

Present were: Anderson, Jeton, Brown, Batchelder, Boness, Baime, Ranalli

The meeting opened at 7 p.m.

Petition No.: 3941
Premises affected: 81 Holt Rd
Petitioner: Furlong
Members: Anderson, Brown, Batchelder, Baime, Boness

There was a request to withdraw without prejudice. Batchelder made a motion to allow the withdrawal without prejudice. Baime seconded the motion & the Board voted to allow the withdrawal without prejudice.

Petition No.: 3949
Premises affected: 77 Haverhill St
Petitioner: St. Jean
Members: Anderson, Brown, Batchelder, Baime, Boness

There was a request to withdraw without prejudice. Batchelder made a motion to allow the withdrawal without prejudice. Baime seconded the motion & the Board voted to allow the withdrawal without prejudice.

Petition No.: 3932
Premises affected: 70 N. Main St.
Petitioner: Jeffco
Members: Baime, Ranalli, Brown, Batchelder

There was a request to continue to 10/6/11. Batchelder made a motion to continue to 10/6/11. Baime seconded the motion & the Board voted to continue the hearing to 10/6/11.

Petition No.: 3947
Premises affected: 149R Haggetts Pond Rd
Petitioner: New Cingular
Members: Jeton (Acting Chair), Brown (Acting Clerk), Baime

There was a request to continue to 10/6/11. Baime made a motion to continue to 10/6/11. Brown seconded the motion & the Board voted to continue the hearing to 10/6/11.

Petition No.: 3948
Premises affected: 146 Dascomb Rd
Petitioner: New Cingular
Members: Brown (Acting Chair), Batchelder (Acting Clerk), Baime, Ranalli

This is a continued hearing from 8/4/11 without the public hearing being opened, at the request of the Applicant. Attorney Michael Dolan of Brown Rudnick, LLP, represented New Cingular Wireless PCS, LLC (New Cingular) seeking a special permit to install 3 new antennas & 1 equipment cabinet at an existing wireless communications facility, which consists of a 125' tall monopole tower & an associated equipment compound at the base. The tower supports the equipment of 5 wireless carriers. New Cingular is proposing to install 3 additional panel-type antennas mounted to an existing antenna support frame with an antenna centerline 85' above ground level. A single equipment cabinet is to be installed within the existing equipment shelter located at the base of the tower within the fenced equipment compound.

The cables from the equipment shelter to the antennas will be run within the interior of the monopole tower. The proposed panel antennas will have the dimensions of 96"x12"x6" (H, W, D). New Cingular provided a memo dated 6/13/11 providing evidence of compliance with the criteria of §6.1 and §9.4 of the Zoning Bylaw. Also submitted was an RF Engineering Affidavit indicating that the RF emission from these proposed antennas would not exceed the State & Federal standards, when combined with all other existing PWSA facilities at 170R River Road, Andover, MA. A "Structural Analysis Report" prepared by Paul J. Ford & Company, Structural Engineers, dated 5/11/11 concluded that the existing monopole structure & existing foundation have sufficient capacity to adequately support the existing, reserved and proposed loading, and that modifications are not required at this time. The petitioner also provided photo simulations, site plans, elevations and specifications for the proposed installation as prepared by Atlantis Group and dated 06/10/11. No one else appeared at the public hearing to speak either for or against the petition. The Board voted to waive a viewing of the premises, closed the public hearing, & proceeded to deliberate.

The Board found that the proposed communication antennas and equipment at an existing communications facility is consistent with the intent & purpose of § 6.1.4 of the Andover Zoning Bylaw. By filling a significant coverage gap, the facility will aid in reaching Cingular's goal of providing adequate and reliable wireless telecommunications services in and around Andover and to all of Massachusetts. The proposed antennas will be required to be painted to match the existing structure with a non-reflective paint. A structural analysis of the capacity of the existing monopole and associated foundation was performed by Paul J. Ford and Company of Columbus, OH and submitted with the petitioner's application. The analysis indicates that the monopole will be at 71% of the allowable structural capacity with the installation of the new antennas. Upon review of the submitted information, the Board determined that the applicant has demonstrated compliance with the provisions Sections 6.1 and 9.4 of the Bylaw. Further, the proposed use will not be unreasonably detrimental to the established or future character of the neighborhood and town and that such is in harmony with the general purpose and intent of the by-law. The Board voted unanimously to issue a Special Permit under 6.1 of the Andover Zoning Bylaw on the following conditions:

1. All antenna cables are to be installed within the interior of the monopole and not run up the exterior of the structure.
2. All antennas and visible hardware be painted to match the existing structure with non-reflective paint.
3. The equipment shall be installed in substantial conformance with the plans submitted in the application, which are incorporated into this decision by reference.

Baime will write the decision.

Approval of Minutes

The minutes of 6/2/11 & 8/4/11 were approved unanimously.

There being no other business, there was a motion to adjourn & a second. The Board voted unanimously to adjourn the meeting.