

PLAPC

PARISI LAW ASSOCIATES, P.C.

**APPLICATION FOR
SPECIAL PERMIT
(Planning Board)
AND
APPLICATION FOR VARIANCE(s)
(Zoning Board of Appeals)
FOR WIRELESS COMMUNICATION FACILITY**

Applicant: Vertex Towers, LLC
Site Id: VT-MA-3142A
Property Address: 1. 14 Main Street, Hubbardston, MA 01452 (facility)
2. 9 Brigham Street, Hubbardston, MA 01452 (access)
3. 7 Brigham Street, Hubbardston, MA 01452 (access)
Tax Assessors: 1. 8A-41 (facility)
2. 8A-49 (access)
3. 8A-51 (access)
Property Owner: 1. Wayne F Taylor and Mary J. Taylor
2. Peter H. and Margaret A. Aalto
3. Renee R. Olson
Date: April 4, 2022

1. Application for Special Permit and Application for Site Plan Review (Planning Board)
2. Application for Variance (Zoning Board of Appeals)
3. Filing Fees
4. Abutters List and Assessors Map
5. Letter of Authorizations
6. Deeds and Easements
7. Letter of Intent (AT&T Wireless)
8. Project Narrative
9. TOWAIR (FAA Analysis re No Hazard to Air Navigation)
10. Affidavit of Site Acquisition Specialist
11. Affidavit of RF Engineer and RF Coverage Maps
12. Site Emissions Report
13. draft Removal Bond
14. Environmental and Community Impact Analysis
15. Site Plans

Respectfully submitted,



Francis D. Parisi, Esq.
Parisi Law Associates, P.C.
225 Dyer Street
Providence, RI 02903
(401) 447-8500 cell
fparisi@plapc.com

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Office of
The Planning Board
 7 Main Street, Unit #7
 Hubbardston, MA 01452
Application for Special Permit

APPLICANT'S NAME:	Vertex Towers, LLC
APPLICANT'S ADDRESS & PHONE NUMBER:	c/o Parisi Law Associates, P.C. 225 Dyer St, Providence, RI 02903 (401) 447-8500
LOCATION:	14 Main Street (facility) and 9 Brigham Street and 7 Brigham Street (access)
ADDRESS OF ABOVE:	Hubbardston, MA 01452
DEED DULY RECORDED IN WORCESTER COUNTY REGISTRY OF DEEDS:	BOOK # <u>44747</u> PAGE # <u>395</u> AND BOOK # <u>16929</u> PAGE# <u>166</u> AND BOOK# <u>42070</u> PAGE# <u>300</u>
ASSESSOR'S	MAP # <u>8A</u> PARCEL(S) # <u>41 (FACILITY) AND 49 AND 51 (ACCESS)</u>
ZONING DISTRICT WHERE PROPERTY IS LOCATED:	14 Main Street (facility): Town Center (and Wireless Communications Overlay District) 9 Brigham Street (access): Residential Agricultural 7 Brigham Street (access): Residential Agricultural

I hereby request a hearing before the Planning Board, the Special Permit Granting Authority of Hubbardston, Massachusetts, with reference to the above application. In the event that a Special Permit is granted, I will record same with the Worcester County Registry of Deeds or Land Court.

Vertex Towers, LLC

Wayne & Mary Taylor and Peter & Margaret Aalto and Renee Olson

BY [Signature] Francis D. Parisi, Esq., Auth Agent 4/6/22
 Signature of Applicant Date

BY [Signature] Francis D. Parisi, Esq., Auth Agent 4/6/22
 Signature of Owner of Record Date

Pursuant to the provisions of M.G.L. Chapter 40, Section 57, certification that no debt is owed to the Town of Hubbardston by the applicant or owner of record must be obtained from the Tax Collector **before** this form is submitted to the Planning Board.

No Debt is Owed: _____

DEBT IS OWED: _____

 Signature of Tax Collector Date

Date Application Received by Planning Board: _____

Fee: \$150.00 payable to the Town of Hubbardston. Along with the application, please submit the permit fee, list of abutters certified by the Assessor's Department and drawn plan detailing your proposal.



Town of Hubbardston Office of the Planning Board

APPLICATION FOR SITE PLAN APPROVAL

Applicant Vertex Towers, LLC

Location 14 Main Street (facility) and 9 Bingham Street and 7 Bingham Street (access)

Owner of Record Wayne and Mary Taylor, Peter and Margaret Aalto and Renee Olson

Address of Owner 14 Main St, Hubbardston, MA 01452 / 9 Bingham S, Hubbardston, MA / 7 Bingham St, Hubbardston, 01452

Deed duly recorded in Worcester County Registry of Deeds

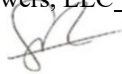
Book 44747 Page 395 and Book 16929 Page 166 and Book 42020 Page

Assessors Map No. 8A Parcel No. 41 (facility) and 49 and 51 (access)

Zoning District where property is located Town Center (facility) and R/A (access)


Nature of Application telecommunications facility and access driveway

I hereby request a hearing before the Planning Board of Hubbardston, Massachusetts, with reference to the above application.

Vertex Towers, LLC
By: 

Francis D. Parisi, Auth Agent

Signature of Applicant

Wayne and Mary Taylor, Peter and Margaret Aalto and Renee Olson
By: 

Francis D. Parisi, Auth Agent

Signature of Owner of Record

Date Application received by Planning Board _____

Fee: \$150.00 payable to Town of Hubbardston

Along with application please submit Site Plan, Fee, and a list of abutters certified by Assessor's Department.

