



CITY OF SOMERVILLE, MASSACHUSETTS
OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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MAYOR

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Case #: ZBA 2009-61
Site: 230 Highland Avenue
Date: February 3, 2010
Recommendation: Conditional Approval

PLANNING BOARD REPORT

Site: 230 Highland Avenue

Applicant Name: T-Mobile Northeast LLC

Applicant Address: 15 Commerce Way, Norton, MA 02766

Property Owner Name: Cambridge Health Alliance

Property Owner Address: 1493 Cambridge Street, Cambridge, MA 02139

Alderman: Taylor

Legal Notice: Applicant, T-Mobile Northeast LLC and Owner, Cambridge Health Alliance, seeks Special Permit Approval under SZO §7.11.15.3 for the installation of a wireless communications facility.

Zoning District/Ward: RA / 3

Zoning Approval Sought: Special Permit under SZO §7.11.15.3

Date of Application: 12/10/09

Date(s) of Public Meeting • Hearing: PB 1/21/10 • ZBA 2/3/10

Dear ZBA members:

At its regular meeting on January 21, 2010 the Planning Board heard the above-referenced application. Based on materials submitted by the Applicant and the Staff recommendation, the Board voted (4-0) with Kevin Prior and Joseph Favaloro absent, to recommend **conditional approval** of the requested **Special Permit**.

In conducting its analysis, the Planning Board found:

I. PROJECT DESCRIPTION

1. Subject Property: The proposed site of the facilities is the roof of the Somerville Hospital, a facility that occupies a full block, contains 96,679 square feet, and is bounded by Highland Avenue to the North, Crocker Street to the West, Tower Street to the East, and Crown Street to the South. The site



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slopes downward from Crown Street to Highland Street. Partially in response to this slope, the roof on the masonry hospital structure has several levels. The highest level presently has a penthouse, to which are attached a number of antennas, some of which are visually prominent from surrounding streets. The signage for the building is also on this penthouse.

2. Proposal: The applicant is proposing to add a 10 ft by 20 ft steel equipment platform with three equipment boxes and a battery backup cabinet on a section of the hospital that is 46 ft in height. Six panel antennas (72 in high by 13.5 in wide) would be mounted on the sides of the 94ft high penthouse, two each on the north, east and west sides. A single GPS antenna would be located on the roof of the penthouse.

3. Nature of Application: Under SZO §7.11.15.3 establishment of a wireless communications facility requires a Special Permit approval.

4. Surrounding Neighborhood: The hospital is surrounded on three sides by the RA district and faces the RC district across Highland Avenue. Properties along facing Highland Avenue feature a variety of commercial and residential uses, with a convenience store, liquor store, and restaurant as ground floor uses topped by housing immediately facing the hospital block. Crocker and Tower Streets are predominantly single- and two-family homes. Directly south of the site, across Crown Street, is a surface parking lot associated with the hospital.

5. Impacts of Proposal: The proposed antennas would be visible from Highland Avenue, Crocker Street, and Tower Street, but less visible from Crown Street. The proposed equipment cabinet is not expected to be visible.

6. Green Building Practices: None indicated

7. Comments:

Fire Prevention: Deputy Chief William Lee has been contacted and has not yet provided comments

Alderman: Alderman Taylor has been contacted and has not yet provided comments

II. FINDINGS FOR SPECIAL PERMIT (SZO§7.11.15.3):

In order to grant a special permit, the SPGA must make certain findings and determinations as outlined in §5.1.4 of the SZO. This section of the report goes through §5.1.4 in detail.

1. Information Supplied: The Board finds that the information provided by the Applicant conforms to the requirements of §5.1.2 of the SZO and allows for a comprehensive analysis of the project with respect to the required Special Permits.

2. Compliance with Standards: The Applicant must comply "with such criteria or standards as may be set forth in this Ordinance which refer to the granting of the requested special permit."

The Applicant seeks a special permit under §7.11.15.3 of the SZO which requires the applicant to follow guidelines and procedures set forth in Article 14 for the, "regulation of wireless telecommunications facilities so as to allow and encourage such uses in the City with minimal harm to the public health, safety, and general welfare."



Radio Frequency Engineer, Dinesh Dasani, stated in a letter that the proposed facility complies with all applicable Federal, State and local standards, including those regarding radio-frequency emissions.

The Board finds that minimal harm would be imposed upon the health, safety and welfare of the surrounding neighborhood.

