



**TOWN OF STERLING
BOARD OF APPEALS**

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Patrick Fox, Chair
Joseph Curtin, Vice Chair
Diana Baldarelli, Clerk
Matthew CampoBasso, Member
Everett Pierce, Member

Special Permit Decision

Petitioner: Cellco Partnership dba Verizon Wireless
Address: 56 Kendall Hill Road, Sterling, MA
Worcester Registry of Deeds: Book 54134, Page 205

RECEIVED

JUL 17 2023

**TOWN OF STERLING
TOWN CLERK**

The petitioner is a lessee of the subject property. It seeks to construct and operate a wireless communications facility on the property. The property is located in the Rural Residential and Farming and Wireless Communication Overlay zoning districts, as shown on the Sterling Board of Assessors Map No. 112, Lot No. 12.

Notice

Notice of a public hearing on this petition was given in accordance with the provisions of G.L. c. 40A and was sent to individuals listed on the Town of Sterling Certified Abutters List for the property. Notice of the hearing was duly advertised in the Worcester Telegram and Gazette on June 26, 2023 and July 3, 2023. The hearing was conducted at the Sterling Town Hall, 1 Park Street, Sterling, MA on July 11, 2023. Sitting as a Board to hear the petition were members Patrick Fox, Joseph Curtin, Everett Pierce, Matthew CampoBasso, and Diana Baldarelli.

Findings

The petitioner proposes to construct a 125-foot tall wireless communications monopole tower located in a 50' x 50' fenced equipment compound within a 51'6" x 51'6" leased area of the subject property. Nine panel antennas will be mounted to the proposed tower at a centerline elevation of 120' above ground level. Six remote radio heads and a junction box will be mounted alongside the antennas. The compound will include an 18' x 29' equipment area with telecommunications cabinets, a back-up generator and utility connections, a 5' x 18' concrete pad with a 1,000-gallon propane tank and an "ice bridge" from the proposed equipment cabinets to the proposed monopole to protect cabling. A 12-foot wide gravel access road is proposed from Kendall Hill Road to the location of the facility. The utility connections for the facility will run underground along the proposed access road. The facility will have no on-site employees and will operate continuously to provide wireless services to the surrounding area.

The petitioner agrees to provide, at no cost to the Town, antenna space at the top of the tower and space on the pad below to accommodate equipment for the Town's public safety radio system. The proposed facility will not be located within 100 feet of any existing wetlands on the subject property. It will be located adjacent to a 250-foot wide easement held by National Grid, which contains multiple sets of overhead power lines. Representatives of the Town's fire, police and public works departments reported that there exists a communications coverage gap in this area of Sterling and, therefore, they support the petitioner's application.

Traffic flow and safety should not be impacted by this proposal. The facility will not have on-site employees. There will be occasional maintenance visits by a technician who can park off the proposed gravel access road. During the construction phase of this project, necessary equipment can be parked on the property and not on Kendall Hill Road. Existing electric and fiber utilities available on Kendall Hill Road are adequate to meet the needs of the proposed facility.

The proposed location will be approximately 500 feet from Kendall Hill Road. Existing vegetation will be maintained between the leased area and Kendall Hill Road and adjacent properties. Since the proposed facility will be sited next to the existing National Grid easement, visual impacts will be minimized. The facility will not create additional demand for Town services, nor is it anticipated that it will have any fiscal impact on the Town. There are no existing or approved monopoles that could accommodate the equipment planned for the proposed monopole, in order to provide needed coverage in this area.

The proposed facility will provide wireless communications service to an area in Sterling which currently experiences a coverage gap. This will be beneficial to residents and businesses utilizing this service, and beneficial to the health and safety of the community, in general. The proposal will not negatively impact traffic flow and safety. The siting of the facility approximately 500 feet from the public way and next to the existing easement with multiple overhead power lines will minimize additional visual impacts to the neighborhood. Existing utilities are adequate to meet the needs of this facility and there should be no adverse consequences, fiscal or otherwise, to the Town, if a special permit is granted to the petitioner.

The Board concluded, after consideration of the factors cited in Section 6.3.2 of the Town's Protective Bylaws, that any 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.

Decision

At a meeting of the Board on July 11, 2023 and on motion duly made and seconded, it was voted, with five members voting in favor and no members voting in opposition, to grant the application for a special permit, subject to the following conditions:

1. Construction of the facility shall conform to the Site Plans submitted with the petitioner's application.
2. Existing vegetation shall be maintained between the leased area and Kendall Hill Road and adjacent properties. Vegetation removal within the leased area shall be minimized as much as possible.
3. During the construction of the facility, construction equipment and vehicles shall be located on the subject property.
4. The facility shall be designed to accommodate and shall accommodate collocation by other future users.
5. The facility shall not be placed within 300 feet of any residentially occupied premises.
6. The petitioner shall allow the Town of Sterling, at no cost to the Town, use of and access to the facility, including the installation of equipment, for the operation of a public safety radio communications system.
7. The facility shall be surrounded by a chain link fence to control unauthorized entry.
8. The petitioner shall, at its expense, remove the facility and all related structures on the subject property within one year of cessation of use.
9. The petitioner shall comply with all applicable federal, state and local laws, including all applicable provisions of the Town's Protective Bylaws


The permit shall not take effect until the petitioner records, at its own expense, a copy thereof with the Worcester District Registry of Deeds, pursuant to MGL c. 40A, section 11, as amended.

Appeals of this decision shall be made pursuant to MGL c. 40A, section 17 and shall be filed within twenty (20) days after the filing of this decision in the office of the Town Clerk.

It is ordered by the Board that persons notified of the hearing be notified of the foregoing decision.

STERLING ZONING BOARD OF APPEALS

By: 
Patrick Fox, Chairman


Date July 17, 2023