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TOWN OF ASHLAND MASSACHUSETTS
OFFICE OF
PLANNING BOARD
101 MAIN STREET

RECEIVED
TOWN CLERK
ASHLAND, MA
2022 MAY -6 PM 12:00

Tricia Kendall, Chairman
Peter Matchak, Town Planner

Certificate of Approval – Special Permit Modification
Cello Partnership d/b/a/ Verizon Wireless
400 Cedar Street, Assessors Map 29, Lot 132
Ashland, Massachusetts

April 7, 2022

In Accordance with Massachusetts General Law (MGL), Chapter 40A (The Zoning Act) and Chapter 282, Section 6.4 (Wireless Communication Facilities) the Planning Board (the “Board”) received an application on February 10, 2022 (the “Application”) and subsequently held a public hearing for the applicant; Cello Partnership d/b/s Verizon Wireless C/O Michael Giaimo, Esq., Robinson + Cole, One Boston Place, 25th Floor, Boston, MA 02108.

The property is located at 400 Cedar Street, Map 29 Lot 132. The parcel is within the Residential A District.

The Public Hearing and continuances were held pursuant to notice published in the Metro-West Daily News on Feb 16, 2022 and Feb 23, 2022 and mailed to Parties of Interest.

The Board opened a public discussion of the aforesaid application on March 3, 2022 and continued the discussion to March 31, 2022. The public hearing was closed on March 31, 2022. Due to the Covid-19 Massachusetts State of Emergency, Planning Board public hearing were held via video conference on March 3rd and March 31st, 2022. Meeting were held in full compliance with Massachusetts Open Meeting guidelines as modified by Governor Charlie Baker’s Emergency Order dated March 12, 2020 suspending certain provisions of the Open Meeting Law. Agendas and meeting material were available on the Town of Ashland website.

Documents of Record

The application packet stamped at the Town Clerk's Office on February 10, 2022 contained:

- Application for Special Permit Modification filed on Feb 10, 2022.
- Statement in Support of Special Permit Application received by the Ashland Town Clerk on Feb 1, 2022.
- Exhibit B: Ashland Zoning Board of Appeals Special Permit issued October 5, 2010. Recorded with the Middlesex Registry of Deeds Book 55805 Page 129.
- Exhibit C: Site Lease Agreement signed between the Landlord, Town of Ashland and the Tenant Bell Atlantic Mobile of Massachusetts Corporation Ltd., dba Verizon Wireless.
- Exhibit D: Structural Analysis Report for Ashland S MA, 400 Cedar Street, Ashland, MA 01721. Re: Antennas Mounted on Water Tank Façade. Prepared for Verizon, 118 Flanders Road, Westborough, MA 01581. Dated April 16, 2021. Prepared by Hudson Design Group, LLC, 45 Beechwood Drive, North Andover, MA 01845.
- Exhibit E: Structural Mount Affidavit. Submitted and signed by Daniel P. Hamm. Civil No.40720. Dated April 16, 2021.
- Affidavit as to Compliance with FCC RF Emissions Regulations. Signed on Feb 1, 2022 by Mark Noonan.
- Set of Plans titled "Ashland S MA"; 400 Cedar Street Ashland, MA 01721" prepared by Hudson Design Group LLC, dated April 4, 2021 holding a revision date of October 26, 2021 signed and stamped by Daniel P. Hann Civil No. 40720.

Sheet:	Description:	Plan Date:	Rev. Date
A-1	Roof Plan	4/22/21	10/26/21
A-2	Antenna Plan	4/22/21	10/26/21
A-3	Elevation	4/22/21	10/26/21
SN-1	Structural Notes & Special Inspections Overall Site Plan	4/22/21	10/26/21
RF-1	RF Plumbing Diagram & Bill of Materials	4/22/21	10/26/21

Materials submitted during the public hearing:

- Project Review Letter from Haley and Ward dated November 11, 2021 addressed to Mr. Doug Small, Department of Publics Works Director, Ashland. Re: Verizon Comm Equipment on Cedar Tank Peer Review.
- Other correspondence from abutter(s), neighbor(s), resident(s) and/or others relative to the Project.