The application meets Location and Design Guidelines outlined in Article 14 of the SZO which state that antennas should, whenever possible, be concealed from view though the use of side-mounting onto existing structures and painted to match the surrounding materials and colors. Size and height, screening and setbacks have all been met or will be a condition of approval in this report.

3. Consistency with Purposes: The Applicant has to ensure that the project "is consistent with (1) the general purposes of this Ordinance as set forth in Article 1, and (2) the purposes, provisions, and specific objectives applicable to the requested special permit which may be set forth elsewhere in this Ordinance, such as, but not limited to, those purposes at the beginning of the various Articles."

The Board finds that the proposal, as conditioned, **is consistent** with the purposes set forth in Article 1 of the Zoning Ordinance; and, with those purposes established for the Residence A (RA) district in which the property is located, namely, "To establish and preserve a quiet neighborhoods of one- and two-family homes, free from other uses except those which are both compatible with and convenient to the residents of such districts." The Board finds the addition of the antennas and associated equipment, as conditioned, will neither negatively affect the local commercial uses, nor the character of the residences in the area. The building has existing equipment on the rooftop from a variety of different wireless carriers which provide wireless services to the local residents.

The Board finds that the proposal as conditioned **is consistent** with the purposes set forth in Article 14 of the Zoning Ordinance as conditioned in this report, to:

- a) *Protect residential areas and land uses from potential adverse impacts of towers and antennas;*
- b) *Encourage the location of telecommunications facilities in non-residential areas;*
- c) *Minimize the total number of towers and antennas throughout the community;*
- d) *Strongly encourage the joint use of new and existing tower sites as a primary option rather than construction of additional single-use towers;*
- e) *Encourage users of towers and antennas to locate them in areas where the adverse impact on the community is minimal;*
- f) *Encourage users of towers and antennas to configure them in ways that minimize the adverse visual impact of the towers and antennas through careful design, siting, landscape screening, and innovative camouflaging techniques;*
- g) *Enhance the ability of the providers of telecommunications services to provide such services to the community quickly, effectively, and efficiently;*
- h) *Consider the public health and safety of communications facilities; and*



i) *Avoid potential damage to adjacent properties from tower and antenna failure through sound engineering and careful siting of structures.*

4. Site and Area Compatibility: The Applicant has to ensure that the project "(i)s designed in a manner that is compatible with the characteristics of the built and unbuilt surrounding area, including land uses."

The Board finds the project to be compatible with the surrounding area and land uses. The antennas proposed are 72 in high by 13.5 inches wide and approximately 90 ft above street level. A condition that the antennas be camouflaged will reduce any impacts on the site and surrounding area.

5. Review Criteria for Telecommunications Facilities: In addition to those standards outlined in Section 5.1 for the granting of special permits, the SPGA shall consider the following factors in determining whether to issue a special permit for a telecommunications facility:

- a) *Height of proposed facility:* The existing building has an approximately 95ft high penthouse and roof line. The RF engineering affidavit states that the building is of optimal height and location for the proposed antennas to alleviate the gap in T-Mobile's coverage. None of the proposed circular antennas would extend more than a foot above the penthouse rooftop. The single GPS antenna is proposed to extend 2ft above the penthouse.
- b) *Proximity of facility to residential structures and residential zoning districts:* The building at 119 Highland Avenue is a commercial structure in Residence A district. The structure is bounded by streets on all sides and residential structures line those streets on three sides. Across Highland Avenue are commercial and residential uses. The Board finds that several companies currently have wireless communications equipment on this structure and additional equipment would have limited impact on the surrounding residential structures.
- c) *Nature of uses on adjacent and nearby properties:* Surrounding properties are mixed use in nature and, the Board finds, compatible with the proposed use.
- d) *Surrounding topography and prominence of proposed facility:* The structure is located on a north facing slope and there are no other buildings of comparable height or prominence in the surrounding area. Though the proposed rooftop antennas are visible from several vantage points, the proposal to match them to the color of the building, and the condition to raise them above the roof line, would reduce their prominence from any public way.
- e) *Surrounding tree cover and foliage:* The surrounding area features several street trees that are significantly lower in height than the proposed antennas and will be unaffected by this proposal.
- f) *Design of tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness, as specified in Section 14.3:* Not applicable.
- g) *Location of tower, with particular reference to the existence of more suitable locations, as specified in Section 14.3:* Not applicable.
- h) *Proposed ingress and egress:* Ingress and egress to the site will be at the existing curb cuts for the property and use existing parking and circulation patterns.

