

TOWN OF MEDWAY

ZONING BOARD OF APPEALS

MINUTES OF MEETING FEBRUARY 15, 2012

Mr. Cole and Mss. Doherty and Gould were present when, in the absence of the Chairman, the Clerk called the meeting to order at 7.58 p.m.

The Board reviewed the application of Mr. Currivan and, by unanimous consent, agreed to advertize and hear the application.

At approximately 8.25 pm Mr. Biocchi joined the meeting. Since four members were now present, the Board by unanimous consent proceeded to hear the application of Cello Partnership, d/b/a Verizon Wireless. Mr. Tom Hildreth appeared for the applicant, accompanied by Mr. Jason Flanigan. Mr. Hildreth explained that the applicant had previously secured a permit for substantially the same work at the same location, but the work had not begun within two years so the permit had lapsed. The site on Hill Street had been a wireless site since 2000. There was presently a monopole disposed within an electric power pylon, with antennas at the 150 foot level and an equipment shelter adjacent the base of the pylon. The applicant was proposing to add additional panel antennas, cables within the monopole and on an ice bridge, and a 12 by 30 foot equipment shelter on the opposed side of the pylon from the existing shelter, screened with slats and with an interior sound absorbing blanket on the slats. The equipment would normally be powered by mains electricity, but in the event of mains power failure batteries would provide 8 hours of reserve power and then a generator could power the equipment for 30 days; the generator would normally be run for only 30 minutes per week to maintain the charge on the batteries. The base of the equipment shelter would provide a containment vessel having a capacity of 150 per cent of the fluids in the generator.

The applicant hoped for rapid action on the petition because it wished to install the equipment during a scheduled shutdown of the high tension lines in April 2012.

David and Catherine Morgan of 38 Hill Street spoke in opposition to the petition, raising concerns about the poor appearance of the site, the failure of the existing user to maintain landscaping, and the cutting of vegetation under the power lines.

On a motion made by Ms. Doherty, seconded by Mr. Cole and passed unanimously, the Board found that the Petitioner demonstrated substantial compliance with all requirements of Section V.S.2 of the Medway Zoning By-Law for the proposed modification to an existing wireless communications facility. On a motion made by Mr. Cole, seconded by Mr. Biocchi, and passed unanimously, the Board found that the grant of a suitably conditioned Special Permit would not cause substantial detriment to the public good. Finally, on a motion made by Ms. Doherty, seconded by Mr. Biocchi and passed unanimously, the Board found that the grant of a 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.

Accordingly, on a motion made by Mr. Cole, seconded by Mr. Biocchi and passed unanimously, the Board granted a Special Permit under Section V.S of the Zoning ByLaw to Cellco Partnership d/b/a Verizon Wireless for the addition of antenna arrays to the existing wireless communications tower at 40 Hill St., along with related ground equipment, in accordance with the plans submitted, dated December 29, 2008, subject to the following conditions and/or restrictions:

1. The proposed diesel generator is installed per notes on plan dated 12/29/08, page A-I. A monitoring plan shall be instituted in which an alarm is tied into Verizon's network operations center, which is manned on a 24/7 basis, to monitor for spills and take all necessary precautions to ensure that any spill is completely contained within the generator room. Should a spill occur at the site, the Petitioner shall notify the Fire Chief, Conservation Commission and Department of Environmental Protection (DEP).
2. The Petitioner shall, upon completion of all installations, supply the Zoning Enforcement Officer with measurements of actual sound emitted from all Verizon Wireless equipment that demonstrates compliance with the Medway Zoning By-Law.

3. The Petitioner shall maintain the landscaping for one year after installation; any dead plant material must be removed and replaced.

On a motion made by Mr. Biocchi, seconded by Ms. Gould, and passed by a vote of 3-0 (Ms. Doherty abstaining since she was not present at the relevant meeting), the minutes of the January 4, 2012 meeting were accepted as presented by the Clerk. By unanimous consent, the next meeting of the Board was fixed for February 22, 2012 at 7:30 pm.

On a motion made Ms. Doherty, seconded by Mr. Biocchi and passed unanimously, the Board adjourned at 9.25 pm.