



**CITY OF SOMERVILLE, MASSACHUSETTS**  
**MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT**  
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**Case #:** ZBA 2012-97  
**Date:** December 6, 2012  
**Recommendation:** Conditional Approval

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**PLANNING STAFF REPORT**

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**Site:** 27 College Avenue

**Applicant Name:** MetroPCS Massachusetts, LLC  
**Applicant Address:** 285 Billerica Road, Chelmsford, MA 01824  
**Property Owner Name:** Somerville Housing Authority  
**Property Owner Address:** 30 Memorial Road, Somerville, MA 02143  
**Agent Name:** Bryan Wilson  
**Agent Address:** Northeast Wireless Services, 175 Washington St, B-13, Winchester, MA 01890  
**Alderman:** Rebekah Gewirtz

Legal Notice: Applicant, MetroPCS Massachusetts, LLC, and Owner, Somerville Housing Authority, seek a Special Permit under SZO §7.11.15.3 and SZO §14 for the installation of wireless communication equipment consisting of three dish antennas and related equipment and cables. CDB zone. Ward 6.

Zoning District/Ward: CDB / 6

Zoning Approval Sought: Special Permit (SZO §7.11.15.3 and SZO §14)

Date of Application: October 16, 2012

Dates of Public Hearing: Zoning Board of Appeals – **Wednesday, December 6, 2012**

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**I. PROJECT DESCRIPTION**

1. Subject Property: The subject property is a 15,634 square foot parcel located in a Central Business District (CBD) near Davis Square. Ciampa Manor, a Somerville Housing Authority development, is located on the site. Ciampa Manor is a masonry structure six stories, or 55 feet in height. Two wireless equipment shelters and one elevator penthouse are located on the rooftop. The penthouse is located near the center of the rooftop and an equipment shelter is located on both the east and west sides.



The subject property is currently a wireless communication facility for AT&T as well as MetroPCS. Prior zoning relief for the property has been granted on several occasions, beginning in 2000, for the installation of antennas and associated equipment and cables.

2. Proposal: The Applicant, MetroPCS, proposes to expand their facility and install three (3) façade-mounted dish-style antennae including associated cabling and equipment to the rooftop to enhance communication between existing facilities, which will improve the efficiency of the overall network. The antennae rely on horizontal line-of-site connectivity to function. Two dish antennae, 15” and 26” in diameter, will be installed on the southern wall of the west side equipment shelter, which is nearest to College Avenue. The third dish antennae, 15” in diameter, will be installed on the western wall of the west side equipment shelter.



*27 College Avenue*

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

MetroPCS established their wireless facility through Special Permit in 2008 and currently has six panel antennae and one GPS antenna installed on the rooftop.

4. Surrounding Neighborhood: The surrounding Davis Square neighborhood has a variety of uses including residential of all types, commercial, office and institutional. This site is one of the tallest buildings in this area of the neighborhood. Approximately 250 feet from the center of Davis Square, abutters include the West Somerville Baptist Church and West Branch Library, retail and office space, and a variety of residential types.

5. Impacts of Proposal: The proposed changes are not anticipated to negatively impact the site. All three antennae will be placed along an existing row of antennae and will not exceed the height of the penthouse to which they are mounted. Visibility of the dish antennae will be minimized by locating the antennae as low as possible on the western penthouse, which is set back more than ten feet from all edges of the roof. The antennae will also be painted to match the corresponding façade to which each is mounted.

6. Green Building Practices: The Applicant does not identify any green building practices as part of this proposal.

7. Comments:

*Fire Prevention*: Has been contacted but has not yet provided comments.

*Ward Alderman*: Alderman Gewirtz contacted Staff to ensure that the residents of Ciampa Manor would be appropriately informed and to inquire who these antennae would service. Staff explained the legal notification process to abutters and that the addition of the proposed antennae are to enhance communication between existing facilities, which would improve the efficiency of the overall network

*Lights and Lines*: Has been contacted but has not yet provided comments.