- i) *Distance from existing facilities:* There are several T-Mobile antennas currently established in Somerville. The submitted "Existing Sites" map shows the locations of other antennas. According to the RF Engineer, without this site there would be a service gap in Somerville, specifically to the northwest.
- j) *Availability of suitable existing towers, poles, other structures, or alternative technologies, as discussed in Section 14.5.2:* The attached report prepared by the applicant's professional RF Engineer indicates that this building was chosen for the location and overall height of the property, which provides the opportunity for service coverage in this area of Somerville.

III. RECOMMENDATION

Special Permit under SZO §7.11.15.3

Based on the above findings, the Planning Board recommends **CONDITIONAL APPROVAL** of the requested **SPECIAL PERMIT**.

The Board finds that this application complies with the requirements for granting a special permit as set forth under §5.1.4 and Article 14.

Although the Planning Board is recommending approval of the requested Special Permit, the following conditions should be added to the permits:

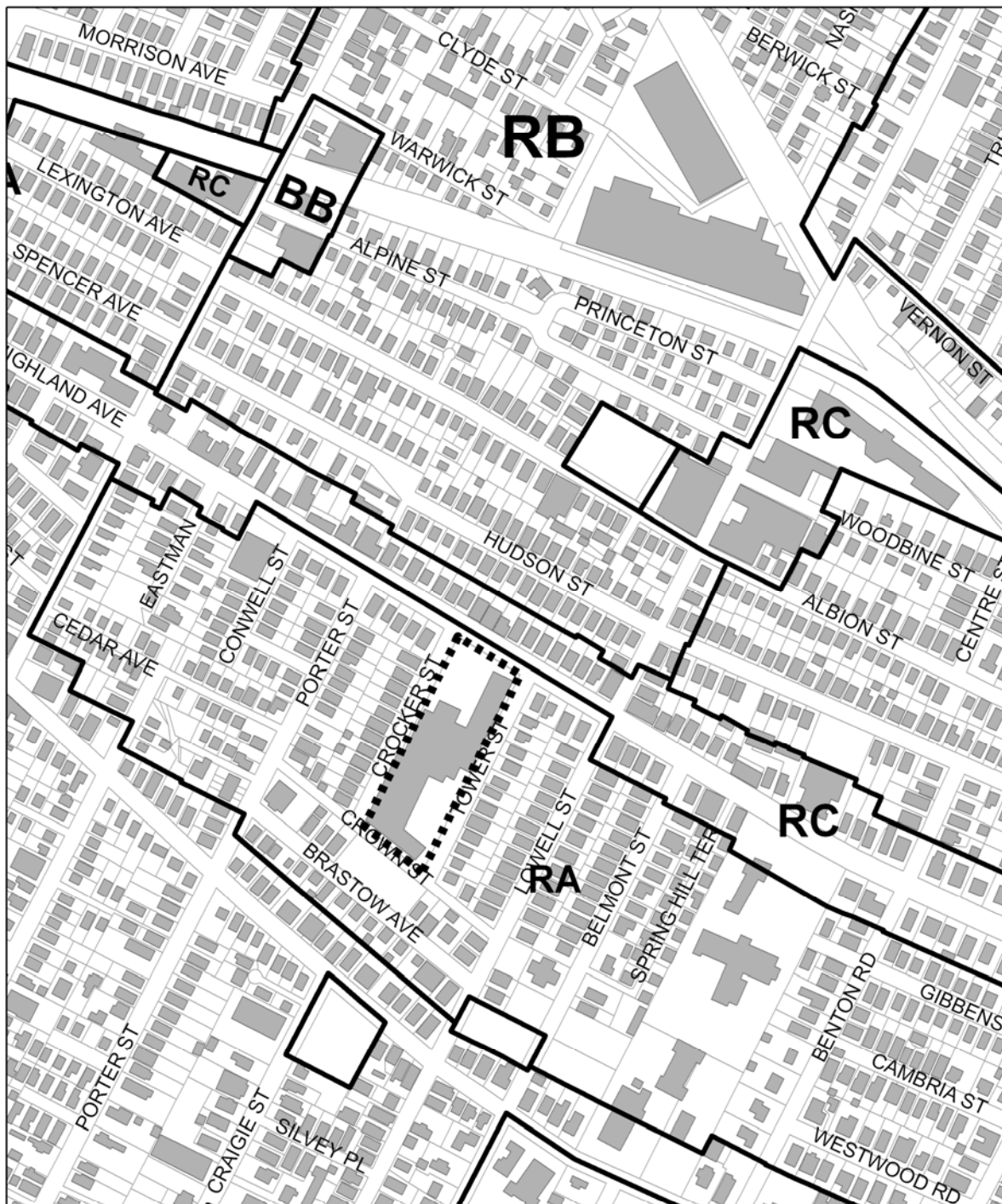
#	Condition	Timeframe for Compliance	Verified (initial)	Notes								
1	Approval is for the establishment of six (6) wireless antennas, one (1) GPS antenna, three (3) rooftop mounted equipment cabinets with a battery backup cabinet on a 10 ft by 20 ft steel platform with associated cabling and equipment. This approval is based upon the following application materials and the plans submitted by the Applicant and/or contractor:	Building permit	PLNG.									
	<table><tr><th>Date (City Stamp)</th><th>Submission</th></tr><tr><td>(12/10/09)</td><td>Initial application, submitted to the City Clerk's Office.</td></tr><tr><td>10/21/09</td><td>Engineering affidavit</td></tr><tr><td>12/3/09</td><td>Existing sites, plans, elevations and photograph renditions submitted to OSPCD. (T1, C1-2, Z1-3)</td></tr></table>				Date (City Stamp)	Submission	(12/10/09)	Initial application, submitted to the City Clerk's Office.	10/21/09	Engineering affidavit	12/3/09	Existing sites, plans, elevations and photograph renditions submitted to OSPCD. (T1, C1-2, Z1-3)
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12/3/09	Existing sites, plans, elevations and photograph renditions submitted to OSPCD. (T1, C1-2, Z1-3)											
Any changes to the approved site plan, photograph renditions and/or elevations that are not <i>de minimis</i> must receive ZBA approval.												
2	<i>Compliance with Noise Control Ordinance.</i> Prior to the issuance of a Certificate of Use and Occupancy Permit for the installation of the wireless telecommunications facility,	Continued	ISD									