Planning Board Signatures _____

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Town of Hubbardston Zoning Board of Appeals, Application Form 1
APPLICATION FOR PUBLIC HEARING BEFORE THE ZONING BOARD OF APPEALS

FEE \$200.00

The undersigned hereby requests the Hubbardston Zoning Board of Appeals to: (check one)

GRANT A VARIANCE. State reason for denial of building permit as given by Building Commissioner See attached Letter of Denial

OVERRULE THE DECISION of the Building Commissioner with regard to an enforcement order *OR* (explain other reason) _____.

1)a) Print name and address of applicant:	b) Print name and address of owners (if different):
<u>Vertex Towers, LLC</u>	<u>Wayne and Mary Taylor, Peter and Margaret Aalto and Renee Olson</u>
<u>c/o Parisi Law Associates, P.C.</u>	<u>c/o Parisi Law Associates, P.C.</u>
<u>225 Dyer Street, Providence, RI 02903</u>	<u>225 Dyer Street, Providence, RI 02903</u>
Phone <u>401 447 8500</u>	Phone <u>401 447 8500</u>

2) Street address of the land and/or building that is the subject of this application:
14 Main Street (facility) and 9 Brigham Street and 7 Brigham Street (access)

3) Hubbardston Assessor's Map #8A Parcel # 41 (facility) and 49 and 51 (access)

4) Zoning District in which the property cited herein is located (circle one):
a) Residential/Agricultural b) Commercial/Industrial c) Town Center District

5) Deed to the subject land showing landowners and holders of title can be found on Worcester District Registry of Deeds Book # 44747, Page # 395. (Attach certified copy)
And Book 16929 Page 166 and Book 42070 Page 300

6) If requesting a variance, state the specific Hubbardston Zoning Bylaw Article # 5, Section # 5.3.e.2, and Description Heading Access Drives from which relief is sought. (and Article 18, Section 18.4.2.c Location and Setbacks if necessary).

Please answer question 7 or 8 on a separate sheet and attach to your application.

7) *If requesting an appeal* of a decision made by the Building Commissioner, state the reasons for your grievance and the basis on which the Board of Appeals should overrule that decision. Under Massachusetts General Law, your application must be filed within thirty (30) days from the date of the decision being appealed.

8) *If requesting a variance* under MGL Chapter 40A, §10 and Hubbardston Zoning Bylaws §10.1, state the following: **SEE ATTACHED PROJECT NARRATIVE**

a) What circumstances there are that relate to the soil conditions, shape, or topography of the land or structures in question, especially affecting such land or structures but not generally affecting the zoning district in which they are located.

- b) What substantial hardship would occur to you, financial or otherwise, if the Board of Appeals should deny your request for a variance, and why the hardship would be caused by circumstances stated in (a) above.
- c) Why the relief you seek would not be detrimental to the public good.
- d) Why the relief you seek may be granted without nullifying or substantially derogating from the land use and environmental objectives of the Hubbardston Zoning Bylaws.

9) Refer to the Instruction Sheet for additional information that must be included with the Application Form 1.

10) **Signatures:** By signing below, the owner grants permission to the Board to enter onto the subject property for purposes of verification and review with regard to this application.

a) Signature of Applicant(s):

Vertex Towers, LLC

By:  Francis D. Parisi, Esq. Auth Agent

Date: 4/6/22

b) Signature of Owner(s) (REQUIRED):

Wayne and Mary Taylor, Peter and Margaret Aalto and Renee Olson

By:  Francis D. Parisi, Esq. Auth Agent

Date: 4/6/22

FOR TOWN CLERK USE ONLY

INSTRUCTIONS - Zoning Board of Appeals Application Form 1

- 1) Fill out the application form completely. Any missing information will cause your application to be returned to you.
- 2) In the top section of the application, check off whether you are applying for a variance or appealing a decision made by the Building Commissioner.
- 3) Include the following information with your application package:
 - a) **Letter of denial** from the Town Board or Official (i.e., Building Commissioner) from whom you are seeking the variance or relief.
 - b) A true copy of **plot plans of the subject property** (available from Worcester County Registry of Deeds or owner's mortgagor) showing lot lines, location of septic system and well, all existing and proposed buildings with the exact dimensions of setbacks and distances from each other, all underground utilities, and adjoining streets.
 - c) A certified copy of the **deed for the property** showing current ownership.
 - d) Any special permit **applications and/or decisions** by town agencies that involve the proposed use.
 - e) A **statement** signed by the property owner explaining reason(s) for variance request. Include any exhibits, plans, and legal opinions you want included in your hearing presentation.
 - f) A **certified abutters list** with names and addresses of all abutters to the property cited in this application, all owners of land directly opposite the land cited herein, and all abutters to the abutters who are within 300 feet of the land cited. This is available from the Assessor's Office and requires an additional fee.
 - g) A copy of the Hubbardston **Assessor's map** showing the subject parcel.
- 4) Submit 8 copies of the complete application package to the Town Clerk along with an application fee of \$200.00 made payable to the "Town of Hubbardston." (You may want to keep an additional copy for your records.)

