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May 3, 2022

VIA EMAIL

Town of Salisbury
Planning Board
c/o Lisa Pearson, Planning Director
5 Beach Road
Salisbury, MA 01952

RE: Eligible Facilities Request - Wireless Communications Facility –
Modification of Special Permit and Site Plan Review (the “Application”)

Applicant: New Cingular Wireless PCS, LLC (“AT&T”)

Site: 91 North End Boulevard, Salisbury, MA (Assessor’s Parcel Map 33, Lot 38)
(the “Site”)

Owner: Town of Salisbury Water Company

Facility: Collocate an emergency backup power generator on a proposed elevated
steel equipment platform on concrete piers within an existing fenced
compound to support the existing wireless communications facility
during times of power outages.

Relief Requested: Approval of the Eligible Facilities Request pursuant to Section 6409(a)
of the Middle Class Tax Relief and Job Creation Act of 2012 (the
“Spectrum Act”) and modification of approved Special Permit and
Minor Site Plan Approval applications pursuant to Article XIX, Section
300-127 of the Town of Salisbury Zoning Bylaw (hereinafter, the
“Bylaw”), Massachusetts General Laws chapter 40A; and, the
Telecommunications Act of 1996 (the “TCA”) for the modification of a
wireless communication facility, and such other relief as deemed
necessary, all rights reserved.

Dear Honorable Members of the Salisbury Planning Board:

On behalf of AT&T and while reserving all rights, we are pleased to submit this analysis to the Town of Salisbury Planning Board (the “Board”) in support of AT&T’s application (the “Application”) for the modification of AT&T’s approved wireless communications facility at the Site, all in accordance with the Spectrum Act, the TCA and the Bylaw. As will be demonstrated in this analysis and at the public hearing(s) before the Board, the modification to AT&T’s facility qualifies as an Eligible Facilities Request which does not substantially change the physical dimensions of AT&T’s facility, and also complies with the Bylaw. The following provides background information regarding the modification and addresses the Spectrum Act and each applicable section of the Bylaw.



BACKGROUND

The Site is located within the Beach Commercial (BC) zoning district and Wireless Communications District C. In 2021, the Board approved a Special Permit and Minor Site Plan approval for its existing facility (see attached decisions dated June 14, 2021). As the Board may recall, AT&T removed the backup power generator during the hearing process relating to the previously approved application. AT&T now proposes to modify its wireless facility by collocating an emergency backup power generator (the “Generator”) on a proposed elevated steel equipment platform on concrete piers within the existing compound enclosed by a chain link fence. The Facility is shown in detail on the plans (the “Plans”) submitted with the Application. AT&T also proposes to trench from the location of the Generator to AT&T’s equipment located inside the water tank structure. The total temporary disturbance for the trenching will be approximately 65’ in length by 2’ wide by 3’ deep (130 square feet or 390 cubic square feet). This disturbance will only have a temporary impact on the Site. We have also attached a copy of the specifications for the Generator.

The Generator will cause an insignificant or de-minimis increase in stormwater runoff so no drainage structures are proposed. The project is substantially similar to that of a wireless competitor already located and operating at the Site. The Site also contains a large water tank owned by the Town of Salisbury. The Generator will service the public interest in maintaining both routine and emergency communications during times of power outages. The use of piers and a grated steel platform allows for minimal impact on the protected resources and interests. AT&T’s minimal work at the Site will not: have an adverse effect on the coastal dune; interfere with or remove the dune; destabilize or modify the dune; or increase the potential for storm of flood damage. The minor impact includes the installation of four (4) piers and the temporary impact of trenching for the conduits from the Generator to AT&T’s equipment cabinet inside the water tank structure. The Generator is accessory to the existing uses on the Site. Likewise, AT&T’s installation of the Generator will not destroy any portion of the salt march nor have an adverse effect on the productivity of the salt march. Lastly, AT&T’s work will not restrict flows to cause an increase in flood stage or velocity. The Salisbury Conservation Commission recently approved the installation of the Generator – see attached Order of Conditions MA DEP File #065-1268.

The Generator was strategically located to minimize work near resource areas while allowing for adequate traffic flow for access to the water tank by the Town of Salisbury. The Town of Salisbury owns the Site and is the beneficiary of rental payments pursuant to a lease agreement with AT&T. We note that a competitor was approved for a similar installation, including two steel platforms.

We understand that the water tank has been used by a wireless communication services provider since at least 2015. Article XIX, Section 300-127 states that in the event of a modification request of an approved application which does not demonstrate substantial alterations to the physical dimensions of the WCF or base station, the applicant shall petition the Planning Board to review the modifications and the Planning Board. We also note that the



federal Spectrum Act preempts conflicting provisions of the Bylaw as discussed below. However, while not waiving any rights, AT&T has submitted materials in the spirit of cooperation with the Board to also evidence compliance with applicable provisions of the Bylaw.

As a collocator, AT&T leases a portion of the Site from the Town. AT&T operates a nationwide wireless communications system that offers enhanced features such as caller ID, voice mail, e-mail, superior call clarity and high-speed data services. AT&T is in the process of building out a national network as required and authorized by license issued by the Federal Communications Commission (the "FCC"). The Facility aids in reaching AT&T's goal of continuing to provide reliable and cutting-edge wireless communication services in and around the Town of Salisbury and to all of Massachusetts.

As will be demonstrated through the written and oral evidence at the public hearing(s) in connection with the Application, the proposed modification to the wireless communications facility constitutes an Eligible Facilities Request and further that the Facility meets with all applicable requirements of the Bylaw. AT&T submits that the Facility will aid in public safety by maintaining wireless communications services to the residents, businesses, commuters, and emergency personnel utilizing wireless communications in the immediate vicinity and along the nearby roads during power outages. These services further the public interest of health and safety as they will provide wireless 911 services to the community and communication services for the public. According to published reports, nearly 80% of all calls received by the 911 centers nationwide annually are made from mobile handheld devices in the United States. Today, wireless infrastructure is required to assist with public safety needs. The installation of the Generator will ensure continued operation of such wireless communications services even during periods of extended power outages.

