

Application complete   
Application incomplete

Received by the Town Clerk:

Date: 7/29/2022

Signed: \_\_\_\_\_

BY: \_\_\_\_\_

APPLICATION COVER PAGE

Date: \_\_\_\_\_ Date Received by ZBA: July 29, 2022

Name of Applicant and Mailing Address: Terra Search

157 Riverside Drive Norwell, MA 02061

Email Address: tgroene@terrasearchllc.com Telephone Number: 617-877-2950

Name of Owner and Mailing Address (If not Applicant): Crown Castle

1800 W. Park Drive Westborough, MA 01581

Map and Lot #: 28-1-25

Street Address of Subject Property: 0 Airport (Rear)

Applicant is: Agent (Owner, Tenant, Purchaser, Other)

Nature of Application (Special Permit, Appeal, Variance): Special Permit

Applicable Section of Zoning Bylaw: 8.8-1, 3-1-7, 9.3-3

Date of Denial by Building Inspector, Zoning Inspector, or Planning Board (If Applicable): 7/22/22

Plot Plan: Must provide a plan by a registered surveyor showing the total property with the existing buildings, including the proposed project, all setback distances to be provided.

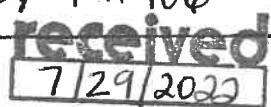
Plans: 2 sets of scaled drawings of floor plans that show total sq. ft. per floor (measured from exterior of wall), at least 2 elevations with one showing proposed height to ridge. If the project is an addition to existing structure please clearly identify proposed work.

Description of proposed project: Please attach a detailed narrative.

I have read the overview of the ZBA process attached to this application and completed all sections of the application cover page and therefore request a hearing before the West Tisbury Zoning Board of Appeals with reference to the above noted application.

Signed: Timothy Groene  
Title(s): Authorized Agent for Crown Castle

Application fee of \$200.00 is required. Date Paid: 7/29 CK# 906



RE: Wireless Telecommunications Facility Modification of Special Permit

Applicant: T Mobile Northeast (“T Mobile” or “Applicant”)

Facility Location: 0 Airport (Rear)

Facility Upgrade: Replace six (6) antennas, add three (3) antennas, replace six (6) Remote Radio Heads, remove six (6) Remote Radio Heads, replace two (2) cables, remove two (2) cables, and replace ground equipment for new network service upgrade, (the “Facility”).

Relief Requested: Modification of Special Permit per 8.8-1, 3-1-1, 9.3-3 of the Town of West Tisbury Zoning By-Laws (hereinafter the “Ordinance”), and approval under Section 6409 of the Middle Class Tax Relief act of 2012, and any other relief the board deems necessary.

Dear Honorable Members of the West Tisbury Planning Board:

On behalf of T MOBILE, we are pleased to submit this memorandum to the City of West Tisbury Zoning Board (the “Board”) in support of T MOBILE’s Special Permit application (the “Application”) for the operation and maintenance the existing Facility. The following provides background information regarding proposal.

## **BACKGROUND**

T MOBILE proposes to replace six (6) antennas, add three (3) antennas, replace six (6) Remote Radio Heads, remove six (6) Remote Radio Heads, replace two (2) cables, remove two (2) cables. In addition, T MOBILE will add associated antenna equipment, new fiber conduits and related wireless communications equipment, as well as remove obsolete equipment. The Facilities are shown in detail on the plans (the “Plans”) attached hereto and submitted with this Application.

T MOBILE operates a nationwide wireless communications system that offers enhanced features such as caller ID, voice mail, e-mail, and superior call clarity. T MOBILE is in the process of upgrading its national network as required by T MOBILE’s license issued by the Federal Communications Commission (the “FCC”). By filling a

significant coverage gap and upgrading technology, these Facility will aid in reaching T MOBILE's goal of providing adequate and reliable wireless communications services in and around West Tisbury and to all of Massachusetts. T MOBILE is upgrading its network to provide high speed data services. T MOBILE is using its best efforts, to the maximum extent possible, to upgrade the new network utilizing existing T MOBILE sites and facilities to avoid the need to construct new tower sites and antenna facilities.