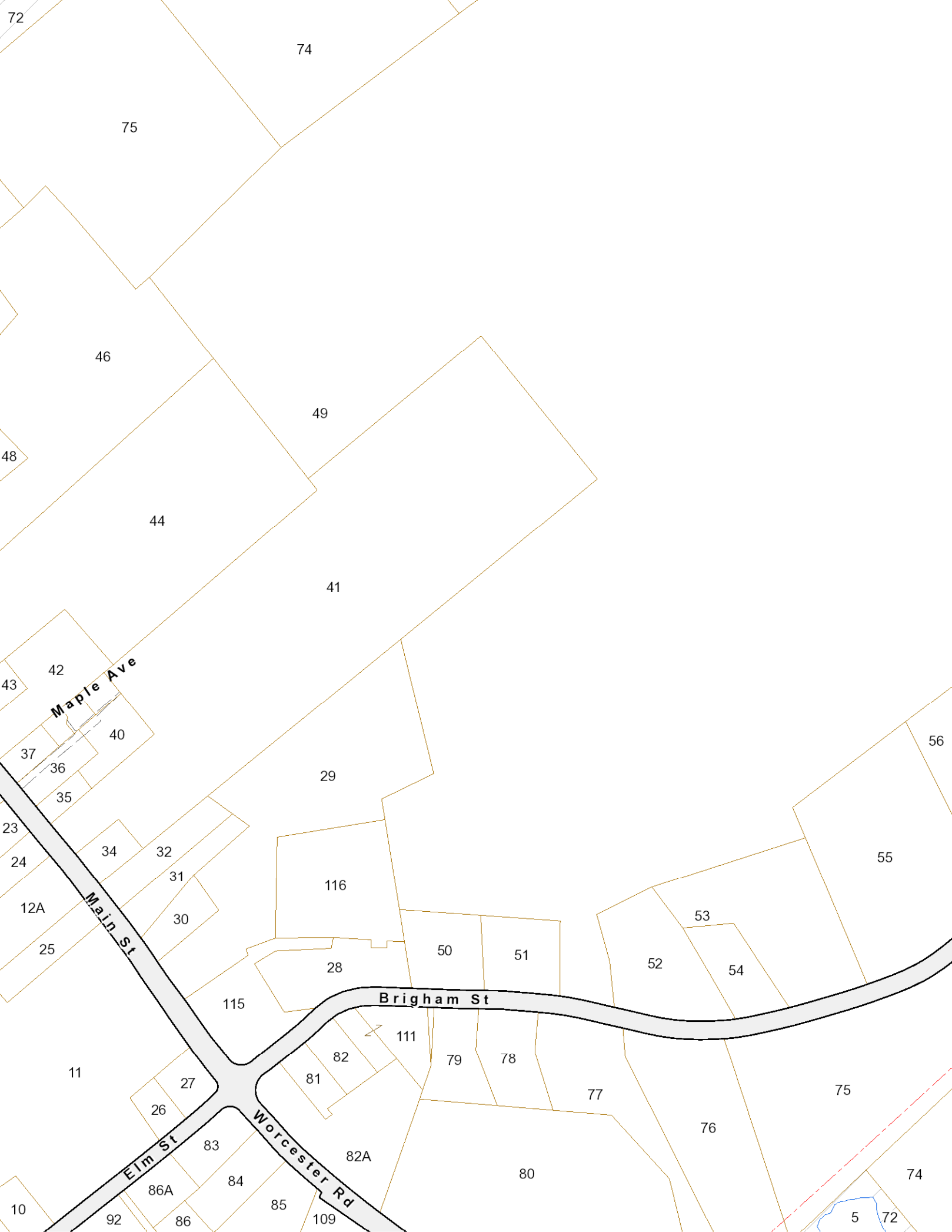
TIME TABLE AND ADDITIONAL INFORMATION FOR APPLICANT

- Applicant and owner will be notified by mail of the date and time of the scheduled public hearing. Massachusetts General Law requires the initial public hearing to be held within 65 days of filing with the Town Clerk.
- Notice of the hearing will also be published in *The Gardner News* at least 14 days in advance of the public hearing.
- The Board of Appeals must render a decision within 100 days of the filing date.
- There is a 20-day appeal period after the date of decision. After this time, the Town Clerk will certify the decision, indicating whether any appeals have been filed.
- **No variance shall take effect until the decision bearing the Town Clerk's certification has been recorded with the Worcester Registry of Deeds.**

Keep this instruction page as a reference.

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Maple Ave

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24

31

12A

30

25

116

56

55

Main St

53

54

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51

52

115

Brigham St

111

82

79

78

11

27

81

77

75

26

83

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86A

84

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82A

74

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Worcester Rd

5

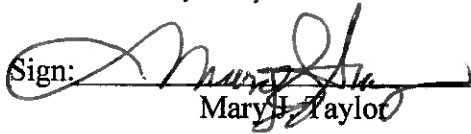
LETTER OF AUTHORIZATION

We, Wayne F. Taylor and Mary J. Taylor, are owners of a certain parcel of land located at 14 Main Street in the Town of Hubbardston, Worcester County, Commonwealth of Massachusetts, which is depicted as Lot 41, on Assessor's Map 8A, and being further described as the same real property conveyed by that certain deed recorded in Deed Book 44747 at Page 395 of the Worcester County Registry of Deeds ("Property").

As owners of the above-referenced Property, we hereby authorize Vertex Towers, LLC and any of its designated agents or assigns, to apply for all necessary municipal, state, federal and other permits necessary to accommodate the installation of a wireless telecommunication facility on our Property.

