



Town of Stow PLANNING BOARD

380 Great Road
Stow, Massachusetts 01775
(978) 897-5098
stow-ma.gov

FEBRUARY 8, 2022

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SITE PLAN APPROVAL FOR MODIFICATION TO TELECOMMUNICATION FACILITY

501 Gleasondale Road

Lisa Maas-Vangellow on behalf of
Cellco Partnership d/b/a Verizon Wireless

1. Application

This document is the Site Plan Approval of the Planning Board (hereinafter, the Board) on the Application of Verizon Wireless (hereinafter, the Applicant) for property located at 501 Gleasondale Road. Said property is shown on Stow Property Map Sheet U-8 as Parcel 4 (hereinafter, the site). The Applicant seeks permission to remove six (6) existing wireless antennas, install three (3) new wireless antennas, remove six (6) remote radio heads, and install nine (9) new radio heads on the existing smokestack, as well as structural repairs to the smokestack.

2. Applicant

Cellco Partnership
d/b/a Verizon Wireless
c/o Lisa Maas-Vangellow
Airosmith Development
12 Esternay Lane
Pittsford, NY 14534

Tower Lessee

Gordon Skinner
501 Gleasondale Road
Stow, MA 01775

Owner

Stow Industrial, LLC
6 Wayne Road
Westford, MA 01886

3. Location

Said property is located at 501 Gleasondale Road and is shown on the Stow Property Map Sheet U-8 as Parcel 4, (hereinafter, the Site). It is further described on Site Plan entitled "HUDSON 4 MA" dated August 27, 2021, prepared by Hudson Design Group, LLC.

4. Board Action

After due consideration of the application, the Board on February 8, 2022, by a vote of 5-0 in favor, **GRANTED** the Site Plan Approval in accordance with section 6.8 of the Site Plan Approval Rules & Regulations, section 6409 of the *Middle Class Tax Relief and Job Creation Act of 2012*,

codified at 47 U.S.C. § 1455(a) (hereinafter, the Spectrum Act), FCC rulemaking decision 14-153 (hereinafter, the FCC Rule) and 47 C.F.R. § 1.40001, which implements the Spectrum Act and the FCC Rule, subject to and with benefit of the following waivers and conditions.

5. Proceedings

After review of the Application and Plan, Board members Lori Clark, Margaret Costello, John Colonna-Romano, Nancy Arsenault, and Karen Kelleher determined that the Application qualifies as an “Eligible Facilities Request” involving an existing facility, in accordance with the Spectrum Act and the FCC rule, and otherwise exempt from Special Permit provisions pursuant to Section 5.3.2(B) of the Zoning Bylaw. The Planning Board further finds that pursuant to the Spectrum Act and the FCC rule, the petition does not require a Public Hearing. The record of proceeding and submission upon which this Site Plan Approval is based may be referred to in the Offices of the Planning Board and Town Clerk.

6. Exhibits

Submitted for the Board's review were the following exhibits:

EXHIBIT 1 Site Plan entitled “HUDSON 4 MA”, dated August 27, 2021 and prepared by Hudson Design Group, LLC., consisting of the following sheets:

- A-1: Roof Plan
- A-2: Elevation
- A-3: Antenna Plans
- SN-1: Structural Notes & Special Instructions
- S-1: Stamped Analysis
- RF-1: RF Plumbing Diagram & Bill of Materials

EXHIBIT 2 Supplementary documents submitted by the Applicant consisting of the following:

1. Application for Site Plan Approval, dated January 3, 2022
2. Letter of Authorization
3. Email from Lisa Maas-Vangellow, dated January 18, 2022

Exhibits 1&2 are hereinafter referred to as the Plan.

7. Findings, Conclusions and Conditions

Based upon its review of the exhibits, the Board finds and concludes:

7.1 **Finding:** The Applicant proposes to remove six (6) wireless antennas, install three (3) new wireless antennas, remove six (6) remote radio heads, and install nine (9) new radio heads at an existing Wireless Service Facility, located on the smokestack of the Gleasondale Mill, at 501 Gleasondale Road.

Finding: The Applicant also proposes to conduct structural repairs to the existing smokestack, as detailed on sheet S-1 of the Plan, including but not limited to repointing of brick and mortar and repair of flashing and waterproofing at the base of the smokestack.

7.2 **Finding:** The Applicant seeks to upgrade its existing network to accommodate new wireless technology and to enhance its service in and around Stow.

Finding: The Board supports the proposed modifications, as conditioned herein, as they are intended to enhance wireless communication services in the Town of Stow and surrounding communities, while making use of an existing facility.

- 7.3 **Finding:** Section 6409 of the *Middle Class Tax Relief and Job Creation Act of 2012*, codified at 47 U.S.C. § 1455(a), and further implemented through 47 C.F.R. § 1.40001 of the Federal Code, defines an “Eligible Facilities Request” as: (a) collocation of new transmission equipment; (b) removal of transmission equipment; (c) replacement of transmission equipment. 47 C.F.R. § 1.40001 also prohibits such requests from regulation through local discretionary permits.