## **II. FINDINGS FOR SPECIAL PERMIT (SZO §5.1 and §14):**

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: Staff 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, MetroPCS, 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 discourage uses in the City with minimal harm to the public health, safety and general welfare."

Staff finds that minimal harm would be imposed upon the health, safety and welfare of the surrounding neighborhood. MetroPCS is a licensed company that is required to comply with all state and federal regulations.

### *Review Criteria for Telecommunications Facilities:*

- a) *Height of proposed facility*: The existing building is six stories or 55 feet in height while the top of the existing penthouse/equipment shelters is 65 feet. This building is one of the tallest in the surrounding area.
- b) *Proximity of facility to residential structures and residential zoning districts*: The building at 27 College Avenue is a residential structure in a Central Business District (CBD). Other residential structures directly about this property. AT&T has also established a wireless communications facility on the rooftop of this structure. Therefore, additional equipment would have a limited impact on the surrounding residential structures.
- c) *Nature of uses on adjacent and nearby properties*: The subject property is located near Davis Square in a Central Business District (CBD). The surrounding area has a wide variety of uses including residential of all types, commercial, office and institutional. The proposed

installation will not generate any objectionable odor, fumes, glare, smoke, or dust nor require additional lighting or signage. Noise from the equipment will be minimal and should not be heard beyond the confines of the property where it will be placed. No increased traffic or hindrance to pedestrian movements will result from the proposed installation either.

- d) *Surrounding topography and prominence of proposed facility:* The building is the tallest building in the area with the exception of 36 College Avenue across the street. However, this structure has considerably more historic and architectural merit and is not owned by the City.
- e) *Surrounding tree cover and foliage:* Ciampa Manor is taller than all trees in the surrounding area; therefore, interference is not anticipated with regard to the proposal to add three dish-style antennae to the rooftop.
- 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:* Guidelines of Article 14 of the SZO state that antennae should not be located more than ten feet above the roofline, façade mounted antennae are encouraged and antennae should be painted to match the surrounding materials and colors. All antennae will be façade mounted and no higher than ten feet above the roofline. All antennae will be painted to match the façade to which they are mounted.
- g) *Location of tower, with particular reference to the existence of more suitable locations, as specified in Section 14.3:* The guidelines in Article 14 state that service providers, when possible, should co-locate and/or locate on facilities owned or managed by the City of Somerville. This proposal is compliant with the intent of this guideline as MetroPCS has an existing facility at this site and the Somerville Housing Authority is a nonprofit organization that services senior residents. The Applicant is proposing to locate the antennas on an existing wireless telecommunications facility within a business district. The antennas will be painted to match the penthouse to which they are attached and will not exceed the roofline of the penthouse.
- h) *Proposed ingress and egress:* Existing access to the roof and equipment on the roof is through the western penthouse of the building.
- i) *Distance from existing facilities:* The site currently operates as a MetroPCS wireless facility. 15 Weston Avenue is the only other MetroPCS wireless facility in the City.
- j) *Availability of suitable existing towers, poles, other structures, or alternative technologies, as discussed in Section 14.5.2: Section 14.5.2 states that no new sites for telecommunications facilities shall be permitted unless the Applicant demonstrates that existing sites cannot meet the Applicant's need:* The subject property is an existing wireless communications facility. The Applicant has demonstrated that the location and dish antennae technology are most suitable. The proposed dish antennae would enhance communication between existing facilities, which will improve efficiency of the overall network. The dish antennae are located to allow for line-of-site which is necessary for the overall antennae to function properly.

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 proposal is consistent with the general purposes of the Ordinance as set forth under §1.2, which includes, but is not limited to promoting “the health, safety, and welfare of the inhabitants of the City of Somerville; to protect health; to secure safety from fire, panic and other dangers; to facilitate the adequate provision of ...other public requirements; to conserve the value of land and buildings; and to encourage the most appropriate use of land throughout the City.”

The proposal is consistent with the purpose of the Central Business District, §6.1.5, which is, “To preserve and enhance central business areas for retail, business services, housing, and office uses and to promote a strong pedestrian character and scale in those areas. A primary goal for the districts is to provide environments that are safe for and conducive to a high volume of pedestrian traffic, with a strong connection to retail and pedestrian accessible street level uses.”