Sign: 
Wayne F. Taylor

Date: 10/12/21

Sign: 
Mary J. Taylor

Date: 10/12/21



LETTER OF AUTHORIZATION

We Peter H. Aalto and Margaret A. Aalto with a mailing address of P.O. Box 272, Hubbardston, MA 01452, owners of a certain parcel of land located at 9 Brigham Street in the Town of Hubbardston, Worcester County, Massachusetts, which is depicted as Lot 49, on Assessor's Map 8, and being further described as the same real property conveyed by that certain deed recorded in Deed Book 16929 at Page 166 of the Worcester County Registry of Deeds.

As owners of the above-referenced property, We, hereby authorize Vertex Tower Assets, LLC and any of its designated agents or assigns, to apply for all necessary municipal, state, federal and other permits necessary to accommodate the installation of a wireless telecommunication facility on our property.

Sign: Peter H Aalto
Peter H. Aalto
Date: 10/24/19

Sign: Margaret A. Aalto
Margaret A. Aalto
Date: 10/24/19

LETTER OF AUTHORIZATION

I, Renee R. Olson, am the owner of a certain parcel of located at 7 Brigham Street, Hubbardston, Massachusetts, also known as Lot 51 on Assessor’s Map 8A and being further describes as the same real property conveyed by that certain deed recorded in Deed Book 42070, Page 300 of the Worcester County Registry of Deeds (the “Property”).

As owner of the Property, I have granted Vertex Towers, LLC a nonexclusive easement through the Property to access the Adjacent Property, Lot 49 on Map 8A, (the “Adjacent Property”). I hereby authorize Vertex Towers, LLC and any of its designated agents or assigns, to apply for all necessary municipal, state, federal and other permits necessary for the access through the Property, to the Adjacent Property for the installation of a wireless telecommunication facility.

DocuSigned by:
Renee R. Olson
580600CEB84D4ED...
Sign: _____
Renee R. Olson

Date: 5/26/2022

6



2009 00099742

Bk: 44747 Pg: 395

Page: 1 of 3 08/21/2009 09:06 AM WD

Property Address: 14 Main Street, Hubbardston, MA

125/1 ✓

QUITCLAIM DEED

We, **WAYNE F. TAYLOR and MARY J. TAYLOR**, both of Hubbardston, Worcester County, Massachusetts, for consideration of **Less Than One Hundred Dollars and 00/100 (\$100.00)**, grant to **WAYNE F. TAYLOR and MARY J. TAYLOR**, Husband and Wife, as Tenants by the Entirety, both of 14 Main Street, Hubbardston, Worcester County, Massachusetts, with **QUITCLAIM COVENANTS**,

A certain parcel of land with the buildings thereon situated on the northeasterly side of Main Street, in said Hubbardston, Worcester County, Massachusetts, bounded and described as follows:

BEGINNING at the most southerly corner thereof, at a point in the northeasterly line of Main Street, at land of one Wheeler;

THENCE North 38 ½ ° West by the said line of Main Street, 101.64 feet to a stone bound at land of one Hannula;

THENCE North 50° East by land of one Hannula and land now or formerly of Howard B. Taylor et ux, 325.4 feet to an iron pipe;

Please return to: Karen Scharfenberg-Ferraroni, Esq.
P.O. Box 835
Barre, MA 01005

THENCE North 34° West by land now or formerly of Howard B. Taylor et ux, 134 feet to a corner of a stone wall;

THENCE North 40° West by a stone wall, 66 feet to a corner;

THENCE North 50° East, 669.9 feet;

THENCE North 37 ¼° West, 44.88 feet;

THENCE North 50° East, 549.78 feet;

THENCE South 41 ½° East, 440.22 feet;

THENCE South 49 ½° West, 583.44 feet;

THENCE South 50 ½° West, 845.46 feet;

THENCE North 38° West by land of one Wheeler, 96.36 feet;

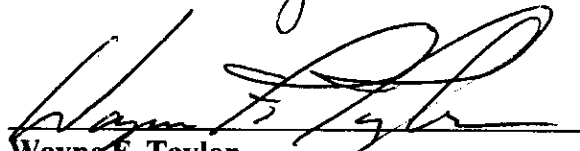
THENCE South 50 ½° West still by land of Wheeler, 149.16 feet to the northeasterly line of Main Street and the place of beginning.

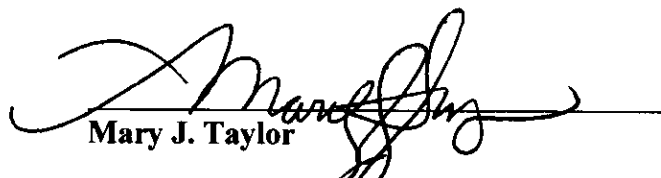
CONTAINING about 13 acres.

ALSO granting rights to enter the premises adjoining the second described course in the above-described parcel and on land now or formerly of Howard B. Taylor to repair and maintain the barn lying adjacent to said course and on the herein granted premises.

BEING the same premises conveyed to us by Deed dated March 10, 2000 and recorded with the Worcester District Registry of Deeds in Book 22525, Page 116.

Witness our hands and seals this 18 day of August, 2009.


Wayne F. Taylor


Mary J. Taylor

THE COMMONWEALTH OF MASSACHUSETTS

Worcester, ss.

August 18, 2009

On this 18th day of August, 2009, before me, the undersigned Notary Public, personally appeared Wayne F. Taylor and Mary J. Taylor, proved to me through satisfactory evidence of identification, which were valid Driver's Licenses, to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose.