The proposed modification to the facility by the collocation of the Generator will not generate any unreasonable noise, odor, fumes, glare, smoke, or dust or require additional lighting or signage. The Facility, as modified, will have no negative impact on property values in the area. No significant increase in traffic or hindrance to pedestrian movements will result from the Facility. On average, only one or two round trip visits per month are required to service and maintain the Facility. This is an unmanned facility and will have minimal negative effect on the adjoining lots. This Facility does not require police or fire protection because the installation has its own monitoring equipment that can detect malfunction and/or tampering. The Generator can be programmed to exercise during specified days and times.

THE SPECTRUM ACT

We are submitting this analysis in support of AT&T's Eligible Facilities Request to collocate Transmission Equipment at the Site. Capitalized terms not otherwise defined herein shall have the respective meanings set forth in the Regulations (as defined below).

As you may know, Section 6409(a) of the Spectrum Act mandates that state and local governments "may not deny, and shall approve, any eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical



dimensions of such tower or base station." Under Section 6409(a)(2)(A)-(C), an Eligible Facilities Request is any request to modify a Tower or Base Station that involves "collocations of new Transmission Equipment," "removal," or "replacement" of Transmission Equipment, including backup power supplies.

Pursuant to this Eligible Facilities Request, AT&T is proposing to modify its facility by installing the Generator near the base of the water tank. The water tank has been used as a Base Station since at least 2015 or earlier. Under the Spectrum Act and Regulations, as defined below, the modification proposed by AT&T in this Eligible Facilities Request does not substantially change the physical dimensions of the Base Station.

The FCC adopted a Report and Order, In re: Acceleration of Broadband Deployment by Improving Wireless Facilities Siting Policies, FCC Docket No. 13 238, Report and Order No. 14-153 (October 17, 2014) Final Rule codified at 47 CFR §1.6100 (the "Regulations") interpreting and implementing the provisions of the Spectrum Act. In the Regulations, the FCC defined *Transmission Equipment* as "Equipment that facilitates transmission for any Commission-licensed or authorized wireless communication service, including, but not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, and regular and **backup power supply** [emphasis added]. The term includes equipment associated with wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul."

The Regulations determined that any modification to an Eligible Support Structure, in this case the existing water tank, that meets the following six criteria does not substantially change the physical dimensions of the existing water tank and, therefore, is an Eligible Facilities Request which must be granted (AT&T's provides its comments below in bold to demonstrate that the modifications are NOT a substantial change):

Substantial change. A modification substantially changes the physical dimensions of an eligible support structure if it meets any of the following criteria:

- (i) For "other eligible support structures" [in this case the water tank], the modification increases the height of the structure by more than 10% or more than ten feet, whichever is greater;

AT&T's Generator will not increase the height of the water tank. The Generator will be located on the ground, adjacent to the water tank.

- (ii) For "other eligible support structures" [in this case, the water tank], the modification involves adding an appurtenance to the body of the structure that would protrude from the edge of the structure by more than six feet;



AT&T's modification will not protrude more than six feet (6') from the edge of the water tank in compliance with this provision. In fact, the Generator will not protrude from the edge of the water tank at all and will be located on the ground, adjacent to the water tank.

- (iii) For any eligible support structure, it involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four cabinets;

AT&T proposes to collocate the Generator with no additional equipment cabinets as a part of the proposed modification.

- (iv) It entails any excavation or deployment outside the current site;

AT&T does not propose any excavation or deployment outside the current Site and fenced compound.

- (v) It would defeat the concealment elements of the eligible support structure; or

AT&T's Generator will not defeat, and is consistent with the existing concealment elements in accordance with this provision. The Generator will be installed in a manner similar to the existing generator on Site.

- (vi) It does not comply with conditions associated with the siting approval of the construction or modification of the eligible support structure or base station equipment, provided however that this limitation does not apply to any modification that is non-compliant only in a manner that would not exceed the thresholds identified in §1.40001(b)(7)(i) through (iv).

AT&T's modification complies with conditions of the approval of the existing wireless facility.

As evidenced on the Plans, AT&T's modification to the facility contained in this Eligible Facilities Request fully conforms to the Regulations and Section 6409(a) of the Spectrum Act. We are confident that you will agree that AT&T's proposed modification does not substantially change the physical dimensions of the water tank at the Site as enumerated in the FCC Regulations and therefore qualifies as an Eligible Facilities Request. We therefore respectfully request the Board's determination that the modification does not substantially change the physical dimensions of the Base Station.

COMPLIANCE WITH ARTICLE XIX OF THE BYLAW

Section 300-121 Purpose.

The purpose of this article is to:



- A. Minimize the adverse impacts of wireless communication facilities (hereinafter "WCF") on adjacent properties and residential neighborhoods;**
- B. Minimize the overall number and height of such facilities to only what is essential;**
- C. Promote shared use of existing facilities to reduce the need for new ones;**
- D. Encourage the most appropriate use of the land and to guide sound development while promoting the health, safety and general welfare of the Town; and**
- E. Establish districts in which WCF's may be located.**

AT&T's proposed Generator will be in harmony with the purposes of the Bylaw because it will be located within the existing fenced compound area at the base of the existing water tank so that potential visual impacts are minimized, and the aesthetic qualities of the Town of Salisbury are preserved. AT&T's Generator clearly and directly satisfies the purposes and intent of the Bylaw. The proposed Generator will not cause any unreasonable noise, vibration, smoke, odors, waste, glare or significant traffic and will not adversely impact upon natural or historic resources. The Generator can be programmed to exercise at specific times of the day. Further, the Generator will ensure AT&T's facility will continue to improve communication coverage to residents, commercial establishments and travelers through the area and improve communication services in this area of the Town of Salisbury, even during periods of extended power outages. The installation of the Generator will not be a threat to public health, safety and welfare. In fact, AT&T submits that the proposed Generator will improve emergency communications for police and fire personnel by supporting a facility that reduces the number and frequency of dropped and incomplete calls due to weak signals and adding an additional layer of communication to traditional land lines. 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 and approximately 80% of all 911 calls are made from wireless devices. This system operates under licenses from the FCC, and AT&T is mandated and authorized to provide adequate service to the general public. The proposed Generator will comply with all applicable regulations, standards and guidelines.

Section 300-122 Wireless Communication Districts.

