on September 19, 2008, for a special permit pursuant to Section 9.4, of the Westwood Zoning Bylaw to install an antenna on the Dedham Westwood Water District Water Tank, located at 213 Foxhill Street, The board has by the same vote granted Environmental Impact and Design Review approval of the same application pursuant to Section 7.3 of the Westwood Zoning Bylaw.

LAND AFFECTED: Assessors' Map 9, Parcel 65
213 Fox Hill Street


The Planning Board hereby certifies that attached hereto is a true and complete copy of the Board's decision and that said decision and any plans referred to therein have been filed with the Planning Board.

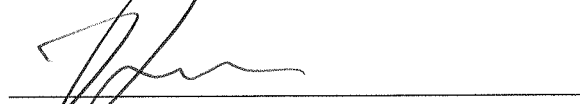
Appeals, if any, shall be made pursuant to Section 17 of said Chapter 40A and shall be filed within twenty (20) days after the filing of a copy of the decision in the office of the Town Clerk.

WESTWOOD PLANNING BOARD


Robert C. Malster, Chairman


Steven H. Olanoff, Vice Chairman

Robert E. Moore, Jr., Secretary

Henry W. Gale


Bruce H. Montgomery

Dated: 10-22-08

**DECISION OF THE PLANNING BOARD
OF THE TOWN OF WESTWOOD**

APPLICANT: Westwood Board of Health

PROPERTY

LOCUS: 213 Fox Hill Street
Assessors' Map 9, Parcel 65

HEARING: The Planning Board of the Town of Westwood held a public hearing in accordance with the General Laws of the Commonwealth of Massachusetts on Tuesday, October 7, 2008 at 7:00 PM in the Champagne Meeting Room at the Carby Street Municipal Office Building, 50 Carby Street, Westwood, Massachusetts 02090 to consider the application of the Westwood Board of Health for a special permit pursuant to Section 9.4, of the Westwood Zoning Bylaw, and to consider Environmental Impact and Design Review approval of the same pursuant to Section 7.3 of the Westwood Zoning Bylaw.

STATEMENT OF FACTS

The Westwood Board of Health, as lead agency under a grant to enhance emergency preparedness communication, proposes to install one (1) fourteen foot (14') high antenna and associated cabling on the exterior of the existing Dedham-Westwood Water District water tanks located at 213 Fox Hill Street, which tanks are the property of the Dedham-Westwood Water District. The proposed antenna will be attached to the water tank such that the top of the antenna is at a height of one hundred and two (102) feet above ground level (AGL). As shown on the submitted plans, the antenna will extend above the height of the existing eighty-eight (88) foot water tank. The applicant also proposes to install one (1) repeater in the existing public safety cabinet.

STATEMENT OF FINDINGS

1. The existing wireless communications facility and associated equipment located at 213 Fox Hill Street are located within the Wireless Communications Overlay District.
2. The Planning Board is the appropriate Special Permit Granting Authority (SPGA) for applications submitted pursuant to Section 9.4 [Wireless Communications Overlay District].
3. The Planning Board held a public hearing in accordance with the General Laws of the Commonwealth of Massachusetts to consider the aforementioned application of the Westwood Board of Health. The public hearing was held on Tuesday, October 7, 2008 at 7:00 PM in the Champagne Meeting Room at the Carby Street Municipal Office Building, 50 Carby Street, Westwood, Massachusetts, to consider the application of the Westwood Board of Health

for a Special Permit and Environmental Impact and Design Review approval pursuant to Sections 7.3 and 9.4 of the Westwood Zoning Bylaw. Westwood Planning Board members Robert C. Malster, Robert E. Moore, Jr., Steven H. Olanoff, Bruce H. Montgomery and Henry W. Gale were present for the public hearing.

4. The Radio Frequency Radiation (RFR) coverage charts of existing solid RFR coverage for the area submitted as part of the public hearing record sufficiently demonstrate that communications service between area public health agencies will be enhanced by the installation of antenna at this location.
5. The Applicant has proposed to install the wireless communications antenna on the existing structure and has preserved the character and integrity of this existing structure.
6. The Applicant has proposed to co-locate with other wireless communications carriers, which is encouraged and consistent with the purposed of the Wireless Communications Overlay District.
7. The visual and aesthetic impacts of the proposed wireless communications antenna on nearby properties will be minimal.