Karen Schaeferberg-Ferraro
Notary Public
My Commission Expires: 11/06/09

21380

2500

Retn

Baron & Hines, P.C.
The Meadows Building
161 Worcester Road
Framingham, MA 01701

Mauno H. Aalto and Joan E. Aalto,

of Brigham Road, Hubbardston, MA

Worcester County, Massachusetts,

in consideration of One Hundred Sixty-Five Thousand
(\$165,000.00) Dollars

grant to

Peter H. Aalto and Margaret A. Aalto, husband and wife,
as tenants by the entirety

of

with quitclaim covenants

Brigham Road
Hubbardston, MA 01452

the land in

a certain tract or parcel of land situated near the
center Village of Hubbardston, in said County, bounded and
described as follows, to wit:

- BEGINNING at a point on the northerly line of the road to
Westminster near the Town Pound in the center line of a
right of way;
- THENCE N. 13° 58' E. by land now or formerly of one Maynard
and the center line of said right of way;
- THENCE westerly still by land of said Maynard and by land
formerly of one Green 386 feet, more or less, to the
cemetery;
- THENCE N. 5° W. 16 1/2 rods to a point;
- THENCE N. 75° E. 8 1/2 rods;
- THENCE N. 5° W. 20 1/2 rods;
- THENCE N. 58 1/2° E. 39 rods and 4 links;
- THENCE N. 34° W. 26 rods and 16 links;
- THENCE S. 58 1/2° W. about 32 1/2 rods to a point;
- THENCE N. 31° W. by land formerly of one Greenwood Morse and
one Willard, 40.8 rods to a stake and stones;
- THENCE N. 60° E. by land of one Wright and one Clark 96 rods
to a stake and stones;
- THENCE S. 17 1/2° E. 14 rods to a point;
- THENCE N. 79° E. about 50 rods to the easterly line of a road
as set forth in deed from William S. Clark, Jr. to Abel
Howe, dated Jan. 17, 1866, and recorded with Worcester
District Deeds, Book 725, Page 311;
- THENCE Southerly by land formerly of said Howe about 100 rods
more or less to a point;
- THENCE S. 55° W. about 2 rods and 18 links to a road one rod
wide and leading to the Westminster Road;

9 Brigham Road, Hubbardston, MA

95 MAR 17 PM 4:01

THENCE Southerly about 19 rods on the easterly side of said road leading to the Westminster Road, to said Westminster Road;

THENCE Westerly one rod by said westerly line of said Westminster Road;

THENCE Northerly by said line of said road 19 rods to the northerly line of land now or formerly of one Howe;

THENCE S. 55° W. 20 rods;

THENCE S. 62° W. 24 rods and 9 links;

THENCE 60° W. 21 rods and 13 links;

THENCE 13° E. 91 feet to a corner of walls;

THENCE 60° W. by a wall 416 feet;

THENCE S. 5° E. 10 rods;

THENCE S. 2° W. 8 rods to said Westminster Road;

THENCE Westerly by said road about 8 rods to the place of beginning.

Excepting, however, a possible right of way.

Meaning and intending to convey and hereby conveying the same premises conveyed to Tauno H. Aalto and Joan E. Aalto by deed of Hilma Aalto, dated January 11, 1974, and recorded with the Worcester District Registry of Deeds, Book 5851, Page 295.

Executed as a sealed instrument this 17th day of March 1995

Tauno H Aalto
Joan E. Aalto

RECORDS REG. 20
 WORCESTER

03/17/95
 RECEIVED

TAX 752.40
 CASH 752.40
 1000140 15:51
 EXCISE TAX

The Commonwealth of Massachusetts

Worcester ss. 3/17 19 95

Then personally appeared the above named Tauno H Aalto and Joan E. Aalto

and acknowledged the foregoing instrument to be their free act and deed

Before me, [Signature]
 Notary Public — Justice of the Peace
 My commission expires 19

Mary E. Campbell, Notary Public
 My Commission Expires
 December 23, 1999

ATTST: WORC. Anthony J. Vigliosa, Register

Worcester District Registry of Deeds - 20/20 Perfect Vision i2 Document Detail Report

Current datetime: 5/26/2022 2:24:09 PM

Doc#	Document Type	Town	Book/Page	File Date	Consideration
147759	DEED		42070/300	11/15/2007	100.00
Property-Street Address and/or Description					
7 BRIGHAM ST					
Grantors					
OLSON JAMES C, OLSON RENEE R					
Grantees					
OLSON RENEE R					
References-Book/Pg Description Recorded Year					
Registered Land Certificate(s)-Cert# Book/Pg					



QUITCLAIM DEED

We, **JAMES C. OLSON and RENEE R. OLSON**, of Hubbardston, Worcester County, Massachusetts,

for the full consideration of less than \$100.00, paid,

grant to **RENEE R. OLSON**, of 7 Brigham Street, Hubbardston, MA 01452,

with Quitclaim Covenants,

A certain parcel of land, with the buildings and other improvements thereon, situated in Hubbardston, Worcester County, Massachusetts, on the northerly side of Brigham Street, more particularly bounded and described as follows:

Beginning at a stone monument set in the ground in the northerly line of Brigham Street distant easterly, 164 feet from land now or formerly of the Town of Hubbardston, being also the southwesterly corner of the tract to be conveyed herein and the southeasterly corner of land now or formerly of Edmund S. Bennett; thence

N. 13° 15' E. by said Bennett land, 205.55 feet to a stone bound; thence

S. 76° 45' E. by said Bennett land, 188.45 feet to a stone bound; thence

S. 11° 30' W. by said Bennett land, 215 feet to the northerly line of Brigham Street; thence

N. 67° 07' W., 25.23 feet to a point; thence

N. 72° 35' W., 71.27 feet to a stone bound in the northerly line of said street; thence

N. 76° 53' W., 99.3 feet to the point of beginning, the last three courses being by the northerly line of Brigham Street, formerly known as Westminster Road.