Furthermore, Staff finds the proposal, as conditioned, is consistent with the purposes set forth in Article 14 of the SZO, 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.”

Staff finds the proposal to be compatible with the surrounding area and land uses. The proposed location of the dish antennae on the penthouse façades, as conditioned, would not have a negative affect on the surrounding neighborhood or detract from the appearance of the building as another wireless carrier has also established this

building as a wireless facility. The building height, setback of the penthouse façades and paint color matching that of the corresponding façades will also mitigate the affect of these dish style antennae.

5. Adverse environmental impacts: The proposed use, structure or activity will not constitute an adverse impact on the surrounding area resulting from: 1) excessive noise, level of illumination, glare, dust, smoke, or vibration which are higher than levels now experienced from uses permitted in the surrounding area; 2) emission of noxious or hazardous materials or substances; 3) pollution of water ways or ground water; or 4) transmission of signals that interfere with radio or television reception.

The facility will have to comply with the applicable FCC requirements relating to radio frequency emissions. The installation will not generate any glare, light, smoke, dust, or vibrations nor will it emit any noxious or hazardous materials or substances. Noise from the equipment will be minimal and should not be heard beyond the confines of the property where it will be placed.

**III. RECOMMENDATION**

**Special Permit under §7.11.15.3 and §14**

Based on the materials submitted by the Applicant, the above findings and subject to the following conditions, the Planning Staff recommends **CONDITIONAL APPROVAL** of the requested **SPECIAL PERMIT**.

The recommendation is based upon a technical analysis by Planning Staff of the application material based upon the required findings of the Somerville Zoning Ordinance, and is based only upon information submitted prior to the public hearing. This report may be revised or updated with new recommendations, findings and/or conditions based upon additional information provided to the Planning Staff during the public hearing process.

#	Condition	Timeframe for Compliance	Verified (initial)	Notes								
1	<p>Approval is for a Special Permit under SZO §7.11.15.3 and §14 for the installation of wireless equipment consisting of three dish antennae and related equipment and cables. This approval is based upon the following application materials and the plans submitted by the Applicant:</p> <table border="1"> <thead> <tr> <th>Date (Stamp Date)</th> <th>Submission</th> </tr> </thead> <tbody> <tr> <td>(October 16, 2012)</td> <td>Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td>August 16, 2012</td> <td>Plans submitted to OSPCD (T-1, GN-1, C-1, A-1, A-2, S-1 &amp; E-1)</td> </tr> <tr> <td>October 2, 2012</td> <td>Photo simulations submitted to OSPCD (sheets 1-13)</td> </tr> </tbody> </table> <p>Any changes to the approved site plan or elevations that are not <i>de minimis</i> must receive SPGA approval.</p>	Date (Stamp Date)	Submission	(October 16, 2012)	Initial application submitted to the City Clerk's Office	August 16, 2012	Plans submitted to OSPCD (T-1, GN-1, C-1, A-1, A-2, S-1 & E-1)	October 2, 2012	Photo simulations submitted to OSPCD (sheets 1-13)	BP/CO	ISD/Plng.	
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2	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP									
3	Six (6) MetroPCS panel antennae shall be relocated and placed lower than the roofline of the penthouse to which they are attached. Photographs to sufficiently demonstrate the panel antennae have been relocated below the roofline of the penthouse shall be submitted to Planning Staff within 90 days of the date of decision.	CO	Plng.									

4	<p><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 Division, 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.</p>			
5	<p>Compliance with Federal Communications Commission Guidelines for Human Exposure to Electromagnetic Fields. 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 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.</p>		Health Dept	
6	<p>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. Failure to remove may result in a fine or penalty.</p>	CONT.	ISD	
7	<p>The applicant shall remove any of that carrier's unused or non-operating wireless equipment prior to installation.</p>	Signoff	Plng.	

8	The Applicant shall contact Planning Staff at least five working days in advance of a request for a final inspection by Inspectional Services 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.	
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27 College Avenue

