

**Franklin Zoning Board of Appeals  
For Meeting Held On  
Thursday, August 11, 2016  
355 East Central Street  
Franklin, MA 02038**

**Members Present  
Bruce Hunchard  
Timothy Twardowski  
Philip Brunelli**

**71 Forge Hill Road- Franklin Community Cable Access, Inc. DBA Franklin T.V.  
Abutters: None Present**

Applicant is seeking a building permit to install a 120' radio tower. The building permit is denied without a variance from the ZBA. Appearing before the Board is Ken Norman, President of Franklin Community Cable and Peter Fasciano our executive director. Several years ago the FCC opened up an opportunity for nonprofit organizations to get a radio FM license. Peter was following that and he thought that this would be a good opportunity for Franklin TV to expand its operation into an FM radio station and Peter is basically the brains of the operations in terms of engineering it, he got the license to build from the FCC and we have identified a site where we would like to locate the tower and I will let Peter take over from here. Peter: In short, when we filed for the license we filed for a community radio station, so our filing was really on behalf of The Town of Franklin so this is effectively the town's radio station as a nonprofit organization, we operate under contract to the town, that contract is renewed every 10 years. So while we are not formally part of government we regard the town our number one client. That said, our charter calls for us to develop all forms of media present and future. When this opportunity came up, we put in an application, there were 81 applicants in Massachusetts, only 20 were awarded, we were one of the lucky ones. This is also coordinated with Fire and Police, in terms of Public Safety communications and these licenses are also used for that. In the meantime, the FCC awarded us a 3 year construction permit, we have been working on doing the various studies necessary, I've concluded after a lot of engineering work that the best site is indeed on Forge Hill, putting a tower adjacent to the existing cell towers, the tower that we would erect would be very similar in fashion, in fact it is probably the same manufacture that put the tower behind the Fire Station, Rohn Manufacturing, to give you an idea what we intend to do. The tower serves two purposes, the encircled antennas that you see on the screen are actually the Town's antennas, and those are Police and Fire antennas that are currently located on the tallest tower on Forge Hill. The town pays for that space, right now I believe its \$6,000.00 a years, something like that and that space is becoming a bit more valuable. We enquired of the Tower holders about putting our antenna on one of those towers, originally the price was going to be \$5,000 it is already accelerated to \$12,000 a year. The reason is because Tower space is becoming a lot more precious because of changes in FCC licensing. So we also examined the idea of constructing our own Tower for the purposes of supporting the FM station and town Police and Fire, so the net result is we would take the antenna that the Town has on Forge Hill, locate them to our tower which is within 200 feet away from the existing tower and thus the Town would have a new home for emergency communications which would be under direct care custody and control. Right now the town operates under a lease and at any point of time that lease may not be renewed because the Tower owners may wish to use it for more valuable pursuits, so this would ensure continuance of the towns emergency services on the hill plus support our FM Station. Board: Will the DPW radio be on there? Peter: It can be, whatever the town wishes to put on there is what we will support. This is a rendering that I have created in