Return to:
LeBlanc & Sans, Attys.
P.O. Box 463
Gardner, MA 01440

Property Address:
7 Brigham Street
Hubbardston, MA 01452

7 Brigham Street, Hubbardston, MA

Also conveying herewith all grantor's right and interest in said Brigham Street, together with a right of way six feet in width over land now or formerly of said Edmund S. Bennett, easterly of and adjoining the easterly line of the above described premises, extending from said northerly line of Brigham Street to the northeasterly corner of said granted premises.

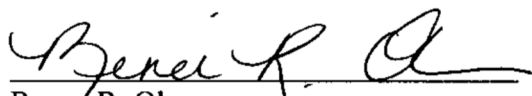
The above described premises are conveyed subject to a right of way, 6 feet in width, westerly of and adjoining the easterly line of the premises hereby conveyed and extending from said northerly line of Brigham Street to the northerly line of the granted premises.

The above described premises are conveyed subject to a building restriction as contained in deed from one Bennett to B. Frank Coffin recorded in Worcester District Registry of Deeds, Book 1240, Page 438, and also subject to agreements as to fencing, insofar as they may be in force, but without reviving or re-imposing the same.

Hereby conveying the same premises described in deed of Shirley E. Watson to James C. Olson and Renee R. Olson, dated October 25, 1996, recorded in said Deeds, Book 18349, Page 135.

Executed as a sealed instrument this thirteenth day of November, 2007.


James C. Olson


Renee R. Olson

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss.

On this 13th day of November, 2007, before me, the undersigned Notary Public, personally appeared JAMES C. OLSON and RENEE R. OLSON, proved to me through satisfactory evidence of identification, which were their Massachusetts drivers' licenses - _____, to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose.


Notary Public

My commission expires: 6-15-2012



HENRI L. SANS, JR.
NOTARY PUBLIC
COMMONWEALTH OF MASSACHUSETTS
My Commission Expires 06/15/2012

Record and Return to:
Vertex Towers, LLC
155 South Street, Suite 102
Wrentham, MA 02093

MEMORANDUM OF EASEMENT

This Memorandum of Easement evidences an Easement Agreement ("Easement") by and between Vertex Towers, LLC, a Massachusetts Limited Liability Company with a mailing address of 155 South Street, Suite 102, Wrentham, MA 02093, (the "GRANTEE") and Peter H. Aalto and Margaret A. Aalto, with a mailing address of P.O. Box 272, Hubbardston, MA 01452 (the "GRANTOR"), which Easement contains, among other things, the following terms:

1. GRANTOR has legal title to that certain parcel of land located at 9 Brigham Street in the Town of Hubbardston, Worcester County, Massachusetts, which is depicted as Lot 49, on Assessor's Map 8, and being further described as the same real property conveyed by that certain deed recorded in Deed Book 16929 at Page 166 of the Worcester County Registry of Deeds, which is more particularly described in the legal description in Exhibit "A" attached hereto. Subject to the terms of the Easement, GRANTOR has granted to GRANTEE a twenty foot wide nonexclusive easement and right-of-way for persons, vehicles and, utilities, over, upon, under, across, in, along and through the Property, to the abutting property, which is depicted as Lot 41, on Assessor's Map 8A, and being further described as the same real property conveyed by that certain deed recorded in Deed Book 44747 at Page 395 of the Worcester County Registry of Deeds ("Communications Facility" or "Abutting Property")
2. The Easement granted herein shall continue for so long as the GRANTEE's Agreement to construct, operate, upgrade, maintain and sublet a Communications Facility on the Abutting property remains in effect, unless earlier terminated by GRANTEE upon thirty (30) days' prior written notice to GRANTOR
3. Excepting, for a sale of the Property in its entirety, GRANTOR has granted GRANTEE a right of first refusal in connection with all requests, proposals or offers from any third party other than the GRANTEE to acquire or obtain any or all of GRANTEE's rights under this Easement.
4. Upon GRANTEE's completion of its construction of the Easement, GRANTEE may record a "Plan of Easement" at the Worcester County Registry of Deeds.

IN WITNESS WHEREOF, the parties hereto have fully executed this Memorandum as of the date last signed by a party hereto.

GRANTEE

By: _____
Name: Stephen Kelleher
Title: Manager
Date: _____

GRANTOR:

By: Peter H Aalto
Name: Peter H. Aalto
Title: Owner
Date: 1-5-22

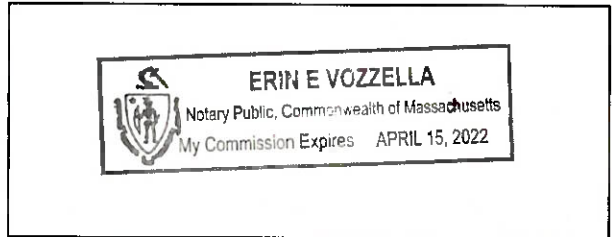
By: Margaret A. Aalto
Name: Margaret A. Aalto
Title: Owner
Date: 1/5/22

GRANTEE ACKNOWLEDGEMENT
COMMONWEALTH OF MASSACHUSETTS
COUNTY OF NORFOLK:

On the date below, before me personally appeared Stephen Kelleher, Manager of Vertex Towers, LLC, to me known (or proved to me on the basis of satisfactory evidence) to be the individual who executed the foregoing instrument, and he acknowledged said instrument by him executed to be his free act and deed in said capacity of Manager of Vertex Towers, LLC.