A reliable communications system depends on a grid of antennae arranged in a geographical pattern, similar to a honeycomb. Each "site" is created by an antenna and serves as a link between the customer and the telephone system, while that caller is within proximity to the site. Each site can handle a finite number of telephone calls. As the number of customers increase, more sites must be added to handle the increased volume. If this is not accomplished, calls are dropped or customers' calls are blocked and they will get a busy signal. A new antenna installation must be constructed each time a new site is created.

T MOBILE submits and will demonstrate through the Application materials and the written and oral evidence at the public hearing(s) in connection with the Application that the proposed Facilities meet with all applicable requirements of the Ordinance, to the extent possible. The Facility will not adversely impact adjacent properties and neighborhoods as T MOBILE's Facility will not change the height of the building. The Facility will not be a threat to public health, safety and welfare. In fact, Applicant submits that the proposed upgrades to the Facility will aid in public safety by providing and improving wireless communications services to the residents, businesses, commuters, and emergency personnel utilizing wireless communications in the immediate vicinity.

Consistent with the Ordinance, the existing wireless installation already functions as a wireless communications services facility within a local, regional, and national communications system. This system operates under license from the FCC and T MOBILE is mandated and authorized to provide adequate service to the general public. This Site was selected after a careful screening process and was found useful to T MOBILE. These upgrades will not generate noise, odor, fumes, glare, smoke, or dust or require additional lighting or signage. The Facility will have no negative impact on property values in the area. No increased traffic or hindrance to pedestrian movements will result from the Facilities. On average, only one round trip visit per month is required to service and maintain the Facilities. These are unmanned Facilities and will have minimal negative effect on the adjoining lots. The Facilities does not require police or fire protection because the installation has its own monitoring equipment that can detect malfunction and/or tampering.

### **APPROVAL REQUESTED**

T MOBILE respectfully requests that the Board grant, to the extent necessary, a Modification of the Special Permit for the operation and maintenance of the existing Facility as provided in the Plans submitted with the Application, all rights reserved. As will be further demonstrated by the Applicant by evidence submitted to the Board at the public hearing(s) in connection herewith, such approval is appropriate as the Facility

satisfies all pertinent provisions and standards contained in the Ordinance for the granting of the special permit, to the extent required, all rights reserved, as enumerated below.

The Facility will not have any adverse effect on property values in the area. The Facility will not be dangerous to the public health or safety as it is designed to comply with all applicable FCC requirements relating to radio frequency emissions and will comply with all applicable requirements of the Massachusetts building code. Indeed, the maximum radio frequency output per channel for this facility will be well below the maximum radio frequency exposure levels established by the FCC. The Facility is a passive use, and will not cause any nuisance such as noise, vibration, smoke, odor or dust. Further, the Facility will improve communication coverage to residents, commercial establishments and travelers through the area and improves call connections in this area of the Town of West Tisbury. This Facility will greatly improve emergency communications for police and fire personnel by reducing the number and frequency of dropped and incomplete calls due to weak signals and adding an additional layer of communication to traditional land lines. In fact, published reports have highlighted the fact that during and after adverse major weather events, including ice storms, wireless telecommunications have been the only form of reliable communication. Lastly, the upgrades of the Facility will assist the Town of West Tisbury in complying with its obligations under the federal Telecommunications Act of 1996 (the "1996 Act").

Applicant respectfully requests that the Board grant all necessary approvals to install and operate each Facility. For the foregoing reasons, as well as to satisfy the mandate of the Federal Government to facilitate competition in the telecommunications industry as set forth in the 1996 Act, Applicant respectfully requests that the Board grant the foregoing approval. We respectfully submit that the standards for approval as set forth in the Ordinance as well as Massachusetts law relating to zoning must be interpreted and applied such that the decision issued by the Board is in conformance with the 1996 Act. Accordingly, a denial of the foregoing petition would effectively prohibit T MOBILE from providing adequate service to the Town of West Tisbury, would unreasonably discriminate among providers of substantially equivalent services and thus would be contrary to the purpose and intent of the 1996 Act.