

**TOWN OF PEMBROKE
PLANNING BOARD**

**MEMORANDUM IN SUPPORT OF APPLICATION FOR SITE PLAN APPROVAL
FOR A PROPOSED WIRELESS COMMUNICATIONS FACILITY**

Applicant: Cellco Partnership d/b/a Verizon Wireless
118 Flanders Road
Westborough, MA 01587

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Property: 85 Washington Street, Pembroke, MA (Map-Lot # D14-38) ("Property")

Owner: Circle Pembroke Retail, LLC

Zoning District: Business B / North Pembroke Historic District Overlay

Proposed Use: Personal Wireless Service Facility ("PWSF")

Relief Sought: Site plan approval in accordance with Section V.7;
and any other relief the Board may determine is required for the Proposed Use
at the proposed location on the Property.

I. BACKGROUND

The Applicant, Cellco Partnership d/b/a Verizon Wireless ("Applicant" or "Verizon Wireless"), is licensed by the Federal Communications Commission ("FCC") to provide personal wireless services within the market area that includes the Town of Pembroke (the "Town"). Verizon Wireless proposes to construct a 120-foot tall monopole tower supporting its antennas and radio equipment, with additional support equipment on the ground adjacent to the tower within a 50-foot by 50-foot fenced enclosure on the Property (the "Proposed Facility"), all as further described on the plans² ("Site Plan") and other application materials filed with this application and as will be presented at the hearing on this application.

Verizon Wireless experiences a significant gap in its wireless service in northern Pembroke in the vicinity of the proposed Facility. Verizon Wireless presently operates four wireless

¹ Please address all correspondence regarding this application to Applicant's Agent.

² Plans titled Verizon, Pembroke 5 MA, Location Code 430514, 85 Washington Street, Pembroke, MA 02359, prepared by Nexius, last revised October 20, 2020, Sheet Z-1.

communications facilities located in Pembroke, Hanover, and Marshfield that provide service to portions of northern Pembroke, but they do not fill this coverage gap.³ Specifically, portions of northern Pembroke are without reliable service in the following areas and town roads, including but not limited to: Route 53 (Washington Street and Columbia Road); Route 139 (Water Street); West Elm Street, Elm Street, and Broadway; and the surrounding roads, neighborhoods, and business/retail establishments in the proximity of the Proposed Facility and these roads.⁴ Verizon Wireless proposes to address this coverage gap with the Proposed Facility. The Proposed Facility will be a personal wireless services facility within the meaning of the Federal Telecommunications Act (“TCA”), 47 U.S.C. § 332(c)(7)(C)(ii).

II. SITE DESCRIPTION

The Property is approximately 1.90 acres and is owned by Circle Pembroke Retail, LLC (“Circle Pembroke”). Verizon Wireless has a lease agreement with Circle Pembroke authorizing it to install, maintain, and operate the Proposed Facility on the Premises and to apply for all necessary permits. The Property is located within the Business B Zoning District, and abuts parcels in the Business B and Residential A, districts. The front 300’ of the Property is located within the North Pembroke Historic District Overlay. The portion of the property that is the subject of this application is an approximately 60’ by 60’ area (“Premises”) along with a right of access to and from Washington Street. For most of the distance, access will be along a twelve-foot (12’) wide right-of-way over portions of the Property already used for vehicle traffic.

III. DESCRIPTION OF PROPOSED WIRELESS COMMUNICATIONS FACILITY

As shown on the Site Plans, attached as Exhibit A, and as will be further described at the hearing on this application, Verizon proposes to construct and operate a 120-foot tall monopole tower with an antenna centerline height of approximately 117 feet above ground level (agl). As shown on the plans, Verizon Wireless proposes to install 3 arrays of 4 antennas (12 antennas total) along with remote radio heads (“RRHs”) with accessory junction boxes and surge suppressors on a galvanized steel frame at this centerline height. Cabling will be installed inside the monopole.

The Tower will be located within a 50’ by 50’ fenced enclosure within the Verizon Wireless Premises. The fenced enclosure will contain equipment as shown on sheet Z-2 of the site plan set submitted with this application. The Verizon Wireless equipment will include a diesel generator located on a proposed 12-foot by 20-foot concrete pad; telecommunications equipment cabinets under an ice canopy. The Verizon Wireless equipment will be connected to the tower by cabling attached under an ice bridge.

