



Town of Westford

55 Main Street
Westford, MA 01886
Tel: 978 692 5524
Fax: 978 399 2732



Office of the Planning Board

**SPECIAL PERMIT APPROVAL: PB09013-SP/SPR (WCF)
"WIRELESS COMMUNICATIONS FACILITY – 8 NIXON ROAD"
TOWN OF WESTFORD ZONING BYLAW SECTION: 6.2
SITING OF WIRELESS COMMUNICATION FACILITIES**

Applicant: Sprint/Nextel
14 Hollywood Ave
Narragansett, RI 02882

Landowner: Westford Retail, LLC
c/o Realm Realty Corp.

Property Location: 8 Nixon Road
Westford, MA 01886

Assessors Map and Parcel: Map 22, Parcel 122

Application Submitted: December 8, 2009

Public Hearing: January 25, 2010

Planning Board Vote: 5-0-0

Filed with Town Clerk:

Decision Effective: (unless appealed)

RECEIVED
MAR 3 2010
TOWN CLERK
WESTFORD

DECISION

At its regular meeting on Monday, January 25, 2010, the Planning Board voted 5-0-0 to APPROVE the Special Permit of Sprint/Nextel to add three (3) Backhaul Dish (BH) antennas to the existing tower. Two (2) BH antennas will be 30" in diameter and one (1) will be 24" in diameter mounted at 136'-6". The proposed work is shown on plans entitled "Sprint clear wire" clearwire site name: MA-31P Westfield MA-BOS5522a, 8 Nixon Road Westford, MA 01886" prepared by Morrison Hershfield, dated June 04, 2009 revised through December 04, 2009, consisting of 8 sheets, for a site located at 8 Nixon Road and known as Assessors Map 22, Lot 122.

Findings:

The Planning Board made the following findings based on the criteria set forth in the Zoning Bylaw under Section 9.3.2 Special Permit and Section 6.2.8 Siting of Wireless Communication Facilities:

1. **Social Economic, or community needs which are served by the proposal**
Sprint/Nextel is using this upgrade of equipment to implement its wireless broadband technology. Sprint/Nextel is building its infrastructure for this system for the Boston area (and its suburbs). As the ability to expand and grow the system allows Sprint/Nextel will continue to cover more area and upgrade its system.
2. **Traffic Flow and Safety, including parking and loading**
The proposal will not have any additional impact to traffic flow and safety. The proposal is not expected to generate any additional traffic other than that at construction.
3. **Adequacy of utilities and other public services**
The proposal is not anticipated to have an impact on existing utilities and services. The proposed service will be maintained at the expense of the Applicant.
4. **Neighborhood character and social structures**
The proposed dish antennas will be located on an existing structure. This is not anticipated to have an additional impact on the neighborhood character or social structures.
5. **Impact on the natural environment**
The proposal will be located on an existing structure. This is not anticipated to have any additional impact on the natural environment beyond that existing. Following a period of discontinued use as outlined in 6.2.8(15) will require the removal of said device.
6. **Potential Fiscal impact, including impact on town services, tax base, property values and employment.**
The proposal is not anticipated to provide any additional fiscal impact on the town beyond that existing.

General Conditions of Approval:

- 1) The Applicant acknowledges that this approval is subject to completion of all necessary filings with the Conservation Commission. In addition, if any of the approved site features are amended by the Conservation Commission in a way that would require a site plan amendment, then the Applicant shall submit these changes to the Planning Board for their review and approval;
- 2) The Applicant shall provide the Planning Department with five (5) sets of full sized and five (5) sets of reduced copies of the final set of approved plans as well as a digital copy of the final set of approved plans prior to the issuance of a building permit. The digital copy of the final set of approved plans must follow the five requirements listed below”
 - i. All plans and specifications must be submitted on electronic media (CD or DVD_ROM using an IBM-PC or compatible file format). Acceptable file formats include: AutoCAD *.dwg, AutoCAD *.dxf, ArcView *.shp, or ArcGIS Geodatabase *.mdb. The files must be identical to the printed plan and contain all information included on the written plan. Upon project completion a digital submission of the “as-built” plan is required prior to receiving a Certificate of Completion from the Building Department.
 - ii. All digital mapping data must be delivered in the Massachusetts State Plane Coordinate system with a horizontal datum of NAD83 and vertical datum of NGVD88.