Finding: Title 47 C.F.R. § 1.40001 states that local government bodies are required to approve any Eligible Facilities Request for “modification of an existing tower or base station that does not *substantially change* the physical dimensions of such tower or base station”

A *substantial change* is defined in the code by meeting one of the following six (6) criteria:

1. For towers other than towers in the public rights-of-way, it increases the height of the tower by more than 10% or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed twenty (20) feet, whichever is greater, for other eligible support structures, it increases the height of the structure by more than 10% or more than ten (10) feet, whichever is greater;
2. For towers other than towers in the public rights-of-way, it involves adding the appurtenance to the body of the tower that would protrude from the edge of the tower more than twenty feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater, for other eligible support structures, involves adding an appurtenance to the body of the structure that would protrude from the edge of the structure by more than six (6) feet;
3. For any eligible support structure, it involves the installation of more than the standard number of new equipment cabinets for the technology involved but not to exceed four equipment cabinets, or for towers in the public rights-of-way and base stations, it involves installation of any new equipment cabinets on the ground if there are no pre-existing ground cabinets associated with the structure, or else involves installation of ground cabinets that are more than 10% larger in height or overall volume than any other ground cabinets associated with the structure;
4. It entails any excavation or deployment outside the current site;
5. It would defeat the concealment elements of the eligible support structure;
6. It does not comply with conditions associated with the siting approval of the construction or modification of the eligible support structure or base station equipment, provided however that this limitation does not apply to any modification that is non-compliant only in a manner that would not exceed the thresholds identified in s.1.40001 (b)(7)(i) through (iv).

Finding: On January 11, 2022 the Planning Board reviewed and considered the Application as submitted and agreed that due to the prohibition on discretionary permitting outlined in federal statute, and the nature of the proposed use and the existing site at which the work was proposed to be implemented, the Application as submitted did not meet the thresholds for a substantial change as outlined in the federal code and could

therefore follow the standards for Site Plan Approval in accordance with Section 9.3 of the Zoning Bylaw and the Site Plan Approval Rules and Regulations. The Planning Board further found that pursuant to an authorized Eligible Facilities Request, the petition would not require a Public Hearing.

7.4 **Finding:** The Applicant proposes to collocate the following equipment on the smokestack by:

- Removing six (6) antennas and installing three (3) antennas on existing pipe masts at an elevation of 110 feet on the 130-foot smokestack;
- Removing six (6) remote radio heads and installing nine (9) remote radio heads on existing pipe masts at an elevation of 110 feet on the 130 smokestack;
- Repair transition between octagonal and round sections of the smokestack, repoint brick and mortar and repair flashing at the base of the smokestack.

Finding: The proposed new antennas and radio heads will not be installed at a protrusion greater than the current three (3) feet. Sheet A-3 of the Plan shows that wireless antennas will be installed on the existing pipe masts, and that remote radio heads will be installed between the existing pipe masts and the smokestack.

Finding: Note 3 on the Plan states “Antennas will be camouflaged with 3M wrap, as needed, per Verizon Wireless and Building Owner’s approval”.

Finding: During the Public Meeting, a representative of Hudson Design Group stated the intention to camouflage the proposed antennas with 3M wrap, and to paint the proposed remote radio heads to match the color of the existing smokestack.

Finding: In an email dated January 18, 2022, the applicant stated that replacement antennas shall be camouflaged to match the antennas to remain.

Condition: The new antennas shall be wrapped in a material based on photographic replications of the existing brick smokestack color and pattern.

Condition: The new remote radio heads shall be painted to match the color of the existing brick smokestack to the extent practicable.

7.5 **Finding:** The Board finds the Site Plan to be in keeping with the Board’s desire to minimize visibility and projection of equipment from the smokestack surface and ensure the Gleasondale Mill’s historic integrity.

7.6 **Finding:** The Board has determined that the proposed Wireless Service Facility installations, as conditioned herein, do not individually or in aggregate constitute a fundamental deviation from the purpose and intent of the bylaw.

7.7 **Finding:** During the Public Meeting, the Stow Chief of Police stated that the Police Department has limited emergency radio coverage in the southern portion of town and requested that Verizon provide for equipment space on the existing smokestack for the installation of a police radio antenna, space for an associated equipment cabinet, and installation of a data line running from the smoke stack, to the main signal repeater at 16 Crescent Street in Stow.

Finding: The Applicant stated that Verizon does not own the smokestack and does not have rights to sublease equipment space to the Stow Police Department. The Applicant

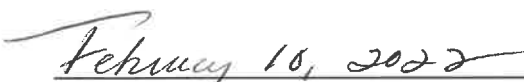
also stated that they are not authorized by Verizon to expand the scope of proposed work to the degree requested by the Stow Police Department. The applicant offered to provide contact information for the owner of the smokestack and Verizon Wireless to the Stow Police Department to advance the discussion.

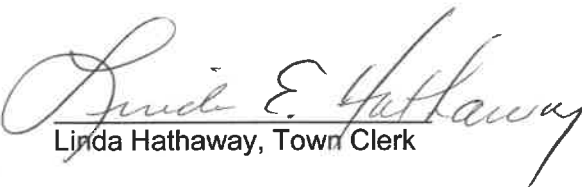
Finding: The Planning Board encourages Stow Industrial, LLC. and Gordon Skinner, as owner and lessee of the existing smokestack, respectively, to work with the Stow Police Department on an arrangement to allow additional Police radio equipment to be installed at 501 Gleasondale Road.

- 7.8 **Condition:** Prior to issuance of a Building Permit, this Decision shall be recorded at the Middlesex South District Registry of Deeds. A copy of the recorded Decision, certified by the Registry, or notification by the Owner of the recording, including recording information, shall be furnished to the Planning Board, the Town Clerk, and the Building Commissioner.

Signed on behalf of and with permission of the Board this 8th day of February, 2022.


Karen Kelleher, Planning Board Member


Date Received and Filed
Volume II, Page 202203


Linda Hathaway, Town Clerk