The ground surface within the fenced enclosure will be crushed stone. Verizon Wireless proposes to construct a 12-foot wide access drive connecting the wireless facility to the existing parking lot and driveway on the Property. Circle Pembroke has granted Verizon Wireless a 12-

³ The exact locations of these existing facilities and the coverage gap are depicted on Attachment C to the RF Report by C² Systems dated September 11, 2020, which is included with the Site Plan Application materials.

⁴ See page 4 of the RF Report by C² Systems dated September 11, 2020, which is included with the Site Plan Application materials.

foot wide access easement over the existing parking lot and driveway connecting the Property to Washington Street. This access drive will have a gravel surface. Utilities brought to the site will run underground adjacent to and beneath the new access driveway and into the fenced equipment compound as shown on the Site Plan.

The PWSF is an unoccupied use that will require only infrequent visits by Verizon Wireless technicians and maintenance contractors, in ordinary passenger vehicles, for maintenance and inspection. This traffic is expected to amount to no more than two vehicle trips per week. A 12-foot wide parking area easement adjacent to the fenced compound will accommodate vehicles used to make maintenance visits.

No hazardous materials are proposed for use in connection with the PWSF. Verizon Wireless will not discharge any hazardous wastes at the Site and will meet applicable requirements for the storage of fuel associated with the proposed on-site emergency generator.

V. REQUEST FOR WAIVERS

1. Request for Development Impact Statement Waiver

The Applicant seeks a waiver of the development impact statement requirement for site plan approval. Installation of the Proposed Facility is projected to have extremely minimal impacts to the surrounding environment, neighboring properties, public streets, and community at large.

The Proposed Facility will not be served by water, sewer, or septic because it is an unoccupied use and, therefore, will not risk contamination of groundwater from on-site wastewater disposal. Verizon Wireless, and any other future carriers at the Proposed Facility, will not discharge any hazardous waste at the Site and will meet applicable requirements for the storage of fuel associated with the proposed on-site emergency generator.

The Proposed Facility is outside of any wetland area. Installation of the Proposed Facility will not cause a significant increase in stormwater flow, or cause any soil erosion, air, or water pollution. Neither will installation of the Proposed Facility create any significant emission of noise or dust. The Premises is surrounded by dense tree growth. This existing tree cover will serve to minimize installation disruption either from noise or dust to neighboring residential properties. The tree cover will also serve to minimize operational impacts to neighboring properties due to light and noise.

Although the Proposed Facility will require the removal of trees within the immediate area of the proposed construction, tree cutting will be minimized. Any trees or other vegetation that is cleared will be removed from the Site and properly disposed of.

Operation and maintenance of the Proposed Facility will have no negative impact to public roadways due to traffic. The Proposed Facility is an unoccupied use that will require only infrequent visits by Verizon Wireless technicians and maintenance contractors, in ordinary passenger vehicles, for maintenance and inspection.

2. Request for Traffic Impact Study Waiver

The Applicant seeks a waiver of the traffic impact study requirement for site plan approval. The Proposed Facility is an unoccupied use that will require only infrequent visits by Verizon Wireless technicians and maintenance contractors, in ordinary passenger vehicles, for maintenance and inspection. This traffic is expected to amount to no more than two vehicle trips per week.

3. Request for Landscaping Plan Waiver

The Applicant seeks a waiver of the landscaping plan requirement for site plan approval. The Proposed Facility is an unoccupied use that will require minimal impact to the existing landscape. As previously stated, although the Proposed Facility will require the removal of trees within the immediate area of the proposed construction, tree cutting will be minimized. No other significant alterations to the site's existing landscape are proposed.

4. Request for Waiver of the Site Plan Scale Requirements

The Applicant seeks a waiver of the site plan drawing scale requirements. The submitted Site Plan's drawings are to a 1"=30' scale with a 1/8"=1' elevation drawing scale. Given this de minimis deviation, the Applicant would request that strict adherence to site plan scale requirements be waived.

5. Request for Photometric Plan Waiver

The Applicant seeks a waiver of the photometric plan requirement for site plan approval. The only proposed lighting at the Proposed Facility is a motion-activated light directed downward and designed only to illuminate the Premises for a technician conducting an inspection. These lights will not be mounted higher than 20 feet. No lighting will spill onto neighboring properties.