- iii. Each feature type must be organized in the CAD or GIS data structure as a separate layer using logical layer names. For example, there must be separate CAD layers for buildings, roads, parcel lines, and wetlands. Having all these features in a single CAD layer or GIS file will not be accepted.
 - iv. Documentation of the data format must be provided with a description of the CAD layers and list of the types of features placed in each layer. Submission of multiple files must also include a list of the files and their purpose.
 - v. The data submitted must include documentation on the method used to gather the data, the name of the person(s) responsible for preparing the data, contact information, an estimation of the horizontal and vertical accuracy, and the date of data capture. All media shall be free from any and all defects and viruses, and labeled as to their contents.
- 3) No structures, other than permitted free standing signs, shall be constructed within the setback areas as established in the Town of Westford Zoning Bylaws or as may be determined by the Westford Zoning Board of Appeals.
 - 4) All site lighting shall provide security for the site and structures however it must not create any glare or project any light onto adjacent residential properties;
 - 5) All work is to be done in accordance with the endorsed plans;
 - 6) All construction shall comply with State regulations;
 - 7) The provision of this approval shall apply to and be binding upon the Applicant, its employees and all successors and assigns in interest or control;
 - 8) Any revisions amendments or modifications to the approved plans shall come before the Planning Board for Approval;
 - 9) This approval shall lapse within five (5) years from the date of the Planning Boards vote. Continued use following this date shall require re-submittal;
 - 10) The following information shall be deemed part of the decision
 - Plan: Sprint clear wire” clearwire site name: MA-31P Westfield MA-BOS5522a, 8 Nixon Road Westford, MA 01886”
 - Prepared by: Morrison Hershfield
 - Dated: June 04, 2009 revised through December 04, 2009, consisting of 8 sheets

Site Specific Conditions:

- 11) The addition of the BH antennas will be completed by lengthening the existing mounting pipe for the existing panel antennas by four (4) feet downward and attaching the BH directly to the pipe.
- 12) No lights shall be installed except those required by the FAA and no signage will be permitted, except that necessary for public information (e.g. No Trespassing).
- 13) Prior to the issuance of a building permit for this additional carrier, the Applicant shall establish a performance bond to ensure that all associated equipment and site changes will be properly removed upon discontinuance of use by Fiber Tower. This bond is to be established to the satisfaction of the Planning Board.

- 14) The proposed dish antennas to be located on the tower shall be non reflective in nature and colored to blend in with the existing tower and antennas. The equipment cabinets associated with the panel antennas shall be non-reflective in nature and shall be contained within the chain-link fence as indicated on the approved plans.
- 15) If the existing permit holder for the tower ceases operation the remaining users shall re-apply for a new special permit and site plan approval as per Section 6.2.8 (15) of the Town of Westford Zoning Bylaws.
- 16) Any damage caused by construction vehicles to curbing, roadway, sidewalk, trees, or any other object located in the public way shall be replaced at the applicant's expense

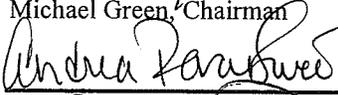
Any person aggrieved by this decision may appeal within twenty (20) days of the filing of this decision with the Town Clerk under the Provision of M.G.L. Chapter 40A Section 17.

Members present and voting in the affirmative

Special Permit Application Decision - PB09013-SP/SPR (WCF)
Sprint/Nextel
8 Nixon Road, Westford, MA



Michael Green, Chairman



Andrea Peraner-Sweet



Frederick Palmer

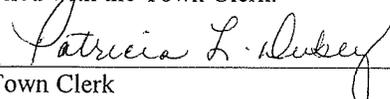


Dennis Galvin



Kevin Borselli

Filed with the Town Clerk:



Patricia L. Dubey
Town Clerk

March 3, 2010

Date

Decision effective March 24, 2010 unless appealed.

The undersigned, being the Town Clerk of the Town of Westford, Massachusetts do hereby certify that twenty days have elapsed since the above referenced decision of the Planning Board was filed in the office of the Town Clerk and no appeal has been filed with the Town Clerk.

Town Clerk

Date

cc; Sprint/Nextel; Westford Retail, LLC. c/o Realm Realty Corp; Board of Selectmen; Board of Appeals; Board of Assessors; Board of Health ; Building Inspector; Conservation Commission; Engineering Department; Police Chief; Fire Chief; Highway Superintendent; Tax collector; Water Department; Planning Boards of Acton, Carlisle, Chelmsford, Groton, Littleton, Tyngsborough; Abutters within 300 feet.