DECISION

The Planning Board has evaluated the application in relation to the above findings and as the Special Permit Granting Authority, the Board, by a vote of four in favor and none opposed, voted to **grant** the application of the Westwood Board of Health therefor dated September 18, 2008, and recorded in the Office of the Town Clerk on September 19, 2008, and the following related submissions filed with the Planning Board by or on behalf of the Westwood Board of Health for a special permit pursuant to Section 9.4 and Section 7.3, of the Westwood Zoning Bylaw:

1. Plan entitled "Town of Westwood, 213 Fox Hill Street, Westwood, MA", prepared by Town of Westwood DPW/Engineering, 50 Carby Street, Westwood, MA 02090, dated September 19, 2008, and stamped by Registered Professional Civil Engineer John R. Bertorelli, consisting of the following two (2) sheets:

Sheet T-1, entitled "Title Sheet", dated September 19, 2008;

Sheet A-1, entitled "Site Plan", dated September 19, 2008;
2. Wireless Communications Facility ("WCF") Project Narrative, dated October 7, 2008, consisting of thirty-one (31) pages;
3. All of the foregoing plans and reports are hereby incorporated by reference and made part of this Decision.

CONDITIONS

The foregoing approval is issued to the Applicant for the aforementioned Project in accordance with the terms and conditions set forth below, all of which are an integral part hereof:

1. Except as modified by the conditions and findings hereof, the Project shall comply with the Project Plans in all respects, and the Applicant shall pursue completion of the Project with reasonable diligence and continuity.
2. The Applicant shall investigate the possibility of relocating the proposed antenna to the west side of the water tank in order to reduce the visibility of the antenna from the adjacent property at 229 Fox Hill Street.
3. The applicant shall verify that the proposed antenna will not interfere with nor have any negative effect on the Town's emergency radio communications.
4. The visual and aesthetic impact of the antenna, mounting brackets and any other attachments shall be minimized to the fullest practical extent. The antenna and cabling shall be painted to match the color of the water tanks.
5. No non-emergency installation or maintenance activity shall take place at this wireless communications facility, except between the hours of 7:00 am and 7:00 pm Monday through Saturday, or between the hours of 12:00 noon and 7:00 pm Sunday, as specified in Article 10, Section 24 of the General Bylaws of the Town of Westwood [Restriction on the Hours of Operation of Certain Types of Noise Producing Activity]. Should any emergency activity be required outside of these permitted hours, such activity shall be preceded by notice from the Applicant to both the Westwood Police Department and the Dedham-Westwood Water District, by telephone, stating the nature of the emergency and providing an estimate of the time period during which the activity is anticipated to occur.
6. No trash or debris of any kind shall be left on the property or on any adjacent properties at anytime.
7. No entrance, however temporary, shall be made onto any adjacent property, and no disturbance to such property shall occur, without the express approval of the owner of such property in the form of a construction easement or similar legal instrument.
8. A copy of this decision shall be delivered to and reviewed by all contractors and subcontractors, and shall be incorporated into each contract and subcontract associated with the Project.
9. The antenna and all associated cabling and equipment shall be removed within six (6) months of abandonment or discontinuance of use as required in Section

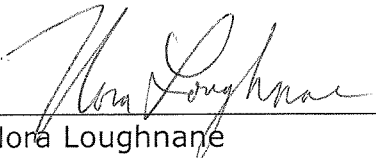
9.4.8. The Applicant shall notify the Planning Board of such abandonment or discontinuance of use within thirty (30) days.

10. This Special Permit shall not take effect until a copy of the Decision, bearing the certification of the Town Clerk that twenty (20) days have elapsed after the filing of the Decision and no appeal has been filed, is recorded in the Registry of Deeds and indexed under the name of the property owner of record and parcel address. A copy of this recording shall be provided to the Planning Board.
11. This Special Permit shall lapse within a specified period of time, not more than two (2) years, which shall not include such time required to pursue or await the determination of an appeal referred to in Chapter 40A § 17, from the grant thereof, if a substantial use thereof has not sooner commenced except for good cause or, in the case of permit for construction, if construction has not begun by such date except for good cause. Prior to the expiration of the amended Special Permit, the Applicant may apply for an extension of the amended Special Permit for a period not to exceed one (1) year if the substantial construction or use thereof has not commenced for good cause.
12. The Special Permit for this Project shall be 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 period, the antenna and all associated cabling and equipment must be removed and the Project Site be returned to a condition satisfactory to the property owner, unless the Applicant receives approval from the Planning Board to renew the Special Permit for a specified period to be determined by the Board.
13. Any alterations, modifications, deletions or amendments to this Special Permit shall be done in accordance with the requirements of MGL Chapter 41A § 9.

RECORD OF VOTE

The following members of the Planning Board voted to grant a Special Permit and EIDR Approval for the abovementioned Project: Bruce H. Montgomery, Steven H. Olanoff, Henry W. Gale and Robert C. Malster.

The following members of the Planning Board voted in opposition to EIDR Approval for the abovementioned Project: None.



Nora Loughnane
Town Planner
DATED: October 22, 2008