Wireless communication facilities may only be located the Town of Salisbury in accordance with this bylaw. To achieve the above purpose, this section establishes the following Wireless Communication Districts:

- C. Wireless Communication District C. This overlay district consists of all of the Beach Commercial, Commercial 2, and Commercial 3 Zoning Districts and**



the following parcel located in the Medium-Density Residential District (R2) as shown on the Official Zoning Map of the Town of Salisbury: Assessor's Map 12, Lot 109. Within this district all of the requirements of the underlying zoning district(s) continue to apply with the exception of the maximum height allowance, which is established in § 300-123 of this Bylaw.

- (1) Indoor WCF's allowed as of right subject to the dimensional requirements and performance and design standards of this article;**
- (2) Building-mounted WCF's allowed subject to site plan review from the Planning Board and the dimensional requirements and performance and design standards of this article.**
- (3) One new attachment WCF, small cell type, allowed subject to site plan review from the Planning Board and subject to the dimensional requirements and performance and design standards of this article.**
- (4) More than one new attachment WCF, small cell type, allowed subject to a special permit and site plan review from the Planning Board and subject to the dimensional requirements and performance standards of this article.**

AT&T's Facility is located within the Beach Commercial zoning district and Wireless Communication District C.

Section 300-123 Dimensional requirements.

A. Freestanding lattice-type WCF's shall:

- (1) Not exceed 160 feet in height, measured from the base of the tower to the highest point of the tower or its projections;**
- (2) Be set back from the property lines of the lot on which it is located by at least 160 feet measured from the center of the structure of the WCF base;**
- (3) Be located a minimum of 200 feet from the nearest residential building within a residentially zoned district;**
- (4) Be separated from another freestanding WCF by 200 feet.**

AT&T does not propose a freestanding tower, so this provision does not apply to this Application.

B. Building-mounted WCF's shall not:

- (1) Exceed 15 feet above the rooftop of a supporting building, including any penthouse, parapet or other similar structure extending above the rooftop;**



AT&T does not propose a building mounted wireless facility, so this provision of the Bylaw does not apply to this Application.

(2) Exceed 15 feet above the highest point of a water tower or water tank.

AT&T does not propose a building mounted wireless facility, so this provision of the Bylaw does not apply to this Application.

C. Freestanding monopole-type WCF's shall:

- (1) Not exceed 100 feet in height, measured from the base of the tower to the highest point of the tower or its projections;**
- (2) Be set back from the property lines of the lot on which it is located by at least 140 feet measured from the center of the structure of the WCF base;**
- (3) Be located a minimum of 200 feet from the nearest residential building within a residentially zoned district;**
- (4) Be separated from other freestanding WCF's by a minimum of 200 feet;**
- (5) Have a treed buffer of 100 feet in diameter containing an average canopy height of 50 feet at the time of application;**
- (6) Be concealed by the use of camouflaging materials to look like a tree;**
- (7) Be located on a parcel of land of at least two acres.**

AT&T does not propose a freestanding tower, so this provision does not apply to this Application.

D. Small-cell-type WCF's shall:

- (1) Be an attachment that co-locates with an existing structure in which such structure is currently supporting, designed to support, or proven to be capable of supporting the WCF attachment;**

AT&T does not propose a small cell wireless facility, so this provision of the Bylaw does not apply to this Application.

- (2) Be no more than six cubic feet in volume, or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements could fit within an imaginary enclosure of no more than six cubic feet. All other wireless equipment associated with the facility has a cumulative volume of no more than 28 cubic feet or such higher limit as established by the Federal Communications Commission;**



AT&T will not install any additional antennas as a part of the proposed modification, so this provision of the Bylaw does not apply to this Application.

- (3) **Not include the following types of associated equipment in the equipment volume calculation: electric meter, concealment, telecommunications demarcation boxes, backup power systems, grounding equipment, power transfer switches, cut-off switches, and vertical cable runs for the connection of power and other services;**

This provision of the Bylaw does not apply to this Application.

- (4) **Be attached to a support structure no lower than 15 feet in height;**

This provision of the Bylaw does not apply to this Application.

- (5) **Be designed so as to minimize visual impact on surrounding properties;**

AT&T will not install any additional antennas as a part of the proposed modification, so this provision of the Bylaw does not apply to this Application.

- (6) **Have the cable that connects between the antennas and the equipment box contained inside the pole or support structure or shall be flush mounted and covered with a metal, plastic or similar material cap matching the color of the pole or structure on which it is installed, property secured and maintained by the applicant.**

AT&T will not install any additional antennas as a part of the proposed modification, so this provision of the Bylaw does not apply to this Application.

Section 300-124 Performance standards and general requirements.

The following performance standards and general requirements shall apply to all WCF's:

- A. **Compliance with federal and state regulations. All WCF's shall be erected, installed, maintained and used in compliance with all applicable federal and state laws, rules and regulations, including radio frequency emission regulations as set forth in Section 704 of the 1996 Federal Telecommunications Act.**



AT&T's proposed emergency backup power Generator will comply with all applicable codes and regulations.

B. Collocation of WCF's.

- (1) WCF's should be designed to accommodate the maximum number of users technologically practical. Shared use of freestanding, building-mounted, or indoor WCF's by commercial carriers may be required unless such shared use is shown to be not technologically practical. The intent of this requirement is to reduce the number of separate facilities which will require location within the community.**

AT&T's proposed Generator will not adversely impact upon the sharing of space on the water tank.

- (2) All owners and operators of land used in whole or in part for a WCF and all owners and operators of such WCF should, as a continuing condition of installing, constructing, erecting and using a WCF, permit other public utilities or FCC-licensed commercial entities seeking to operate a WCF to install, erect, mount and use compatible WCF equipment and fixtures on the equipment-mounting structure on reasonable commercial terms; and shall permit reasonable collocation to the Town of Salisbury of communication systems to support the Town's emergency, safety and utility services and the public schools that serve its children; provided, however, that such collocation does not materially interfere with the transmission and/or reception of communication signals to or from the existing WCF, and provided that there are no structural or other physical limitations that make it impractical to accommodate the proposed additional WCF or fixtures.**

AT&T is a tenant of the Town at the Site and has no control over collocation on the water tank. However, the presence of AT&T's Generator on the Site will not preclude other entities from collocating antennas and equipment on the Site.

