

**TOWN OF DEDHAM  
ZONING BOARD OF APPEALS  
26 BRYANT STREET, DEDHAM, MASSACHUSETTS 02026**



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**DECISION**

**Applicant:** Sprint Spectrum LP, c/o Martin Cohen, HPC Development LLC as agent, 400 Trade Center, Suite 5900, Woburn, MA

**Project Address:** 200 West Street

**Property Owner:** Norfolk County House of Correction

**Case #:** VAR-01-12-1476

**Map/Lot:** 101/1

**Zoning District:** Single Residence A

  

**Date of Application:** January 20, 2012

**Date of Hearing:** February 15, 2012, 7:30 p.m.

**Members Present and Voting:** James F. McGrail, Esq., Chairman, J. Gregory Jacobsen, Vice Chairman, Scott M. Steeves, Jason L. Mammone, P.E., Jessica L. Porter

  

**Applicant Representative:** Martin Cohen, Esq.

**Petition:** Modification of an existing wireless communications facility

**Section of Zoning By-Law:** Town of Dedham Zoning By-Law Sections 8.3 and 9.2

**Date of Filing with Town Clerk:** February 28, 2012

The Zoning Board of Appeals ("ZBA") of the Town of Dedham, Massachusetts held a public hearing on Wednesday, February 15, 2012, at 7:00 p.m. in the Town Office Building, 26 Bryant Street, Dedham, MA. Present at the hearings were members of the ZBA, James F. McGrail, Esq., J. Gregory Jacobsen, Scott M. Steeves, Jason L. Mammone, P.E., and Jessica L. Porter. The hearings and meetings of the ZBA were duly advertised in accordance with the requirements of MGL Chapter 40A, Section 11.

At 7:30 p.m. on Wednesday, February 15, 2012, the Chairman called for the hearing on the request of Sprint Spectrum LP, c/o Martin Cohen, HPC Development LLC as agent, 400 Trade Center, Suite 5900, Woburn, MA for a Special Permit to modify an existing wireless communications facility at 200 West Street, Dedham, MA. *Town of Dedham Zoning By-Law Sections 8.3 and 9.2.*

The Applicant requested that the Zoning Board of Appeals grant the following Special Permit:

- Removal of three (3) CDMA antennas, replaced by three (3) multi-mode (800 and 1900 MHz) antennas;
- Removal of Sprint modcell radio cabinet, replaced by one (1) Sprint multimode cabinet in the same location;
- Removal of Clearwire cabinets;

- Removal of CDMA co-axial cables, replaced by hybrid cables;
- Addition of three (3) (one per sector) small 800 MHz remote radio heads (each, an “RRH”) and three (3) (one per sector) 1900 MHz RRHs mounted to the monopole behind the proposed replacement antennas;
- Addition of one (1) battery back-up cabinet;
- Addition of a fiber distribution box, to be installed within the existing fenced equipment area

The one-and-a-half page minutes from the hearing are incorporated herein by reference.

Mr. Cohen submitted a package to the Zoning Board of Appeals explaining the specifications and proposals for modification of the wireless facility on the monopole at said address. Sprint Spectrum will be upgrading its equipment on the monopole at 200 West Street, which is in the Wireless Overlay District. They are starting Network Vision, a nationwide initiative that will deploy a cost-effective, innovative network plan to further enhance voice quality and data speeds for customers. As a result, they will be installing new equipment as depicted above. He explained the specifications and equipment that are currently installed on the monopole, and noted that the antennae number will remain the same. There will be a new equipment pad, about the size of a refrigerator, that will contained within the fenced compound. The antenna will be longer at about six feet long, but the size will not be discernible to neighbors. He did note that he will be seeing both the Design Review Advisory Board and the Planning Board for site planning.

Upon motion duly made by Scott M. Steeves and seconded by J. Gregory Jacobsen, the ZBA voted unanimously to grant the requested Special Permit. In granting said special permit, the ZBA, based upon the testimony before the ZBA and after consideration of the various factors set forth in the Dedham Zoning By-Law, finds that the proposal satisfies the criteria and standards for a special permit in Chapter 40A, Section 9, to wit: that the adverse effects of the proposed use will not outweigh its beneficial impacts to the town or neighborhood.

Applicant is advised that, in accordance with MGL Chapter 40A, Section 11, a copy of this decision bearing the certification of the Dedham Town Clerk that twenty (20) days have elapsed after the decision has been filed with the Dedham Town Clerk and no appeal has been filed or that has been filed within such time shall be recorded in the Norfolk County Registry of Deeds or the Land Registration Office of Norfolk County. Applicant is further advised that no waivers/variance will be issued by the Building Department until evidence is presented that this decision has been recorded in the Norfolk County Registry of Deeds. The Applicant should furnish the Zoning Board of Appeals with a receipt from the Registry of Deeds indicating that the decision has been filed.

Dated: February 28, 2012

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James F. McGrail, Esq.

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J. Gregory Jacobsen

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Scott M. Steeves

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Jason L. Mammone, P.E.

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