



## CITY OF SOMERVILLE, MASSACHUSETTS

### PLANNING BOARD

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MICHAEL A. CAPUANO, ESQ. (ALT.)

**Case #: ZBA2008-50**

**Date: October 9, 2008**

**Recommendation: Conditional Approval**

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### PLANNING BOARD REPORT

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**SITE: 252 Medford Street**

**Applicant Name:** FiberTower

**Applicant Address:** 202 Broadway, Providence, RI 02903

**Property Owner Name:** Somerville Housing Authority

**Property Owner Address:** 30 Memorial Road, Somerville, MA 01245

**Alderman:** Taylor

Legal Notice: The applicant seeks Special Permit Approval under SZO §7.11.15.3 for the installation of a wireless communications facility.

Zoning District/Ward: BB / 3

Zoning Approval Sought: Special Permit under SZO§7.11.15.3

Date of Application: September 3, 2008

Date(s) of Meetings/Public Hearing: (PB: October 2, 2008 / ZBA: September 15, 2008)

Date of Decision: N/A

Vote: N/A

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Dear ZBA members:

At its regular meeting on October 2, 2008 the Planning Board heard the above-referenced application. Based on materials submitted by the Applicant and the Staff recommendation, the Board voted (5-0), with Kevin Prior 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 property is a 50,000 s.f. parcel located within a BB Commercial Residential District (BB). The property is located at the intersection of McGrath Highway and Medford Street. On the property is a Somerville Housing Authority controlled building called Brady Towers which provides housing for the elderly. The building is a nine (9) story, 79 foot high, brick structure with a 15 foot 9 inch penthouse extending above the roof. The penthouse is not closer to the edge of the building than 10 feet in any direction.

2. Proposal: The applicant, FiberTower Corporation, is proposing to install wireless communications equipment, consisting of one (1) pipe mounted antenna and associated cabling. The antenna will be approximately one foot in diameter and would be mounted on the western side of the penthouse 13 foot 6 inch above the rooftop and 10 feet from the building edge. Associated cabling on the roof will connect with equipment to be located in the basement.

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 property is located adjacent to McGrath Highway and the MBTA commuter rail tracks to the east, while the large residential area of Prospect Hill lies to the west. This area is developed with a variety of residential uses from single to multi-family homes and apartments.

5. Impacts on Abutting Properties: The façade mounted antennas would be visible from abutting properties.

6. Green Building Practices: The applicant stated that, "FiberTower's small cabinet uses less power and energy than the typical equipment. (A micro cabinet requires 110VAC 20 amp circuit. The regular size cabinet requires 220VAC 30 amp circuit.) Additionally, there is no A/C used for the cabinets, thus eliminating potentially harmful refrigerants from the environment."

7. Comments:

Fire Prevention: Deputy Chief Steve Keenan has contacted and has not provided comments.

Alderman: Alderman Taylor has been contacted and supports the proposal.