6. Request for Waiver of Sign Inclusion

The Applicant seeks a waiver of the sign inclusion requirement for site plan approval. The only proposed signs at the Proposed Facility will be small "NO TRESPASSING" signs and any warning and safety signs as required by state and local regulations. Any signs will be located at the facility itself and should not be visible to abutters or from the public roadways.

VI. SITE PLAN REVIEW

Site plan approval is required for any construction or use, other than as related to single-family residential purposes, in all zoning districts throughout Pembroke.⁵ The Site is designed to provide adequate access to the tower and ground-mounted equipment for fire and emergency

⁵ Town of Pembroke Zoning Bylaws, § V.7B.

vehicles and personnel. Utilities will be provided to the Site via easements over the Property to Washington Street. No water or septic is required for the Proposed Facility. The “Planning Board Rules and Regulations Governing the Issuance of Site Plan Approval” require that the site be designed with the following criteria in mind:

- a. The traffic carrying capacity of the intersections and streets likely to be affected by the proposed development will meet the standards set forth in Section V.7.**

No impact on traffic is anticipated. The facility does not have any employees and will be visited only occasionally for periodic maintenance.

- b. The proposed development will comply with the environmental impact standards set forth in Section 6.6 – 6.6.6 [presumably meant to refer to Sections 6.2 – 6.2.6].**

6.2.1. The proposed development shall not create any significant emission of noise, dust, fumes, noxious gases, radiation, or water pollutants, or any other similar significant adverse environmental impacts.

The Proposed Facility will not generate any noise except for period testing of the on-site emergency generator and during power outages when the generator is in use. It will not generate any dust, fumes, noxious gases, or water pollutants. Radiofrequency emissions from the antennas at the Proposed Facility will comply with, and be significantly below permitted levels under, applicable federal standards. Verizon Wireless will meet applicable requirements for the storage of fuel associated with the proposed on-site emergency generator.

6.2.2. The proposed development shall not increase the potential for erosion, flooding or sedimentation, either on-site or on neighboring properties; and shall not increase the pre v. post rates of runoff from the site. Provision for attenuation of runoff pollutants and for groundwater recharge shall be included in the proposal.

Installation of the Proposed Facility will not increase the potential for erosion, flooding or sedimentation. The ground surface within the compound will be gravel so that water will permeate into the ground, and the footprint of the tower, equipment pads and fence are minimal and will not cause a significant increase in stormwater flow or warrant attenuation of runoff or groundwater recharge structures. The Site Plan addresses construction and permanent erosion control measures at Sheets ES-1 and ES-2.

6.2.3. The design of the proposed development shall minimize the destruction of unique and natural features.

The Proposed Facility will not destroy any unique natural features. It will require the removal of trees within the immediate area of the proposed construction, but this tree cutting will be minimized.

6.2.4. The design of the development shall minimize earth removal. Cuts of more than 4 feet shall be prohibited, unless otherwise waived by the Planning Board. Any grade changes shall be in keeping with the general appearance of neighboring developed areas.

Proposed grading is shown on the Site Plans. Grade changes required for the proposed access driveway and Proposed Facility's compound will be minimized.

6.2.5. The design of the development shall minimize the area over which existing vegetation is to be removed. Tree removal shall be minimized, and special attention shall be given to the planting of replacement trees. By replacing any tree that is removed over 6" trunk diameter. All trees that are removed over 6" trunk diameter measured 4 feet above grade shall be replaced and incorporated into the landscape plan for the site.

Although the Proposed Facility will require the removal of trees within the immediate area of the proposed construction, tree cutting will be minimized. After construction, a wooded area will remain around the Premises and adjacent to the access drive, so that planting of replacement trees or any landscaping improvements will be unnecessary.

- c. The planned capacities of public facilities such as water supply, sewage and drainage systems are adequate in the vicinity of the site to serve the proposed development.**

The Proposed Facility will not be served by water or sewer service (public or private) because it is an unoccupied use and will not generate runoff that is directed to public drainage systems.

- d. The proposed development will comply with the community impact standards set forth in Section 6.8 – 6.8.6 [presumably meant to refer to Sections 6.6 – 6.6.6].**

6.6.1. Design elements shall be compatible with the character and scale of neighboring properties and structures.

The Premises are surrounded by dense tree growth. This existing tree cover will serve to minimize the visual impact of the Proposed Facility from neighboring properties.

