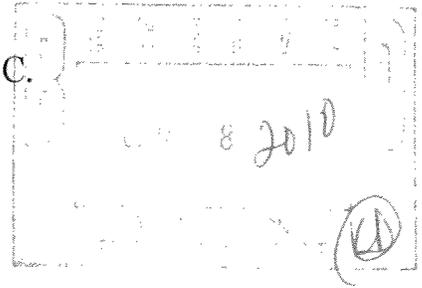


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January 7, 20~~09~~<sup>10</sup>

Acton Planning Board  
Ryan Bettez, Chairman  
Acton Town Hall  
472 Main Street  
Acton, MA 01720

RE: Special Permit Application  
5-7 Craig Road, Acton, MA

Dear Chairman Bettez and Members of the Board:

As you are aware, this office represents SBA Towers II, LLC regarding a proposed wireless telecommunication facility to be located at 5-7 Craig Road in Acton, Massachusetts. Attached to this letter the Applicant has included twelve (12) copies of the recently received "Aeronautics Commission Request For Airspace Review" from the Massachusetts Aeronautics Commission. Please allow this document to supplement the Applicant's original application for the above referenced property. If you have any questions or comments, please do not hesitate to contact this office at the number listed above. Thank you in advance for your time and consideration.

Sincerely,  
Deschenes & Farrell, PC

Kevin S. Eriksen

Enclosures.



DEVAL L. PATRICK, GOVERNOR  
TIMOTHY P. MURRAY, LT. GOVERNOR  
JEFFREY B. MULLAN, SECRETARY & CEO  
CHRISTOPHER WILLENBORG, ADMINISTRATOR



December 21, 2009

Sean Gormley  
SBA Towers II, LLC  
1 Research Drive, #200C  
Westborough, MA 01581

RE: File No 09-6B6-M0175-02, Monopole, Acton

Dear Mr. Gormley:

Enclosed is a copy of the final determination by the Massachusetts Department of Transportation (MassDOT) Aeronautics Division on your *Request for Airspace Review* of the above referenced proposal. The Aeronautics Division's assistance is offered pursuant to the aviation law requirements of the Commonwealth.

Please note that although the proposal is not subject to further action required by the Aeronautics Division's laws or regulations, this office may offer additional comments after considering FAA's determination of its impact to a public use airport or NAVAID facility through the aeronautical study process.

This project does not violate Aeronautics laws or regulations.

If you have any questions, please feel free to contact me.

Sincerely,

Joanne M. Ruddy  
Airport Engineer  
MassDOT- Aeronautics Division  
Phone: 617.412.3689  
Email: joanne.ruddy@state.ma.us

Enclosed: Airspace Review Form



The Commonwealth of Massachusetts  
**AERONAUTICS COMMISSION**  
**REQUEST FOR AIRSPACE REVIEW**

For Office Use Only

Airspace Analysis *MR*  
 Comments Received  
 AirportIQ Updated

MAC File No 09-6B6-M0175-CZ FAA File No.: \_\_\_\_\_ (For reference only)

Notice is required by 780 CMR (Code of Massachusetts Regulations) 111.7, Hazards to air navigation. Pursuant to Massachusetts General Law (MGL) Chapter 90, Section 35B, the Massachusetts Aeronautics Commission (MAC) agrees to perform an AIRSPACE ANALYSIS and render a determination for the project listed below.  
**IMPORTANT: All shaded areas must be completed.**

Sponsor (include name, address, telephone number):

Sponsor Representative (same data if applicable):

Last Name	Suffix	First Name
Company		Telephone
SBA Towers II, LLC		(561) 226-9366
Address		City State Zip Code
5900 Broken Sound Parkway		Boca Raton FL 33487
Email		

Last Name	Suffix	First Name
Company		Telephone
SBA Towers II, LLC		(978) 833-8668
Address		City State Zip Code
1 Research Drive #200C		Westborough MA 01581
Email		

Project Description (please type or print clearly):

Location, Height, Elevation Data:

Monopole (SBA Towers)

Telecommunications tower site. SBA is proposing a 170' monopole with a 4' lightning rod for total height of 175' (foundation to be 1') will also have clearwire and tmobile shown on the tower as the tenants.

Nearest City, State: Acton

	Degrees	Minutes	Seconds
Latitude	42°	28'	3.2"
Longitude	71°	25'	7.4"

Datum  NAD 83  NAD 27

Site elevation above MSL (ft.): 142 msl  
 Maximum height above ground (ft): 175 agl  
 Maximum elevation above MSL (ft): 317 msl

REQUIRED: Attach 8 1/2 x 11 inch map (e.g. USGS Quad Sheet) showing location of project.

Nearest Public-Use Aviation Facility: Stow - Minute Man Air Field

Print or type, below, the name of person filing this request for review	Signature	Date
		11/17/2009

\*\*\*\*\* DO NOT WRITE BELOW THIS LINE - FOR MAC OFFICE USE ONLY \*\*\*\*\*

MAC's AIRSPACE ANALYSIS concludes the following:

- Closest Runway: 30 Distance from RW end 4.2 NM Offset from RW CL: 1.7 NM  Left  Right
- Project violates MGL Ch. 90, 35B by \_\_\_\_\_ ft. [Runway Horizontal Plane - 3,000' x 2 Statute Miles, 150' above RW]
  - Project violates MGL Ch. 90, 35B by \_\_\_\_\_ ft. [Runway Horizontal Plane - 3,000' x 3,000' @ 20:1 slope]
  - Project violates 702 CMR, 5.03(1)(a) by \_\_\_\_\_ ft. [Runway Horizontal Plane / Land - 500' x 10,000' @ 20:1 slope]
  - Project violates 702 CMR, 5.03(2)(a) by \_\_\_\_\_ ft. [Runway Horizontal Plane / Water - 500' x 10,000' @ 20:1 slope]
  - Project does not violate MAC Airspace Laws or Regs.

MAC hereby issues the following DETERMINATION:

- Permit is required\* pursuant to MGL Ch. 90, 35B, for:  Runway Horizontal Plane  Runway Approach Plane

\* Sponsor must submit a separate written request for a MAC Airspace Permit. Request should be addressed to MAC Chief Legal Counsel, Massachusetts Aeronautics Commission, 10 Park Plaza, Room 3510, MA 02116-3966

- Permit is not required pursuant to MGL Ch. 90, 35B  No violations of Laws or Regs.  Ch. 90 violation = 30' agl

MAC had the following additional concerns:

- FAA Standards  Noise
- Traffic Pattern  Wildlife
- VFR Route  Other

This determination is based on the foregoing description of the proposed project including the location, height and elevation data provided by the Sponsor. Any changes in the data provided to the MAC from that which is shown herein will render this determination null and void and will necessitate a new request for review.

*[Signature]*

Mgr of Airport Engineering, Massachusetts Aeronautics Commission  
 ADMINISTRATOR, AEDD DIVISION

12/21/09  
 Date