



Case No.: _____

**Town of Ashland
Planning Department**

101 Main St.
Ashland, MA 01721
508.881.0101

ashlandmass.com/316/Zoning-Board-of-Appeals

Application to Zoning Board of Appeals

Note: Application must be complete, with a certified plot plan and all application fees to be accepted.

1. Property Information:

Street Address: _____ 400 Cedar Street - Ashland MA _____

Zoning District: _____ Residential A _____ Overlay District: _____

Assessor's Map: _____ 29 _____ Lot: _____ 132 _____ Deed Book: _____ Page: _____

Current Property Owner*: _____ Town of Ashland _____

2. Permit/Approval Sought:

Special Permit (Section 9.3) _____ Amendment to Special Permit (Section 9.3) _____ Variance (Section 9.2.2.2)

_____ Appeal of Building Inspector Decision (M.G.L. Ch. 40A) _____ Comprehensive Permit (M.G.L. Ch. 40B)

Use Type: Residential: _____ Commercial: Industrial: _____

3. Applicant Information: Owner: _____ Tenant: _____ Prospective Purchaser/Tenant: _____

Name: _____ Sprint Spectrum Realty Company, L.P. _____

Address: _____ 750 West Center Street - W. Bridgewater MA 02379 _____

Phone: _____ 508-667-3100 _____ Email: _____ awolfrey@clinellc.com _____

Agent's Name: _____ Adam Wolfrey _____

Agent's Address: _____ 750 West Center Street - W. Bridgewater MA 02379 _____

Agent's Phone: _____ 508-667-3100 _____ Agent's Email: _____ awolfrey@clinellc.com _____

4. Additional Information:

Are all real estate taxes and other assessments to the Town current?: Yes

Is the parcel on a scenic road?: Yes

Is this an amendment to a previously issued Special Permit? (attach approved permit): Yes

Date structure was built? (Buildings built before 1940 may need review by Historical Commission.): 2012

Is the property within 100 ft. of a wetland, within 200 ft. of a stream, or in a floodplain?: No

5. Description of the Relief Sought: (Attach Letter of Denial of Building Permit.)

On behalf of Sprint, the proposed work involves installing (3) new antennas, (6) Remote Radio Heads, (3) Hybrid Cables, (1) Cabinet. The proposed work also involves modifying equipment inside of Sprint's existing cabinets. Please reference the drawings for further details. Applicant is seeking Special Permit for Sprint's proposed work.

What specific zoning bylaws is this application associated with?: Section 3.3.2 & Section 3.3.3.

6. Justification for why the application should be approved:

With its unique combination of network technologies, Sprint's modification will greatly improve the throughput and speed of voice, data and video as well as other bandwidthintensive applications including public safety data. Sprint combines 4G FDD-LTE at 800 MHz and 1.9 GHz plus the proposed 2.5 GHz TDD-LTE to deliver a seamless user experience via tri-band wireless devices. Tri-band devices, named for their ability to accommodate multiple spectrum bands, support active handoff mode between 800 MHz, 1.9 GHz and 2.5 GHz, providing data session and 2.5 GHz, providing data session continuity as the device moves between the various spectrum bands. Today, Sprint is delivering peak wireless speeds per sector of 60Mbps on capable devices, with the potential over time to increase the peak speeds a customer will experience to well beyond 100Mbps. Sprint has the potential to unlock applications, content and services that have previously only been experienced on the desktop computer, bringing these services into the wireless and mobile dimension. Sprint intends to provide approximately 100 million Americans with this technology by the end of 2018 and in about 100 of America's largest metropolitan areas by the end of 2018.

7. Existing use and condition of the property and surrounding neighborhood: (Please list all relevant non-conformities.)

Town owned Watertank with existing with an existing wireless telecommunication equipment located on it.

By signing below you assert this application is complete and accurate to the best of your knowledge:

Signatures:

Applicant/Agent:  Applicant's Name: Adam Wolfrey - Authorized Agent for Sprint

Email Address: awolfrey@clinellc.com Phone Number: 508-667-3100

Agent's Relationship to Applicant: Consultant Firm: Centerline Communications LLC

Owner: _____ Owner's Name: _____

*Note: If the applicant is not the owner, the owner MUST sign above or submit a letter of permission with the application.

Application Requirements

All applications must include a fully completed application form, all required documents, and a check for the full amount made to the Town of Ashland. Any application not complete may lead to the Zoning Board of Appeals issuing a denial without prejudice.