## **II. FINDINGS FOR SPECIAL PERMIT (SZO§7.11.15.3): (See Appendix A)**

## **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.

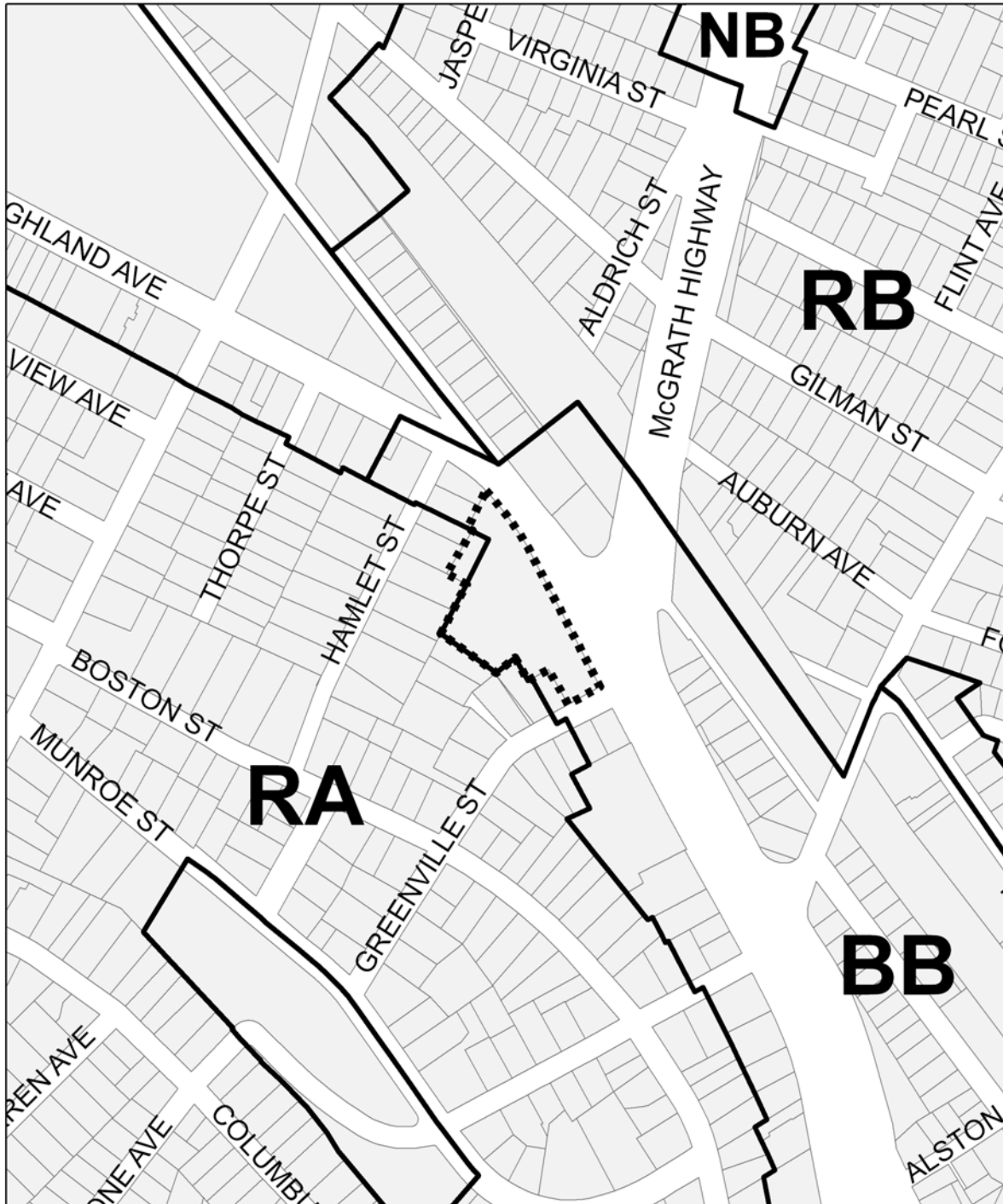
Although the Planning Board is recommending approval of the requested Special Permit, the following conditions should be added to the permits:

#	Condition	Timeframe for Compliance	Verified (initial)	Notes				
1	<p>Approval is for the establishment of a single pipe mounted antenna of approximately 1 foot in diameter and associated cabling. This approval is based upon the following application materials and the plans submitted by the Applicant and/or contractor:</p> <table><tr><th>Date</th><th>Submission</th></tr><tr><td>September 3, 2008</td><td>Initial application, plans, elevations and photograph renditions submitted to the City Clerk’s Office.</td></tr></table> <p>Any changes to the approved site plan, photograph renditions and/or elevations that are not <i>de minimis</i> must receive ZBA approval.</p>	Date	Submission	September 3, 2008	Initial application, plans, elevations and photograph renditions submitted to the City Clerk’s Office.	BP/CO	PLNG.	
Date	Submission							
September 3, 2008	Initial application, plans, elevations and photograph renditions submitted to the City Clerk’s Office.							
2	The antenna shall be painted to match the color of the penthouse to which it is attached.	CO	PLNG.					
3	<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, 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.	CONT.	ISD					
4	<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	CONT.	BOH					

#	Condition	Timeframe for Compliance	Verified (initial)	Notes
	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 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.			
5	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.	CONT.	ISD	
6	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 SIGN OFF	PLNG.	



Elizabeth Maroney  
Acting Chairman



## 252 MEDFORD STREET