Facts and Findings

Based on the evidence presented by the Applicant, the Board makes the following findings outlined in Chapter 282, Section 9.4 (Wireless Communication Facilities) of the Ashland Zoning Bylaws:

- 1) The applicant seeks to modify the existing special permit for the removal of nine (9) existing antennas and installation of nine (9) replacement antennas on existing “pipe mast” connection points. The antennas will be located at the existing centerline height of 75’. The project also includes the removal and installation of junction boxes and the installation of two hybrid cables connecting ground equipment to the equipment on the tower.
- 2) 47 US Code §1455(a) and 47 C.F.R. §1/6100(b) requires permitting authorities to approve an eligible facilities request. This modification is an eligible request.
- 3) The proposed modifications will not extend above the current height of the tower.

Decision

Following a presentation by the Applicant Cello Partnership a/d/a Verizon Wireless C/O Michael Giaimo, Esq. and a review by Board members, the Board voted 5-0 to approve the special permit modification as substantially shown on the Plans titled “Ashland S MA”; 400 Cedar Street Ashland, MA 01721” prepared by Hudson Design Group LLC, dated April 4, 2021 holding a revision date of October 26, 2021 signed and stamped by Daniel P. Hann Civil No. 40720.

Documents of Record Subject to the Following Conditions:

Permit Conditions:

As used herein, the term “Applicant” shall mean the Applicant, its heirs, successors and assigns and the term “Board” shall mean the Planning Board, whoever its members shall be from time to time.

- 1) No work shall occur on the locus, nor shall any building permits issue, until the Applicant has first obtained all necessary permits from all municipal town departments including but not limited to the Ashland Conservation Commission, Board of Health, Department of Public Works, Ashland Water and Sewer Department and the Select Board.

400 Cedar Street Special Permit Modification
Planning Board Decision

- 2) Safety instructions for addressing fire-based issues at this location shall be placed in Ashland Fire Department apparatus to an extent deemed reasonable by the Department.
- 3) The Applicant shall at all times use all reasonable means to minimize inconvenience to residents in the general area. Construction activities shall not commence on any day before 7:00 AM and shall not continue beyond 7:00 PM. There shall be no construction activities on any Sunday or federal legal holidays.
- 4) Prior to the issuance of building permits the Applicant shall provide the name and contact information of the contractor on site. Furthermore, the Applicant shall provide the Town of Ashland with emergency contact information for site
- 5) The as-built plans shall be in full size paper plan, PDF and as a geo-referenced CAD files.
- 6) This approval decision and approved plans shall be recorded at the South Middlesex Registry of Deeds. A copy of the recorded documents and approved plans bearing the date of recording and the book and page number shall be delivered to both the Planning and Building Departments prior to the issuance of all town permits and the commencement of work.

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Special Permit Modification Approval, Section 9.3 (Wireless Communication Facility)

VOTE: APPROVED WITH PERMIT CONDITIONS (5-0)

VOTE: (Y) Tricia Kendall, Chair (Y) Marcelo Arjona

(Y) Lakshmi Krishnan, Clerk (Y) Deepa Venkat (Y) Anna Tesmenitsky

(NA) Kevin McClean, Associate Member

(A) = Absent or not present during the entire hearing process and therefore not eligible to vote.


(NA) = Associate Member no vote cast

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Town of Ashland Planning Board



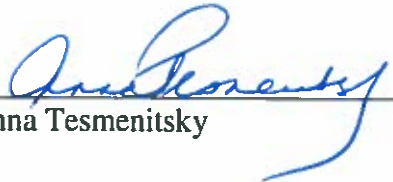
Tricia Kendall, Chair



Lakshmi Krishnan, Clerk



Deepa Venkat



Anna Tesmenitsky

Marcelo Arjona

Filed with the Town Clerk on:

Date: 5/6/2022



Cynthia T. Livingstone, Town Clerk

I HEREBY CERTIFY THAT TWENTY DAYS HAVE ELAPSED FROM THE DATE THIS DECISION WAS FILED IN THE TOWN CLERK'S OFFICE AND THAT NO APPEAL HAS BEEN FILED.

DATE: _____

Cynthia T. Livingstone, Town Clerk