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COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS

IN THE MATTER OF: Metro PCS Massachusetts, LLC
Petitioner

OPINION OF THE BOARD

**REQUEST FOR SPECIAL PERMIT
113R Main St.**

Hearing: January 19, 2011

Decision: January 19, 2011

MEMBERS PRESENT: Joseph F. Musmanno, Chairman
David Cole
Anthony Biocchi
Peter Gluckler, Jr.
Carol Gould

THE WRITTEN OPINION WAS DELIVERED ON MARCH 15, 2011

OPINION OF THE BOARD

This is a proceeding of the Zoning Board of Appeals of the Town of Medway, MA (hereinafter the Board) acting under the Zoning By-Laws of the Town of Medway, MA, 02053 and the Massachusetts General Law C40A, as amended, in which the petitioner, METRO PCS Massachusetts, LLC, requests a Special Permit (V.S) to attach an antenna to the existing wireless communications facility at 113R Main St., Medway, MA 02053.

Hearing

Notice of the Public Hearing by the Zoning Board of Appeals in this matter was published in the Milford Daily News on January 5 and 12, 2011. Notice also was sent to all "parties in interest" and posted in the Town Hall as required by Massachusetts General Laws Chapter 40A, Section 11.

The Public Hearing was held, and the record closed on January 19, 2011. At the hearing, no one spoke in favor of; nor did anyone speak in opposition to the application.

Hearing Summary

The Applicant, Metro PCS Massachusetts, LLC, represented by Mr. Gerry Squires of J. Lee Consulting, came before the Board to request a Special Permit (V.S) to attach an antenna to the existing wireless communications tower at 113R Main St. and located in the Commercial II zoning district. Testimony included: It is proposed for the carrier to attach a 26 inch microwave dish antenna to be added to the panels previously permitted and installed. The dish will be placed at a height of 111 ft. on the 140 ft. tower. Cable from the dish would run down to their existing ground equipment shelter. There would be additional noise associated with the addition of the dish. An existing whip antenna would be removed at the time the dish is installed. Compliance with all applicable local, state and federal safety rules and regulations would be met.

Findings:

By vote of 5-0:

1. The Petitioner demonstrated substantive compliance with all requirements of Section V.S.2 of the Medway Zoning By-Law.
2. The site is the preferred location as outlined in Section V.S.3.a of the Medway Zoning By-Law.
3. The grant of a Special Permit would not cause substantial detriment to the public good.
4. The grant of the requested Special Permit to the applicant would not be inconsistent with any of the criteria set forth in Section III.J of the Medway Zoning By-law.

Relief Granted

By vote of 5-0:

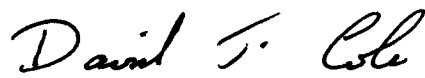
A Special Permit is granted to Metro PCS Massachusetts, LLC for the addition of one (1) 26.1" antenna to the existing wireless communications tower at 113R Main St., substantially in accordance with the plans presented.

The Board hereby makes a detailed record of its findings and proceedings relative to this petition, sets forth its reasons for its findings and decision, incorporates by reference any plan or diagram received by it, directs that this decision be filed in the office of the Town Clerk and be made a public record and that notice and copies of its decision be made forthwith to all parties or persons interested.

IN ACCORDANCE WITH MASSACHUSETTS GENERAL LAW, CHAPTER 40A, SECTION 11 NO VARIANCE, SPECIAL PERMIT OR CONSTRUCTIVE GRANT OF A VARIANCE TAKES EFFECT UNTIL RECORDED IN THE REGISTRY OF DEEDS.



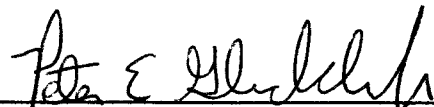
Joseph F. Musmanno, Chairman




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