All applications must include:

- A letter of Denial of a Building Permit from the Building Commissioner.
- Abutters list from the Ashland Assessors office (and other towns if applicable)
- A copy of the property card from the Assessors Office.
- One (1) 24x36” sized copy of the certified (signed and stamped by a registered land surveyor) Site Plan and must include a dimensional table of required and proposed setbacks.
- Sixteen (16) packets containing the following: a copy of the application, an 11x17” sized copy of the plot plan, and any supporting documentation. (Note: Make sure the 11x17” copies of the plans are readable. Feel free to consult with the Planning Department if at all unsure.)
- A .pdf copy of the submitted plans must be either handed in to the Planning Department or sent by email to planning@ashlandmass.com, and a georeferenced CAD file (MA State Plain NAD83 Feet) will be required for final approval.

Note that additional fees associated with the Public Hearing process must also be paid with a separate check, along with a copy of the abutters list. See Public Hearing Associated Costs on page 4 for details.

Criteria

The criteria for a Special Permit is: (from Chapter 282 Section 9.3.2) “...the adverse effects of the proposed use will not outweigh its beneficial impacts to the town or the neighborhood, in view of the particular characteristics of the site, and of the proposal in relation to that site.” or (from Chapter 282 Section 3.3.2/3.3.3) “...only if determines that such [change of use or change of a structure] shall not be substantially more detrimental than the existing nonconforming [use or structure] to the neighborhood.”

Expect to discuss the following:

- Community needs served by the proposal
- Traffic flow and safety, including parking and loading
- Adequacy of utilities and other public services
- Neighborhood character and social structures
- Impacts on the natural environment
- Potential fiscal impact, including impact on town services, tax base, and employment

The criteria for a Variance is that you need to create or extend a nonconformity due to a hardship derived from the physical conditions of the lot or else the lot can't be used. Note that the threshold for granting a variance is somewhat substantial. (See MGL Ch. 40A Section 10.)

Ashland Zoning Board of Appeals Fees

<u>Special Permit:</u>	\$150	Modification/Extension of Special Permit:	\$100
<u>Variance:</u>	\$300	Modification/Extension of Variance:	\$300
<u>Administrative Appeal of a Building Inspector Decision:</u>			\$300
<u>Comprehensive Permit:</u>	\$2000 + \$200 per market-rate unit and \$50 per affordable unit proposed.		
<u>Project Review Fees:</u>	2-15 Lots/Units:		\$4,000
	16-20 Lots/Units:		\$6,000
	21-25 Lots/Units:		\$10,000
	26-74 Lots/Units:		\$20,000
	75 or More Lots/Units:		\$30,000
	20 or Fewer Parking Spaces:		\$2,500
	21 or More Parking Spaces:		\$5,000
	Wireless Commercial Facility:		\$3,000
	Appeal of Bldg. Insp. for 2+ lots:		\$1,000

Note: Unused project review funds will be returned to the applicant at the end of the process. The applicant may request details on the account at any time from the Planning Department.

Public Hearing Associated Costs:

By state law (M.G.L. Ch. 40A Section 11) the ZBA requires public hearings for the above matters. There are additional fees for the following:

- Legal Advertisement: At cost (Price determined by the newspaper. ~\$50-75 depending on length of the notice.)
- Abutter list: \$2 per abutter, \$50 max (Obtained and paid at Assessors Department.)
- Abutter notifications: \$2 per abutter, \$50 max (Planning Department will mail notifications.)

The Zoning Board of Appeals may require a peer review consultant and/or posting of the project on coUrbanize.com at the expense of the applicant.

Please be aware that the Planning Department may hold back decisions and/or permits until all checks have been received.

CoUrbanize Fee Schedule

Application Type	CoUrbanize Requirement
Site Plan Review	CoUrbanize Required
Site Plan Review (Pertaining to Uses Proposed for ADD A, B, & C)	Town planner or Planning Board determines whether CoUrbanize is required
Special Permit	Town planner or Applicable Regulatory Board (PB/ZBA) determines whether CoUrbanize is required
Subdivision Permit (Cluster Included)	CoUrbanize Required
Comprehensive Permit (40B)	CoUrbanize Required
Additional Customization	Applicable Regulatory Board determines whether CoUrbanize is required

The requirement to engage the services of CoUrbanize, as listed above, only pertains to the basic CoUrbanize package, not additional customization services*. The Town Planner and/or Planning Board will determine whether and to what extent additional customization services are required (see second chart below). Any applicant can be granted a waiver from engaging the services of CoUrbanize at the discretion of the Planning Board.

Project Type	Building Size (square feet)	Total Fee Charged By The Planning Department
Small	0 – 24,999	\$600.00
Medium	25,000 – 74,999	\$1,100.00
Large	75,000 – 149,999	\$2,500.00
Very Large	150,000 and Greater	\$3,950.00

Additional Customization*	
Traffic	\$1,500.00
Shadow	\$1,750.00
Parking	\$500.00
Other Impact Study	\$1,500.00