	the Applicant shall submit to the Inspectional Services Department, with a copy to the Zoning Board of Appeals, a sound level measurement certified as accurate by a professional acoustician and shall perform such sound level measurements six months after issuance of the certificate of occupancy, with subsequent sound level measurements annually on or before the anniversary date of the original six month measurement to document that all of the Applicant's installed equipment complies and continues to comply with the decibel level standards established by the City of Somerville, Noise Control Ordinance. The Applicant shall provide the results of such measurements and certify that the facility complies with the decibel level standards established by the City of Somerville, Noise Control Ordinance, with a copy to the Zoning Board of Appeals.			
3	<i>Compliance with Federal Communications Commission Guidelines for Human Exposure to Electromagnetic Fields.</i> To ensure compliance with the standards established by the Federal Communications Commission Office of Engineering and Technology ("FCC") in OET Bulletin 65 as adopted by Massachusetts Department of Public Health under 105 CMR 122.021, the Applicant shall perform measurements, within two (2) months of the date that the Applicant's wireless telecommunications facility commences operation and at intervals of twelve (12) months thereafter, to establish that the Applicant's wireless telecommunications facility complies and continues to comply with the FCC guidelines and applicable state regulations for human exposure to radio frequency electromagnetic fields. The Applicant shall provide the results of such measurements with certification of compliance to the City of Somerville, Health Department, with a copy to the Zoning Board of Appeals.	Continued	BOH	
4	Any antenna that is not operated continuously for a period of twelve (12) months shall be considered abandoned, and the owner of such antenna shall remove the same within ninety (90) days of notice from the City of Somerville informing the owner of such abandonment.	Continued	ISD	
5	The applicant shall remove any of that carrier's unused or non-operating wireless equipment prior to installation.	Building permit	PLNG.	
6	The applicant shall identify and inform Planning Staff of any non-operating wireless equipment from any carrier prior to installation.	Building permit	PLNG.	
7	The applicant shall camouflage and/or screen the antennas and equipment cabinet to be approved by Staff	Final signoff	PLNG.	
8	The Applicant shall contact Planning Staff at least five working days in advance of a request for a final sign-off on the building permit to ensure the proposal was constructed in accordance with the plans and information submitted and the conditions attached to this approval.	Final signoff	PLNG.	

Sincerely,

A handwritten signature in blue ink, appearing to read "Elizabeth Moroney". The signature is fluid and cursive, with a large loop at the end.

Elizabeth Moroney
Acting Chair



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