6.6.2. The design of the development shall minimize the visibility of visually degrading elements such as trash collectors, loading docks, etc.

The Proposed Facility will not have trash areas or loading docks or similar areas. The fenced equipment enclosure of the Proposed Facility will be surrounded by dense woods and should not be visible from neighboring properties.

6.6.4. The location and configuration of proposed structures, parking areas and open space shall be designed so as to minimize any adverse impact on temperature levels or wind velocities on the site or adjoining properties.

The Proposed Facility would not be expected to have any impact on temperature levels or wind velocities. It involves no new pavement or buildings.

6.6.5. Outdoor lighting, including lighting on the exterior of a building or lighting in parking areas, shall be arranged to minimize glare and light spillover to neighboring properties.

The only proposed lighting at the Proposed Facility is a motion-activated light directed downward and designed only to illuminate the Premises for a technician conducting an inspection. These lights will not be mounted higher than 20 feet. No lighting will spill onto neighboring properties.

Section V.7.E of the Zoning Bylaws requires that site be designed with the following criteria in mind:

a. Protection of the abutting properties, the neighborhood, and the community, to minimize any detrimental or offensive use of the site.

The Premises are surrounded by dense tree growth. This existing tree cover will serve to minimize the visual impact of the tower from neighboring residential properties. Further, the Proposed Facility will not impair the view from public ways, and the fenced equipment enclosure will be almost completely camouflaged by the dense tree cover.

In addition, the Proposed Facility is not expected to obstruct any scenic views from publicly accessible locations. A balloon test will be conducted, and photosimulations showing the view of the tower from any surrounding locations will be prepared and provided to the Board.

The facility will not generate any traffic, will generate noise only in connection with the periodic testing of a typical commercial grade emergency generator, will not spill light onto neighboring properties.

At the same time, the proposed facility will improve wireless service to residents in the area, to nearby businesses and their customers, and to travelers on the roads in the area, benefitting quality of life, commerce and public safety.

b. Convenience and safety of vehicular and pedestrian movement within the site and in relation to the abutting ways and properties.

The facility will not generate pedestrian or vehicular traffic except for occasional visits by a technician, who will access the site via an existing driveway onto Washington Street and through the existing parking area at the Property. A parking

space for regular passenger vehicles is provided adjacent to the Site so that technicians performing maintenance and inspections will not have to traverse the Property on foot to reach the Site. The Site will be secured by a fence with a locked gate so that no pedestrians or unauthorized vehicles may access the tower or equipment.

c. Adequacy of the methods of disposal of sewage, refuse and other waste, of the methods of drainage of surface water, of the protection of wetlands, water resource protection areas, floodplains, watersheds, aquifers, and well areas.

The Proposed Facility will not generate sewage, refuse or other waste. Any parts or materials replaced during periodic maintenance will be brought to and removed from the Site by the servicing technician. The Proposed Facility is not in a floodplain or a wetland buffer and will not have an adverse effect on water resource protection, watersheds, aquifers or wells.

d. Provisions for lighting, off-street parking, loading and unloading of vehicles, and internal traffic control.

The provisions for lighting and parking are suitable for the proposed use and are shown on the Site Plans and discussed in this application. Given the nature of the use, no loading facilities are necessary.

e. Compliances with the provisions of the Massachusetts' General Laws, the rules and regulations of local, state and federal agencies, and the zoning bylaws and the town bylaws of the Town of Pembroke.

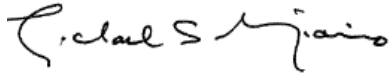
The Proposed Facility will be construction, maintained, and operated in compliance with all federal, state and local laws.

Conclusion

For all the foregoing reasons, and as will be further addressed in additional submittals and at the hearing on this application, Verizon Wireless respectfully requests site plan approval to construct the Proposed Facility as described in the Site Plans and this application and as will further be described at the hearing and in any subsequent submittals. In addition, Verizon Wireless respectfully requests waivers of the development impact statement and traffic impact study requirements, as well as waivers of any and all other requirements that the Board determines are not met by this proposal.

This application is submitted with a full reservation of Verizon Wireless' rights under federal, state and local law.

Respectfully submitted,
Verizon Wireless
By its attorneys,

A handwritten signature in black ink, appearing to read "Michael S. Giaimo". The signature is fluid and cursive, with a horizontal line drawn underneath it.

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