Photo Shop of what we would add, so this is a tower that you see on the Westerly edge of the DPW site and you can see that it is only about 150 feet or so away from the existing tower cluster. The tallest tower is what you saw in the earlier photo that contains the town's antennas. Board: Is 120 feet going to do it for you? Peter: Yes Board: How tall are those other ones? Peter: The other one is 160 feet but the town's antenna is only at the 100 foot mark. So basically talking about providing equivalent service on a shorter tower because the town would be at the top of it and our FM antenna would be below that. Board: You don't anticipate anybody else wanting to rent space from you do you? Peter: We do not know that, there is potential that cellular companies might be calling looking for space because it will become a premium. Our agreement with the Town is that basically we won't have anybody else on the Tower unless the town approves it. The Town is the primary customer. So we would like to start construction before the season falls down. Our construction permit lapses in February, we have been researching this for 2 years, originally we were looking at a site on Fisher Street, it's very difficult for us to position an FM tower these days because the dial is so restricted and so crowded but we were fortunate enough to basically find three locations in Franklin where our FM antenna could go Forge Hill being the most suitable not only for the FM but for the Town. The other sites have more difficulty with wetlands and so on. I am working to try to streamline the whole process, so the net of it is the town wouldn't have to pay rent anymore for the tower space, if I can suitably engineer a way to get signals up there for everyone then that's another cost saving not having to rent coper lines. We would also provide in the small building you see in the photo, we would provide space for the towns equipment that would be constructed according to federal standards as all cell towers are. When you rent space on a cell tower, they don't give you a building, you still have to put up your own building, find your own electricity. So we would take care of all of that. Board: In terms of the tower style, under the by-law the wireless companies have to do a monopole style as opposed to the lattice, can you address why this style rather than monopole? Peter: It is more robust than the monopole. Also it is easier to modify, maintain. Board: Is this free standing? Peter: It is free standing. Board: We got a couple memos (SEE ATTACHED) one is from the Fire Department: The purpose of this memorandum is to support the erecting of the above referenced radio antenna. We have been in discussion with Franklin TV to allow both Fire and Police department to migrate our antennas from our current site to this new site. The migration will allow the departments to have a more secure option for our radio functions as well as provide more rapid access to the equipment in case of an emergency. In brief, we believe the public safety agencies in Franklin will benefit greatly from this project and thus are in full support. Please contact me should you have any questions or require any additional information. We are in receipt of another memorandum dated Aug 2<sup>nd</sup> from the Franklin Conservation Commission, George Russell. I would like to make the Board aware that my office has been working with the applicant on this project to determine if the activity falls within Conservation Commission jurisdiction. The final determination has not yet been made. One other Note from the YMCA dated August 10<sup>th</sup>: Our Bernon Family Branch YMCA has received notification of the plans to build a radio tower on town owned property located at 71 Forge Hill Road. We understand that this project will benefit the town both by improving fire and police communications, and allowing for an FM radio station run by Franklin Community Cable Access, which will provide local news to residents and educational opportunities for students. Because of the benefits to the town, our YMCA is in full support of this project. If you have any questions, please feel free to contact me. Sincerely, Scott Martin. Tim Twardowski motioned to close public hearing. Seconded by Philip Brunelli. Unanimous by Board. Motioned by Tim Twardowski to make a motion to approve the request for a variance for Franklin Community Cable Access, Inc. DBA Franklin T.V. to construct a 120 foot radio tower for use by WFPR FM, and Franklin Police, Fire Communications and any present and future needs of the towns communications at 71 Forge Hill Road, Franklin as shown on

plans by Guerriere & Halnon, Inc entitled Proposed WFPR-LP Radio Tower Franklin Massachusetts dated July 8<sup>th</sup>, 2016. Seconded by Philip Brunelli. Unanimous by Board.

**21 Peck Street and 180 Cottage Street-Madalene Village-MV Cottage Development LLC  
Abutters: See Attached**

Applicant is seeking a building permit to construct a 40 Unit townhome style development. The building permit is denied without a comprehensive permit from the ZBA. Board: We are in receipt of a letter (SEE ATTACHED) from SEB LLC dated August 11, 2016: We respectfully request a postponement of MV Cottage Development, LLC next appearance before the Zoning Board of Appeals until Thursday evening September 8<sup>th</sup>. As you are aware, we were originally scheduled to appear at the August 11<sup>th</sup> public hearing. The Applicant and team of professionals is preparing a more detailed analysis on key issues per the request of the Board and its peer review consultants. We look forward to continuing this discussion with the Board in greater detail on September 8<sup>th</sup>. We anticipate providing materials to the Board and its consultants in advance of the meeting. Signed Geoffrey Engler, Consultant to MV Cottage Development, LLC. Philip Brunelli motioned to continue the hearing until September 8<sup>th</sup> at 7:35PM. Seconded by Timothy Twardowski. Board: I would like to make a request that any additional materials, plans ect. that they plan to submit that we receive them at least week in advance from the meeting. Unanimous by Board.

General Discussion

- Motion by Philip Brunelli to approve minutes of July 28, 2016. Second by Bruce Hunchard. Abstained by Timothy Twardowski.

**Signature** \_\_\_\_\_

**Date** \_\_\_\_\_