

**Franklin Zoning Board of Appeals  
For Meeting Held On  
Thursday, May 22, 2014  
355 East Central Street  
Franklin, MA 02038**

**Members Present  
Bruce Hunchard  
Robert Acevedo  
Timothy Twardowski**

**60 Earls Way – American Tower Corp.  
Abutters: None present**

**Applicant is seeking to substantially modify the wireless communication tower at the above referenced address by installing 3 new antennas and replace 3 antennas. The building permit is denied without a special permit from the ZBA. Appearing before the board is Amber Debole representing American Tower Corp. Amber explained that this request does fall under the Federal Communications Commissions law 6409. The Zoning Board of Appeals recognized that, under Section 6409(a) of the Tax Relief Act, “a state or local government may not deny, and shall approve, any eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station,” and that “eligible facilities request” means “any request for modification of an existing wireless tower or base station that involves (A) collocation of new transmission equipment; (B) removal of transmission equipment; or (C) replacement of transmission equipment.”**

**The Zoning Board of Appeals determined that the proposal to modify the existing monopole tower on the Premises by installing three (3) new antennas and replacing three (3) antennas constitutes a removal and replacement of transmission equipment on an existing wireless tower, and that the action does not substantially change the physical dimensions of the tower or the base station, and therefore the request is one that cannot be denied, and must be approved, under Section 6409(a) of the Tax Relief Act, subject to the Building Commissioner’s review of structural integrity and capacity of the existing tower to accommodate the proposed antennas. Motion by Timothy Twardowski to close the public hearing. Second by Robert Acevedo. Unanimous by board. Motion by Timothy Twardowski to grant finding that no determination is needed under 6409. Second by Robert Acevedo. Unanimous by board.**

**General Discussion:**

- Motion by Robert Acevedo to approve minutes of April 24, 2014. Second by Tim Twardowski. Unanimous by board.**
- Motion by Timothy Twardowski to hire Ted Morine (Hydrologist) for Village at Cooks Farm which is on the ZBA Agenda for June 5,2014. Board has requested that a check in the amount of \$2500.00 be paid to the Town of Franklin for Mr. Morine’s services. Second by Robert Acevedo. Unanimous by board.**

- **Discussion regarding Franklin Housing Authority – Minor Modification to Plain Street. The board has determined that not enough information was available to make a decision. Motion by Timothy Twardowski to add to agenda as soon as someone can be present at meeting for further information. Second by Robert Acevedo. Unanimous by board.**

**Motion by Timothy Twardowski to adjourn. Second by Robert Acevedo. Unanimous by board.**

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**Signature** \_\_\_\_\_

**Date** \_\_\_\_\_