



THE PLANNING BOARD OF WEST BOYLSTON

127 HARTWELL STREET, SUITE 100
WEST BOYLSTON, MASSACHUSETTS 01583

CERTIFICATE OF SITE PLAN REVIEW APPROVAL AND SPECIAL PERMIT FOR WIRELESS COMMUNICATIONS FACILITY

May 12, 2010

Town Clerk
Municipal Offices
127 Hartwell Street, Suite 100
West Boylston, MA 01583

Applicant: Star Tower Company, LLC and T-Mobile Northeast, LLC
Proposal: New Wireless Communications Facility
Site: 1 Century Drive
Owner: St. Pierre Associates

In conformance with the West Boylston Zoning Bylaws, Section 3.6, Site Plan Review and Section 2.7 Wireless Communication Facilities, the Planning Board of West Boylston, Massachusetts hereby certifies that it voted to **APPROVE** the Site Plan and **ISSUE** a Special Permit for a Wireless Communication Facility at the above-noted location at a duly called and properly posted meeting of said Planning Board, held on April 28, 2010.

The Approved Site Plan is entitled "*Star Tower – West Boylston, Site Number: 4WL-0789A*" and contains 9 sheets dated September 29, 2009 with revisions through April 26, 2010 prepared by Hudson Design Group, North Andover, MA. The Approved Site Plan is stamped by Daniel P. Hamm, P.E., Civil License #40720. The Communication Pole Design Calculations were performed by Valmont Structures of Salem, OR and stamped by Jimmy L. Jarrett, P.E., MA Civil License #40673. The Site Plan was originally filed with the Planning Board on October 28, 2009, concerning the construction of a one hundred (100') foot monopole and associated ground-based communication equipment at the above location. The public hearing was opened on November 18, 2009 and closed on April 28, 2010.

Findings:

1. The applicants proposed to construct a 100-foot "Stealth" monopole with three antennae to be enclosed in the tower and associated ground-based communications equipment within a fenced 50' by 50' compound. This 100' height is in compliance with the zoning bylaws.
2. The location of the proposed tower is in the Industrial Zone of the Town of West Boylston. Wireless Communications Facilities are allowed in this zoning district by Special Permit of the Planning Board.
3. The applicant has demonstrated that there is a significant gap in coverage in this area. Since the applicant is already operating on the existing wireless communication facilities within the town and the adjacent towns, it is necessary to construct a new tower to fill the gap in coverage.

4. As the tower will be un-manned and only subject to infrequent (approximately once per month) maintenance visits, traffic associated with the new facility does not adversely affect the abutting ways.
5. The proposed use is in harmony with uses in the neighborhood, which is an industrial area.
6. The installation will not produce noise, odor, dust, light or other nuisances.
7. The tower is within 2 miles of an existing tower in Boylston. However, that tower is on the opposite side of a ridge and cannot be used to resolve the gap in coverage.
8. The tower is proposed to be constructed 62' from the property line and 190' from the existing FedEx building. The Section 2.7 of the Zoning By-laws requires that towers be constructed no closer to the property line than the height of the tower to avoid a tower fall onto adjacent property. However, the design of the proposed tower provides for a 50' fall zone as the tower is designed to collapse on itself. This mitigates the concern of the tower falling on abutting property.
9. Since this is new construction, the applicant worked with the Planning Board's consulting engineer to ensure that the project complies with Stormwater Design Standards and the West Boylston Stormwater Bylaw.
10. The Building Inspector and Chief of Police have responded to this application, recommending approval. No other boards, committees or departments have responded to this application, so their approval is assumed.

Waivers

The applicant requested the following waivers, which the West Boylston Planning Board voted to approve:

- Section 2.7-4.c.: a waiver to construct the proposed tower within two (2) miles of an existing tower.
- Section 2.7-4.e.: a waiver from the requirement that the tower shall not be erected nearer to any property line than a distance equal to the vertical height of the tower.

The following conditions shall apply to the development:

1. The final grading of the area shall not worsen any existing drainage flow onto abutting properties.
2. Prior to the release of this Approval, the applicant shall reimburse the Town for any professional review fees in excess of the amount originally posted.
3. In the event that T-Mobile's equipment and/or antennae are not used for six months or necessary for their stated purpose, they shall be removed by the applicant in accordance with the requirements of Section 2.7 of the Zoning Bylaws. The Applicants shall provide bonding to the Town of West Boylston to be used to ensure the proper dismantling and removal of the tower and installed equipment in the amount of \$25,000. **This bond will be provided to the town before a building permit will be issued.**
4. The Applicant shall provide the Board with monthly written progress updates summarizing project and site activities during construction, and shall reimburse the Planning Board for inspections performed by its engineer at least once every month (or more frequently depending on the amount of site related construction activities) to monitor site activities and stabilization.

5. Construction shall conform to the approved plans and specifications submitted to the Planning Board. The approved plans shall not be changed, amended or modified without approval of the Planning Board. Any changes to the Approved Plans shall require a formal re-submittal of the proposed changes to the Board prior to implementation. Failure to abide by this requirement may result in the Board rescinding its approval of the Site Plans.
6. "As-Built" Site Plans and a written certification stamped by the engineer that construction was completed in accordance with the approved plans shall be submitted to the Planning Board for review and approval before a Certificate of Completion may be issued. In accordance with Section 3.6-D.7 of the Zoning By-laws, a Certificate of Completion is required before a permanent occupancy permit may be issued. The Applicant shall reimburse the Board for consulting services to verify that the As-Built Plans conform to the approved plans.

VOTED As Follows:

Lawrence E. Salate, Chair

Patricia A. Halpin

Patrick J. McKeon III

Karen Fenerty Paré

Vincent P. Vignaly

Construction must be started within one (1) year from the date of Final Site Plan Approval. This approval may be extended for one (1) year at the Board's discretion. If one year elapses from the date of approval and no extensions are granted, or if one year has elapsed since the granting of said extension, the final site plan approval shall become null and void without further action of this Board. No permit to build or alter any building or structure, or change of use requiring a Site Plan Review shall be issued by the Building Inspector without a Final Site Plan Approval. No changes to the site plans may be made without Planning Board approval.

Consented to by the West Boylston Planning Board:

Lawrence E. Salate, Chair

Patricia A. Halpin

Patrick J. McKeon III

Karen Fenerty Paré

Vincent P. Vignaly

Filed with the Town Clerk on _____.