C. Removal of abandoned WCF.

- (1) Any WCF that is not operational for a continuous period of 12 months shall be considered abandoned, and the WCF shall be removed by the owner of the WCF, and the site restored to its original condition, within 90 days of receipt of notice from the Building Inspector notifying the owner of such abandonment.**



AT&T acknowledges this provision of the Bylaw.

- (2) **If such WCF is not removed within 90 days, such WCF shall be deemed to be in violation of this Zoning Bylaw and the appropriate enforcement authority may begin proceedings to enforce and/or cause removal. If there are two or more users of a single WCF, then this provision shall not become effective until all users cease using the WCF.**

AT&T acknowledges this provision of the Bylaw, while reserving all rights.

Section 300-125 Design standards.

The following design standards shall apply to all freestanding WCF's, except for Subsection A, which shall apply for all exterior WCF's:

- A. All exterior WCF equipment and fixtures shall be painted or otherwise screened or colored to minimize their visibility to occupants or residents of surrounding buildings, streets and properties and shall blend in with the landscape or the structures on which they are located or attached to the extent practical. WCF equipment and fixtures visible against the sky or other background shall be colored to minimize visibility against such background. The maximum amount of vegetation shall be preserved during construction of any WCF.**

AT&T's proposed Generator will be located on a raised steel platform on concrete piers within the existing compound enclosed by a chain link fence, in a similar manner to the existing generator on the Site. By installing the proposed Generator within the fenced compound area, potential adverse visual impacts upon surrounding properties will be minimized and the aesthetic qualities of the Town of Salisbury will be preserved.

- B. All freestanding WCF's shall be designed to be constructed at the minimum height necessary to accommodate the anticipated and future use.**

AT&T does not propose a new freestanding WCF so this provision of the Bylaw does not apply to this Application.

- C. To the extent feasible all network interconnections from any WCF shall be installed underground, or inside an existing structure.**



AT&T does not propose a new freestanding WCF, so this provision of the Bylaw does not apply to this Application. The interconnections from the Generator to AT&T's equipment will be underground.

- D. Fencing shall be provided to control access to wireless communications facilities and shall be compatible with the scenic character of the Town. Fencing shall not be of razor wire.**

AT&T's proposed Generator will be located within the existing fenced area on the Site.

- E. There shall be no signs, except for announcement signs, "No Trespassing" signs and a required sign giving a phone number where the owner can be reached on a twenty-four-hour basis. All signs shall conform with Chapter 214, Signs, of the Town Code.**

AT&T's Facility will comply with this provision of the Bylaw.

- F. Night lighting of freestanding WCF's shall be prohibited unless required by the Federal Aviation Administration. Lighting shall be limited to that needed for emergencies and/or as required by the FAA.**

AT&T's Facility will comply with this provision of the Bylaw.

- G. There shall be a maximum of one parking space for each freestanding WCF, to be used in connection with the maintenance of the site, and not to be used for the permanent storage of vehicles or other equipment**

Parking is available at the Site and AT&T will not permanently store vehicles or other equipment.

- H. Accessory buildings and/or storage sheds shall be limited to one building per use per tower. If more than one use, the accessory buildings shall be connected by a common wall. Each building shall not exceed 300 square feet in size and 10 feet in height and shall be of the same design and color.**

AT&T's Facility will not entail construction of a building.

Section 300-126 Special permit.

- A. Application process.**



- (1) **All special permit applications for WCF's shall be made and filed on the appropriate application form. For an application to be considered complete it shall contain nine copies of the following information:**

Please refer to the forms submitted herewith.

- (a) **A color photograph or rendition of the proposed monopole/lattice tower with its antenna and/or panels. A rendition shall also be prepared providing eight view lines in a one-mile radius from the site, shown beginning at true North and continuing clockwise at forty-five-degree intervals.**

AT&T does not propose a new tower as part of this Application.

- (b) **A description of the monopole/lattice tower/small cell and the technical, economic and other reasons for the proposed location, height and design.**

AT&T does not propose a new tower or antennas as part of this Application.

- (c) **Confirmation that the monopole/lattice tower/small cell will comply with all applicable federal and state standards, including, but not limited to, the Federal Aviation Administration, Federal Communications Commission, Massachusetts Aeronautics Commission and the Massachusetts Department of Public Health.**

AT&T's proposed Generator will comply with all applicable codes and regulations.

- (d) **A description of the capacity of the monopole/lattice tower, including the number and type of panels, antennas and/or transmitter receivers that it can accommodate and the basis for these calculations.**

AT&T does not propose a new tower as part of this Application.

- (2) **Before the Planning Board votes on the special permit, the applicant shall arrange to locate a temporary structure, approved by the Planning Board, at the site in a manner that replicates the exact height and location of the proposed monopole/lattice tower. The structure shall remain in position for no less than eight hours for two consecutive days. The applicant will provide a set of dates, as**



described hereinabove, to view the temporary structure as well as an alternative set of dates in the event of poor visibility on account of adverse weather conditions. These dates shall be advertised in a newspaper of general circulation in the Town at least 14 days before the siting, and notice shall be sent to abutting property owners.

AT&T does not propose a new tower as part of this modification project, so this provision does not apply to this Application.

B. In addition to applying the special permit general conditions described in Article VII, § 300-35, bylaw, and the standards, requirements or conditions set forth in this Article XIX, the Planning Board shall review the special permit application in accordance with the following criteria:

- (1) An applicant proposing a freestanding WCF shall prove to the satisfaction of the Board that the visual, economic and aesthetic impacts of the facility on the community will be minimal. The applicant must also demonstrate that the facility needs to be located at the proposed site due to technical, topographical or other unique circumstances. In determining whether to issue a special permit, the Board shall consider the following factors: height of the proposed WCF; the nature of uses adjacent and nearby properties; surrounding topography; surrounding tree coverage and foliage; the visual impact of the facility on the abutting neighborhoods and streets; and the impact on existing vistas and natural resources.**

AT&T does not propose a new freestanding WCF as a part of this modification, so this provision of the Bylaw does not apply to this Application.

- (2) No freestanding WCF shall be erected or installed except in compliance with the provisions of this article. Any proposed extension in the height or construction of a new or replacement of a facility shall be subject to a new application for a special permit. The addition of cells, antennas or panels to an existing facility does not require the issuance of a special permit but is subject to site plan review.**

AT&T does not propose a new freestanding WCF as a part of this modification, so this provision of the Bylaw does not apply to this Application.