Date: 01/13/2022

Notary Public Signature: Erin E. Vozzella



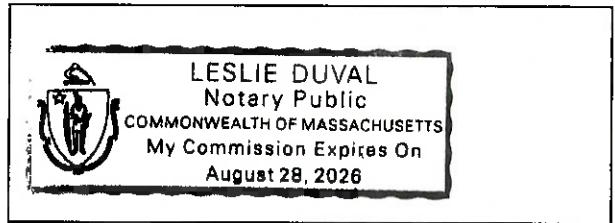
Notary Stamp or Seal

GRANTOR ACKNOWLEDGEMENT
COMMONWEALTH OF MASSACHUSETTS
COUNTY OF WORCESTER:

On the date below, before me personally appeared Peter H. Aalto and Margaret A. Aalto to me known (or proved to me on the basis of satisfactory evidence) to be the individuals who executed the foregoing instrument, and they acknowledged said instrument by them executed to be their free act and deed in said capacity as owner of the Property as described herein.

Date: 1-5-22

Notary Public Signature: Leslie Duval



Notary Stamp or Seal

EXHIBIT A TO
MEMORANDUM OF EASEMENT AGREEMENT
LEGAL DESCRIPTION OF REAL PROPERTY

A certain parcel of land located at 9 Brigham Street in the Town of Hubbardston, Worcester County, Massachusetts, which is depicted as Lot 49, on Assessor's Map 8, and being further described as the same real property conveyed by that certain deed recorded in Deed Book 16929 at Page 166 of the Worcester County Registry of Deeds.

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AT&T Mobility
550 Cochituate Road
Suite 13 &14
Framingham, MA01701

February 9, 2022

Via E-Mail

Town of Hubbardston
Planning and Zoning Boards
7 Main Street
Hubbardston, MA 01452

RE: AT&T Wireless Equipment Installation at Vertex Towers Proposed Tower Installation to be Located at 14 Main Street Hubbardston, MA.

Site #: MA

Site Name: Hubbardston, MA

To Whom It May Concern,

Please allow this letter to serve as notification that New Cingular Wireless PCS, LLC by and through its manager AT&T Mobility Corporation, ("AT&T"), is currently in the final stages of entering into a lease agreement with Vertex Towers, LLC for the purpose of memorializing their equipment rights as a tenant on the proposed tower to be located at 14 Main Street in Hubbardston, MA. It is our intent to add antennas and ground equipment at the above referenced site once the tower is constructed.

If you should have any questions, please contact Frank Kelley at (603) 494-3417.

Sincerely,

Sara Lynn Brady

Lynn Brady
Construction & Engineering – Site Acquisition, New England
AT&T Mobility
sb368e@att.com

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PLAPC

PARISI LAW ASSOCIATES, P.C.

**APPLICATION FOR
SPECIAL PERMIT AND SITE PLAN APPROVAL
(Planning Board)
AND
APPLICATION FOR VARIANCE(s)
(Zoning Board of Appeals)
FOR
TELECOMMUNICATIONS FACILITY**

- Property Address:** 1. 14 Main Street, Hubbardston, MA 01452 (facility)
2. 9 Brigham Street, Hubbardston, MA 01452 (access)
3. 7 Brigham Street, Hubbardston, MA 01452 (access)
- Tax Assessors:** 1. 8A-41 (facility)
2. 8A-49 (access)
3. 8A-51 (access)
- Property Owner:** 1. Wayne F Taylor and Mary J. Taylor
2. Peter H. and Margaret A. Aalto
3. Renee R. Olson
- Date:** April 4, 2022

PROJECT NARRATIVE INTRODUCTION

The Applicant Vertex Towers, LLC, a Massachusetts limited liability company (“Vertex”) is a telecommunications infrastructure developer. Vertex develops, manages and owns telecommunications facilities in strategic locations across the country. The Vertex team has been working in the industry since the industry was founded and has the experience and expertise to navigate the challenges of the most complex markets.

Vertex is sometimes herein referred to as the “Applicant”.

The Applicant’s proposed Wireless Communications Facility is shown on plans submitted with this Application (the “Plans”). The Applicant proposes to construct a 149’ tall lattice-style tower (156’ to top of highest appurtenance) at 14 Main Street, Hubbardston, MA 01452, Tax Assessors Parcel: 8A-41 (the “Property”) that will structurally accommodate at least 4 wireless broadband telecommunications carriers and associated antennas, electronic equipment and cabling; and fence in the base of the tower to accommodate ground based telecommunications equipment. As shown on the Plans that accompany this Application, AT&T will place panel style antennas and required electronic equipment at approximately 144’ (centerline) on the tower, and will place telecommunications equipment and backup batteries inside a weatherproof cabinet to be located immediately adjacent to the base of the tower. It is anticipated that various other telecommunications companies, including Verizon Wireless, T-Mobile / SprintPCS, Dish

Project Narrative
April 5, 2022
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Networks and other wireless communications companies will place panel style antennas and required electronic equipment at heights of approximately 134', 124' and 114' (centerline) on the tower, and each will place telecommunications equipment and backup batteries inside equipment shelter(s) and/or weatherproof cabinets to be located immediately adjacent to the base of the tower. Power/telephone cabinets will be installed just outside the fenced in compound. Applicant's Wireless Communications Facility is similar to the other telecommunication facilities already located in the surrounding area and has been designed in accordance with the Town's Zoning Bylaw as much as possible.

