



**TOWN OF HOLLISTON
ZONING BOARD OF APPEALS**

Town Hall – 703 Washington Street
Holliston, MA 01746
(508)429-0635

**SPECIAL PERMIT CERTIFICATE OF ACTION
AT&T MOBILITY, NEW ENGLAND – 0 MARILYN STREET**

Date of Decision: April 15, 2020

Applicant: AT&T Mobility, New England

Applicant's Address: Centerline Communications, LLC
750 W. Center Street
W. Bridgewater, MA 02379

Owner: NSTAR Electric Co., d/b/a/ Eversource Energy
247 Station Drive, SE 210
Westwood, MA 02090

Subject Property: 0 Marilyn Street

Assessor's Identification: Map 9 Block 2 Lot 60

Zoning District: Agricultural-Residential District B (AR-2)

2020 APR 24 PM 12:15
OFFICE OF THE
TOWN CLERK
HOLLISTON, MASS.

ADMINISTRATIVE RECORD

Hearing notice under the requirements of MGL, c. 40A and the Holliston Zoning By-Laws included the following:

1. Publication of the hearing notice in the Metrowest Daily News on November 1, 2019 and November 8, 2019,
2. Posting of the hearing notice in the Town Clerk's Office on October 22, 2019,
3. Notification to parties of interest (including the Petitioner) by mail on October 22, 2019 and February 26, 2020 (notice issue with Town website posting).

The Petitioner filed an application with the Town Clerk on October 16, 2019. The public hearing was opened on November 18, 2019 and continued to January 27, 2020, March 30, 2020, and April 15, 2020 at which time the hearing was closed. The Board deliberated on the matter and rendered a decision on April 15, 2020.

Project Description

The Petitioner is seeking a Special Permit under Section V-O(4)(c), (4)(a)(3) and (4)(c)(2)(e) to allow installation of a 15 foot wireless communication facility atop an existing 135 foot

Special Permit – AT&T, 0 Marilyn Street

high transmission tower. The locus is 0 Marilyn Street in the Agricultural-Residential District B (AR-2) zoning district. The owner is NSTAR Electric Company d/b/a Eversource Energy.

Public Hearing and Findings of Fact

The Board reviewed the application materials and testimony provided by the petitioner through its team, including Simon Brighenti of Centerline Communications, consultant Don Haes, and Sohail Usmani of C Squared Systems, LLC as well as a comment letter from the Conservation Agent (dated November 5, 2019). The members also carefully considered the testimony and exhibits provided by parties in interest and neighborhood residents as documented in the record files and the meeting minutes.

In accordance with the provisions of Sections V-O Antennae and VI-E Special Permit Granting Authority of the Town of Holliston Zoning By-Laws and MGL c. 40A, the Board finds the following: The proposed use is in harmony with the general purpose and intent of the by-law. The Board as Special Permit Granting Authority has considered the proposed use in relation to the site, as well as the adjacent uses and structures, and finds that there are no significant adverse effects to the neighborhood or the Town, considering the regulations, restrictions and criteria of sub-sections V-O(4)(a) and VI-E(5). The Board weighed the benefits of improving wireless communication service through a comprehensive network against localized visual impacts and finds that the use as proposed and herein mitigated with conditions of approval is permissible. The Board's conclusions are substantially based on the findings of its peer review contractor IDK Communications as expressed in their correspondence of 2/18/2020.

Zoning Board Vote

The Board's vote to approve the Petitioner's Special Permit application for relief under Sections V-O for property described and located at 0 Marilyn Street was as follows on a motion by Mr. Peabody, seconded by Mr. Bush:

Mr. Love	Aye
Mr. Peabody	Aye
Mr. Bush	Aye
Ms. Dembitzer	Aye

Conditions of Approval

1. This Special Permit is not valid until recorded and indexed at the Registry of Deeds in accordance with the provisions of MGL, c. 40A, s.11 and shall lapse in three (3) years unless exercised per MGL, c. 40A, s. 9 and Section VI-E(6) of the Holliston Zoning By-Laws. The copy of the decision to be filed must contain a certification the Town Clerk that twenty (20) days have elapsed since after the decision was filed and that no appeal has been filed or if such an appeal has been filed, that it has been dismissed or denied.
2. Construction shall be substantially per the record plan set provided for the file prepared by Centerline Communications and Chappell Engineering Associates, LLC entitled "AT&T Site Number: MA3574, Site Name: Holliston Marilyn Street, NSTAR R/W #7, STR #31, Lines 240-601, 342-603 (230 KV)", dated 5/24/2019 with revisions through 9/27/2019. Any modification needed pursuant to the conditions

imposed herein shall be shown on construction drawings submitted with a building permit application.

3. The generator AT&T will use is a 24kW Propane/LNG model. This will be reflected in a construction drawing submitted with a building permit application.
4. Noise mitigation measures include the following:
 - a. The nearest residential property lines are approximately 77 to 80 meters [i.e. 250 to 260 feet] distant from the generator location. The generator is proposed to be located on the side of the existing tower away from the residences. In between the generator will be the cement WIC , or “walk-in” cabinet, the utility structure itself, an 8’ fence, and a copse of trees and brush approximately 175 feet deep.
 - b. A stockade fence will replace the proposed chainlink fence shown on the Site Details (Sheet Z04).
 - c. A “sound-attenuating” buffer structure will be utilized, similar in specification to the graphic provided in the record.
 - d. The generator will be programmed for its once-a-week cycle for between 20 and 30 minutes for testing purposes to occur on any specific day and at any time of the day or night requested by the town building inspector.
5. It was represented that AT&T or its sub-contractors would need to visit the property approximately once a month for a short period to conduct any maintenance and adjustments needed. All vehicles visiting the site shall adhere to a no idling policy and care will be taken to not block area driveways. Best efforts shall be utilized to minimize impacts, including use of Fiske Street to access the site.
6. Signage shall be limited to instructional and safety-related signs.
7. All other required permitting, including under NEPA and MA Wetland Protection Act and/or Holliston Wetland By-Law, shall be presented to the Building Inspector for review and inclusion in the project file prior to issuance of a building permit.

HOLLISTON ZONING BOARD OF APPEALS

John Love
Chairman

TOWN CLERK'S CERTIFICATION OF NO APPEAL

I hereby certify that 20 days has passed since this decision has been filed and no appeals have been taken in accordance with MGL, c. 40A.

Elizabeth Greendale, Town Clerk