C. Conditions of approval. The following conditions of approval shall apply to all grants of applications for WCF's that require a special permit as indicated by the above Table of Uses in § 300-122 herein:



- (1) If a freestanding exterior WCF is to be placed on municipal property the following conditions must be satisfied:**
 - (a) Certificate of insurance for liability coverage in the amount of \$1,000,000 must be provided naming the Town as an additional insured.**
 - (b) An agreement whereby the user indemnifies and holds the Town harmless against any claims for injury or damage resulting from or arising out of the use or occupancy of the Town-owned property by the user.**
 - (c) A cash bond in a reasonable amount determined and approved by the Board shall be in force to cover removal of WCF and restoration of site to the condition that the premises were in at the onset of the lease, when use of said WCF becomes discontinued or obsolete. The amount is to be payable to the Town in the event that the user breaches the conditions of § 300-124C of this bylaw.**

AT&T does not propose a new freestanding WCF as a part of this modification, so this provision of the Bylaw does not apply to this Application.

- (2) In addition to the above, the Board may impose additional conditions as needed to minimize any adverse impacts of the proposed WCF.**

AT&T acknowledges this provision of the Bylaw and while reserving all rights, will comply with any reasonable condition placed upon a favorable decision.

Section 300-127 Modification.

In the event of a modification request of an approved application which does not demonstrate substantial alterations to the physical dimensions of the WCF or base station, the applicant shall petition the Planning Board to review the modifications and the Planning Board shall not unreasonably deny the request.

AT&T submits this Eligible Facilities Request in accordance with this provision of the Bylaw and the Spectrum Act.

Section 300-127.1 Exemptions.

The following types of WCF's are exempt from this bylaw:



- A. Amateur radio towers used in accordance with the terms of any amateur radio service license issued by the Federal Communications Commission, provided that the tower is not used or licensed for any commercial purpose.**
- B. Facilities used by the municipality for the purpose of public safety.**

AT&T's existing facility is not exempt from the Bylaw.

COMPLIANCE WITH ARTICLE VII, SECTION 300-35 TO THE EXTENT APPLICABLE, ALL RIGHTS RESERVED

- A. Before granting an application for a special permit, the ZBA with due regard to the nature and condition of all adjacent structures and uses, and the district within which the same is located, shall find all of the following general conditions to be fulfilled:**

- (1) The use requested is listed in the Table of Use Regulations as a special permit in the district for which application is made or is similar in character to permitted uses in a particular district but is not specifically mentioned.**

The proposed Generator is required to supply emergency backup power to AT&T's approved wireless communications services facility, a use permissible within the Wireless Communication C district according to Article XIX, Section 300-122(C) of the Bylaw.

- (2) The requested use is essential and/or desirable to the public convenience or welfare.**

The proposed emergency backup power Generator will not cause any unreasonable noise, vibration, smoke, odors, waste, glare or significant traffic and will not adversely impact upon natural or historic resources. Further, the Generator will allow the Facility to improve communication coverage to residents, commercial establishments and travelers through the area and improve communication services in this area of the Town of Salisbury in times of extended power outages. The installation of the Generator will not be a threat to public health, safety and welfare. In fact, AT&T submits that the proposed Facility will maintain 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 times of power outages. 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



and approximately 80% of all 911 calls are made from wireless devices, so an adequate backup power source is necessary in times of emergencies. The proposed Generator will comply with all applicable regulations, standards and guidelines. The Generator can be programmed to exercise at specific times of the day.

(3) The requested use will not create undue traffic congestion or unduly impair pedestrian safety.

AT&T's proposed emergency backup power Generator will not create undue traffic congestion or unduly impair pedestrian safety. The Generator will be located within the existing fenced compound area.

(4) The requested use will not overload any public water, drainage, or sewer system or any other municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the Town will be unduly subjected to hazards affecting health, safety, or the general welfare.

AT&T's proposed Generator will not unduly burden any public water, drainage, sewer system, or any other municipal system in the town.

(5) Any special regulations for the use set forth in the Special Permit Table are fulfilled.

AT&T's proposed Facility will comply with the provisions of Article XIX as discussed above.

(6) The requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health or welfare of the neighborhood.

AT&T's proposed Generator will not impair the integrity or character of the zoning district or adjoining districts because it will be located within the existing fenced compound area so that potential visual impacts are minimized and the aesthetic qualities of the Town of Salisbury are preserved. AT&T's Generator will provide emergency backup power to its wireless communications facility so that it can still provide vital emergency communications services in times of extended power outages. 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 and approximately 80% of all 911 calls are made from wireless devices. The Generator can be programmed to exercise at specified days and times.



- (7) **The requested use will not, by its addition to a neighborhood, cause an excess of that particular use that could be detrimental to the character of said neighborhood.**

AT&T's Facility will not cause an excess of the use. AT&T's Generator will be the second on the Site and will support AT&T's approved wireless communications services facility.

COMPLIANCE WITH ARTICLE XVIII SITE PLAN REVIEW

300-109 Intent.

This bylaw recognizes that certain developments of land, though generally suitable for location in a particular zoning district, are, because of their nature, size, complexity or other reasons of probable impact, capable of affecting the stated purposes of this bylaw, unless careful consideration is given to certain critical design elements. It is the intent of this bylaw to provide a mechanism for the review of an applicant's attention to such critical design elements within developments that are subject to review.

AT&T submits this Application in accordance with Article XIX, Section 300-122(C) to amend its existing approved Site Plan.

300-110 Purpose.

The purpose of this bylaw is to protect the public health, safety, and welfare; to promote balanced growth; to protect property values; and to encourage development by providing the public and the Town with an opportunity to review and comment.

AT&T's proposed Generator will be in harmony with the purposes of the Bylaw because it will be located within the existing fenced compound area at the base of the existing water tank so that potential visual impacts are minimized, and the aesthetic qualities of the Town of Salisbury are preserved. AT&T's Facility clearly and directly satisfies the purposes and intent of the Bylaw and the Spectrum Act. The proposed Generator will not cause any unreasonable noise, vibration, smoke, odors, waste, glare or significant traffic and will not adversely impact upon natural or historic resources. The Generator can be programmed to exercise at specific times of the day. Further, the Generator will ensure AT&T's facility will continue to improve communication coverage to residents, commercial establishments and travelers through the area and improve communication services in this area of the Town of Salisbury, even during periods of extended power outages. The installation of the Generator will not be a threat to public health, safety and welfare. In fact, AT&T submits that the proposed Generator will improve emergency communications for police and fire personnel by supporting a facility that reduces the



number and frequency of dropped and incomplete calls due to weak signals and adding and additional layer of communication to traditional land lines. 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 and approximately 80% of all 911 calls are made from wireless devices. This system operates under licenses from the FCC, and AT&T is mandated and authorized to provide adequate service to the general public. The proposed Generator will comply with all applicable regulations, standards and guidelines.

300-111 Reviewing authority; major and minor projects; determination of applicability.

- A. The Planning Board shall be the reviewing authority for all major and minor projects subject to site plan review.**

AT&T submits this Application pursuant to this provision of the Bylaw.

- B. A determination of the applicability of the Site Plan Review Bylaw shall rest with the Building Inspector. After a filed written request, the applicant will be notified in writing whether the proposed project requires site plan review and, if so, whether it constitutes a major or minor project. Alternatively, an applicant may request an informal/advisory determination from the Building Inspector in order to expedite the process so long as adequate plans and information are provided for the Building Inspector to make a reasonable determination. Being advisory only, such a determination will not entitle the applicant to a written opinion as to whether the proposed project requires site plan review. The following criteria shall be used to determine whether a proposed project is reviewed as a major or minor project:**

(1) Major projects.

- (a) Any nonresidential construction project that includes one or more of the following is considered a major project subject to site plan approval from the Planning Board:**

- [1] New construction or addition of 5,000 or more square feet of gross floor area.**
- [2] Renovation of 5,000 or more square feet of an existing structure that creates a significant increase in impact on traffic, public infrastructure, or parking.**
- [3] Construction of a drive-through facility.**
- [4] Construction of 25 or more new or additional parking or loading spaces.**



[5] More than one new attachment WCF, small cell type within a year of permit application and prior to construction.

(b) Any residential construction project consisting of more than three dwelling units on any single lot is considered a major project subject to site plan approval from the Planning Board.

AT&T respectfully asserts that this Application is not a Major project because: it will not entail 5,000 square feet of gross floor area; it will not significantly increase impacts of traffic, public infrastructure or parking; does not entail a drive-through facility; does not involve the construction of any parking or loading spaces, and does not involve small cell type attachments as discussed in the response to Article XIX, Section 300-123(D)(2) above; and does not entail the construction of any dwelling units.

(2) Minor projects.

(a) Any nonresidential construction project that includes one or more of the following is considered a minor project subject to site plan approval from the Planning Board:

- [1] New construction or addition of 2,500 or more square feet of gross floor area and less than 5,000 square feet of gross floor area.**
- [2] Construction of 15 or more and fewer than 25 new or additional parking or loading spaces.**
- [3] Newly paved areas, other than driveways, that are greater than 3,000 square feet that are not used for parking or loading.**
- [4] Any activity disturbing an acre or more.**
- [5] Reconstruction/reclamation/replacement (not overlay) of an existing paved area of an acre or more.**
- [6] One new attachment WCF, small cell type.**

Though AT&T's proposed Facility does not entail any of the elements listed within this provision of the Bylaw, AT&T submits this Application to modify the Minor Site Plan Approval of June 14, 2021, in accordance with Article XIX, Section 300-127 of the Bylaw.

(3) Repaving. Repaving (overlay) of an existing paved area of any size is exempt from site plan review.



No response is required of the Applicant.

- (4) Administrative review. Any nonresidential construction project that requires a building permit but is not included within the definition of a major or minor project is subject to administrative review by the Building Inspector in accordance with the Massachusetts State Building Code, 780 CMR Chapter 1, Section 111 (Permits).**

Though AT&T's proposed Facility does not entail any of the elements listed within Article XVIII, Sections 300-111(B)(1) or (2) of the Bylaw, AT&T submits this Application in accordance with Article XIX, Section 300-127.

300-112 Review procedure; hearing; decision.

A. Review procedure.

- (1) Any person proposing a project that is determined by the Building Inspector to require site plan review (major or minor) shall obtain an application for site plan approval. Prior to filing a site plan application, the applicant is encouraged to review the proposed site plan with the Planning Department. The purpose of this pre-filing review is to address questions in order to give the applicant advice and comments prior to submitting a site plan application and thus avoid unnecessary time and costs to the applicant due to unforeseen problems and issues.**

AT&T acknowledges this provision of the Bylaw.

- (2) Upon filing, the applicant must submit one copy of a completed site plan application and one copy of the site plan, conforming to all requirements listed in the bylaw, to the Planning Board, in care of the Planning Department.**

AT&T has complied with this provision of the Bylaw.

- (3) The site plan application and plan will be date stamped by the Planning Department and reviewed for completeness. Within seven calendar days, the Planning Department will notify the applicant if the application conforms to all requirements listed in the bylaw or needs additional information. Applications which include waiver requests made for specific bylaw requirements may be deemed complete for those specific bylaw requirements. If the application is deemed incomplete by the Planning Department, the applicant may either withdraw the application without**



prejudice or submit one copy of a revised application. If the application is deemed complete by the Planning Department, the applicant may then file with the Planning Board, in care of the Planning Department, the completed application and the required copies of the application and plan along with the appropriate application fee according to the Planning Board Rules and Regulations and a project fee according to the Planning Board Rules and Regulations. The application will then be stamped in by the Town Clerk. The application fee will be considered nonrefundable when the application is stamped in by the Town Clerk.

AT&T acknowledges this provision of the Bylaw and reserves all rights.

- (4) All Town staff comments shall be submitted to the Planning Board within 14 calendar days of receipt of a complete site plan approval application and these comments shall be available to the applicant or his representative at least 48 hours in advance of the date and time at which the application is first considered by the Planning Board at a public meeting.**

AT&T acknowledges this provision of the Bylaw.

- (5) Major and minor project procedural differences.**
 - (a) Major projects. A public hearing, which has been noticed according to MGL c. 40A, § 11, will be held within 30 days of the date the complete application was stamped in by the Town Clerk. The Planning Department shall send written notice by first class mail to all abutters. Legal advertisement and postage shall be paid by applicant. Final action on the major project site plan shall be taken by the Planning Board within 60 days of the date the public hearing was opened.**
 - (b) Minor projects. The Planning Board will review the minor project site plan review application under general business at a regularly scheduled Planning Board meeting within 30 days of the date the complete application was stamped in by the Town Clerk. Final action on the site plan shall be taken by the Planning Board within 45 days of the date the application was stamped in by the Town Clerk. The Planning Department shall send written notice by first-class mail to all immediate abutters.**

AT&T acknowledges this provision of the Bylaw while reserving all rights.

- B. Public hearing. The public hearing for major projects, which has been noticed according to MGL c. 40A, § 11, will be held within 30 days of the date the complete application was stamped in by the Town Clerk. The**



Planning Department shall send written notice by first-class mail to all abutters. Legal advertisement and postage shall be paid by applicant.

AT&T acknowledges this provision of the Bylaw while reserving all rights.

- C. Final action. Final action on the site plan application shall be taken by the Planning Board within 60 days of the date the public hearing was opened for major projects, and within 45 days from the date the application was stamped in by the Town Clerk for minor projects. Failure of the Planning Board to act within the above-prescribed time frame for major and minor projects shall be deemed as approval and it shall forthwith make such endorsement on said plan and, on its failure to do so, the Town Clerk shall issue a certificate to the same effect.**

AT&T acknowledges this provision of the Bylaw while reserving all rights.

- D. Waivers. When reviewing minor or major projects, the Planning Board may grant waivers in regard to submittal requirements listed in the Planning Board's Rules and Regulations. Such waivers may be granted for requirements that the Planning Board judges to be unnecessary, provided that the planned construction will not have a significant impact on pedestrian and vehicular traffic patterns, public services and infrastructure, both within the site and in relation to adjacent properties and streets. Said waiver requests shall be accompanied by a statement setting forth the reasons why, in the applicant's opinion, the granting of such a waiver would be in the public interest or the specific information required is irrelevant to the project, and why a waiver would be consistent with the intent and purpose of the bylaw and the regulations. The applicant should make an effort to include all waiver request(s) with the initial filing of the application so that the Planning Department may render a decision on the application's completeness. The Planning Board shall issue waiver request approvals, and likewise, waiver request denials, in writing. The waiver request decisions may be incorporated in any final site plan approval or disapproval decision. The applicant should be prepared, in the case of a waiver denial, to supply the Planning Board with the missing requirements in a timely manner.**

Please refer to the List of Requested Waivers submitted with the Requirements and Waiver Request Form.

- E. Approval. The Planning Board may approve the application after finding that the proposed project is in compliance with the purpose and intent of site plan review as noted in §§ 300-109 and 300-110, and the site plan submission requirements and the site plan performance and design standards in their entirety, notwithstanding any waiver granted. One copy of the approved site**



plan and approval letter, signed by the Planning Board, shall be forwarded to the Building Inspector, applicant, and Town Clerk within five days of final Planning Board action.

AT&T acknowledges this provision of the Bylaw while reserving all rights.

- F. Denial. The Board may deny a site plan review application that fails to furnish adequate information required by the site plan submission requirements as set forth in the Planning Board's Rules and Regulations. Further, the Board may deny a site plan where, although proper in form, the project fails to meet the site plan performance and design standards or depicts a use or structure so contrary to the health, safety, and welfare of the public in one regulated aspect or another that no reasonable condition can be imposed which would satisfy the problem. The disapproval letter shall specifically state the reasons for denial.**

AT&T acknowledges this provision of the Bylaw while reserving all rights.

G. Conditions.

- (1) In granting approval of an application the Board may impose reasonable conditions, limitations and safeguards that shall be in writing and shall be a part of such approval. Such conditions may include, but are not limited to:**
- (a) Controls on the location and type of access to the site.**
 - (b) Requirements for off-site improvements to improve the capacity and safety of roads, intersections, pedestrian ways, water, sewer, drainage, and other public facilities which are directly necessitated by the proposed development.**
 - (c) Donation and/or dedication of land for right-of-way to provide for roadway and/or intersection widening or improvements directly necessitated by the development.**
 - (d) Conditions to minimize off-site impacts on traffic and environmental quality during construction.**
 - (e) Requirements for screening parking facilities from adjoining premises or from the street by walls, fences, plantings, or other devices to mitigate adverse impacts.**
 - (f) Conditions to mitigate adverse impacts to the neighborhood and abutters, including but not limited to adverse impacts caused by noise, dust, fumes, odors, lighting, headlight glare, hours of operation, water runoff or snow storage.**



While reserving all rights, AT&T will work cooperatively with the Board regarding any reasonable conditions.

- (2) The applicant, when other than the owner(s), and the owner(s) of land shall be responsible for any mitigation measures or conditions required as part of a favorable decision for issuance of site plan approval. The Planning Board shall send its decision, including all conditions and/or modifications, in writing to the Building Inspector, applicant, and Town Clerk.**

AT&T acknowledges this provision of the Bylaw while reserving all rights.

- H. Certificate of completion. A certificate of completion application, in a form approved by the Planning Department, shall be submitted by the applicant or owner to the Planning Department upon completion of all required improvements. The Planning Board's designated inspector shall complete a final inspection of the site within 10 calendar days of the filing of the certificate of completion application by the applicant. As a result of the approved inspections, the inspector shall submit to the Planning Department a signed certificate of completion indicating that all work has been completed to the satisfaction of the Town. If the Board's inspector signs the certificate of completion, the applicant may proceed to request a final certificate of occupancy. A certificate of completion signed by the Board's inspector officially terminates the Board's involvement in the site plan review process.**

AT&T acknowledges this provision of the Bylaw.

- I. Occupancy permits. No occupancy permits shall be issued for any building or structure, or portion(s) thereof, until a certificate of completion indicating that all work has been completed to the satisfaction of the Town is signed by the Board's designated inspector. However, occupancy permits may be issued for a portion of any building or structure if the only incomplete work shown on the site plan is landscaping or minor site work, provided that surety is posted with the Town Clerk in an amount to be set by the Planning Board at a regular meeting. The applicant may request a waiver from this requirement. The Planning Board shall establish a deadline for completion of one year from the posting of the surety. The Planning Board may require surety to be posted for site work in addition to landscaping if an unusual or unexpected event prevents the applicant from completing the site work. This allowance is subject to the review by the Planning Board by a site inspection to insure the safety and health of those who occupy the structure and use the site. This allowance may not be used for incomplete stormwater management**



areas or for wetlands replication that may be required by the Conservation Commission.

AT&T acknowledges this provision of the Bylaw.

300-113 Time frames.

- A. Five-year limitation. Active development or at least substantial progress toward implementation of the approved site plan must occur within five years or the approval becomes void. In the event that an applicant is unable to meet the requirements of this article within the requisite period, the applicant may request an extension for completion or substantial development.**

AT&T acknowledges this provision of the Bylaw while reserving all rights.

- B. Extensions. The Planning Board may extend approvals for an additional two-year period, such extension not to be reasonably denied. Thereafter, extensions may be granted on a year-to-year basis. A request for extension, accompanied by a schedule of completion, shall be completed by the applicant and filed with the Board in advance of its scheduling a hearing on the extension request at a regular or special Board meeting.**

AT&T acknowledges this provision of the Bylaw while reserving all rights.

300-114 On-site construction changes.

An applicant may make limited on-site changes to an approved site plan. Said changes shall be based on unforeseen conditions, situations, or emergencies. Prior to undertaking the on-site alterations, the applicant shall submit to the Planning Department a written request detailing the proposed changes and a copy of said request shall be provided to the Planning Board. The Planning Director, or their designee, shall review the request and may approve limited on-site changes that are generally consistent with the approved site plan or require Planning Board review of the request if the proposed changes are of such a nature or magnitude that they would unreasonably compromise the basis of approval under §§ 300-109 and 300-110. The Board may review any request for on-site construction changes under general business and may either approve, modify or deny the requested on-site changes. Said request shall not be unreasonably denied. An appeal of the Planning Director's, or their designee's, decision on a limited on-site change shall be heard by the Planning Board.



AT&T acknowledges this provision of the Bylaw while reserving all rights.

300-115 Fees and costs.

An application fee shall be filed with the Planning Department at time of submission of the complete application. The application fee will be considered nonrefundable when the application is stamped as received by the Town Clerk. The Board may require special investigative studies, such as traffic impact analysis or other studies necessary to make an informed decision, and shall not include any aspects of investigative study which are redundant or duplicative to that of any other local boards or commissions. Expert services may be required by the Planning Board to review plans or documents. Please refer to the Planning Board's Rules and Regulations for a project review cost estimate. The applicant shall be advised of the costs prior to the studies being performed. The fees shall be paid prior to the studies being performed and will be held in escrow. An accounting of the escrowed funds shall be provided to the applicant on a regular basis and any unused balance will be returned to the applicant.

AT&T acknowledges this provision of the Bylaw. AT&T respectfully asserts that it has submitted Plans and materials of sufficient detail for the Board to render an informed decision and that additional studies are unnecessary given the limited scope of this project.

300-116 Performance guaranty or bond.

The Board will require that the applicant file with the Board a bond, deposit of money, negotiable securities or other such surety acceptable to the Planning Board to cover costs of any construction on streets, utilities and other site improvements which, if left incomplete, could present a public hazard or nuisance. A performance agreement between the applicant and the Town will specify the manner in which the on- or off-site improvements will be completed and the specific manner in which the surety will be released.

AT&T will work with the Board and post a surety in a mutually agreeable form and amount.

THE TELECOMMUNICATIONS ACT OF 1996

The Federal TCA provides that: no laws or actions by any local government or planning or zoning board may prohibit, or have the effect of prohibiting, the placement, construction, or modification of communications towers, antennas, or other wireless facilities in any particular geographic area, see 47 U.S.C. §332(c)(7)(B)(i); local government or planning or zoning boards may not unreasonably discriminate among providers of functionally equivalent services, see 47 U.S.C. §332(c)(7)(B)(i); health concerns may not be considered so long as the emissions comply with the applicable standards of the FCC, see 47 U.S.C. §332(c)(7)(B)(iv); and, decisions must



Town of Salisbury
May 3, 2022
Page 28

be rendered within a reasonable period of time, see 47 U.S.C. §332(c)(7)(B)(ii) and the FCC's Regulations, commonly referred to as the "Shot Clock". The "Shot Clock" in this instance is sixty (60) days from the date of application. Pursuant to the Spectrum Act, the proposed modifications must be approved if they don't substantially change the physical dimension of the Water Tank as defined in the Regulations.

CONCLUSION

As evidenced by the materials submitted with the Application, and as will be further demonstrated by AT&T by evidence submitted to the Board at the public hearing(s) in connection herewith, in light of the Spectrum Act and the TCA, the proposed Generator satisfies the intent and objectives of the Bylaw. The Generator will be installed within the existing fenced compound area and 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 codes and regulations and will comply with all applicable requirements of the Massachusetts building code. The Generator will not cause any nuisance such as unreasonable noise, vibration, smoke, odor or dust. Further, the Generator will help to improve communication coverage to residents, commercial establishments and travelers through the area and improves network connections in this area of the Town of Salisbury. The Generator will assist AT&T's facility to 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 even in times of extended power outages. The installation of the proposed generator has been approved by the Salisbury Conservation Commission.

AT&T respectfully requests that the Board grant all necessary relief to install, operate and maintain the Generator. Accordingly, a denial of the foregoing petition would violate the Spectrum Act and materially inhibit AT&T from providing adequate service to the Town of Salisbury during power outages and thus would be contrary to the purpose and intent of the TCA.

Sincerely,

BROWN RUDNICK LLP

/s/Edward D. Pare, Jr.
Edward D. Pare, Jr., Esq.

ATTACHMENTS

1. Site Plan Approval Application Form
2. Special Permit Application Form
3. FCC Regulations
4. FCC Licenses
5. Plans
6. Generator Specifications
7. Generator Platform and Foundation Analysis
8. Special Permit Decision Dated June 15, 2021
9. Minor Site Plan Decision Dated June 14, 2021
10. Order of Conditions (MA DEP File #065-1268)

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