The Property is a large, 13 acre substantially undeveloped parcel in the Town Center Zoning District. Section 18.3.3 of the Town of Hubbardston Zoning Bylaw provides that all land in the Town Center District shall be included in the Wireless Communications Overlay District. Section 18.4.2. requires that all wireless communication facilities shall located in the Wireless Communications Overlay District, and Section 18.5.2.k provides that all wireless communications facilities shall require a Special Permit from the Planning Board. Accordingly, the Applicant respectfully requests a SPECIAL PERMIT and SITE PLAN APPROVAL from the PLANNING BOARD.

Access to the Facility will be located over an existing driveway predominantly on an adjacent parcel owned by Peter H. Aalto and Margaret A. Aalto located at 9 Brigham Street, Hubbardston, MA 01452, Tax Assessor Parcel 8A-49 and partially on a parcel owned by Renee R Olson located at 7 Brigham Street, Hubbardston, MA 01452, Tax Assessor Parcel 8A-51 (collectively, the "Access Parcels") which will be continued over said lot and the subject Property to the base of the Facility . Said Access Parcels are in the Residential Agricultural Zoning District (in which a wireless communications facility is not a permitted use). Section 5.3.e.2 provides that "[n]o driveway shall provide access to a lot located in another Zoning District, if said lot is used for any use, principal or accessory, not permitted in the district in which such driveway is located." In addition, Section 5.3.e.2 provides that "[t]he driveway or access road to a lot shall be through its frontage." For the reasons set forth herein, the Applicant respectfully requests a VARIANCE from Section 5.3.e.2 from the ZONING BOARD OF APPEALS.

Please note that the proposed facility will be a 149' tall LATTICE style tower designed for maximum co-location, which complies with Section 18.4.1.b of the Zoning Bylaw: "b. New structures may be of the monopole or lattice type, no greater than 150 (One Hundred Fifty) feet in height, designed for maximum co-location." However, Section 18.4.2.c. provides that [i]f the Applicant demonstrates that compliance with Section 18.4.2.b. (which expresses a preference for using existing structures, if possible) is not feasible, then any proposed communications facilities must be of the monopole type and camouflaged to the greatest extent possible using artificial screening, new landscaping and/or existing tree buffer." The Facility has been designed so as to be camouflaged as much as possible, given the coverage objective and other technical requirements and limitations. The Facility will be sited to minimize the visibility of the Facility from adjacent properties and shall be suitably screened from abutters and public rights of way. The proposed Facility will not require FAA lighting or marking. The Facility will be amply set

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back from abutting properties and buffered by a dense stand of existing trees, and as such will be as camouflaged as much as possible to reduce the visual impact of the Facility.

Note also that Section 18.4.2.d provides that

d. All communications facilities must be set back from all property lines and buildings for a distance at least equal to the height 110% of the monopole, including any lightning rod, to insure the safety of all abutters....

A waiver of these conditions may be granted by the Planning Board during the Special Permit process if deemed appropriate. In requesting such a waiver, the applicant must demonstrate that: the proposed tower location will provide the same degree of public safety as would have been available with the full fall zone requirement; and that the proposed tower and related facilities will have a visual buffer from surrounding properties to a degree comparable to the visual buffer that would have been achieved with the full fall zone requirement. (emphasis added).

Accordingly, to the extent deemed necessary by either Board, the Applicant respectfully requests (i) a VARIANCE from the ZONING BOARD or (ii) a WAIVER from the PLANNING BOARD pursuant to Section 18.4.2.d., with respect to from the Section 18.4.2.c. limitation that the proposed structure be of the monopole type.

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THE PROJECT

Wireless telecommunications carriers are in the process of independently designing, constructing and upgrading wireless telecommunications networks to serve areas in and around the Town of Hubbardston. Such a network requires a grid of radio transmitting and receiving cell sites located at varying distances depending on the location of existing and proposed installations in relation to the surrounding topography. The radio transmitting and receiving facilities require a path from the facility to the user on the ground. This requires the antennas to be located in a location above the tree line where the signal is not obstructed or degraded by buildings or topographical features.

Once constructed, the Facility will be unmanned and will involve only periodic maintenance visits. The only utilities required to operate the facility are electrical power as well as telephone service which are currently available at the property. The traffic generated by the facility will be one or two vehicle trips per month by maintenance and technical personnel to ensure the telecommunications site remains in good working order. These visits will not result in any material increase in traffic or disruption to patterns of access or egress that will cause congestion hazards or cause a substantial change in the established neighborhood character. The Applicant's maintenance personnel will make use of the access roads and parking to be constructed at the Property. The proposed Facility will not obstruct existing rights-of-way or pedestrian access and will not change the daily conditions of access, egress, traffic, congestion hazard, or character of the neighborhood. The installation will not require the addition of any new parking or loading spaces.

The construction of the Applicant's Facility will enhance service coverage in the Town of Hubbardston and surrounding communities. The enhancement of service coverage in the Town of Hubbardston is desirable to the public convenience for personal use of wireless services and for community safety in times of public crisis and natural disaster. Wireless communications service also provides a convenience to residents and is an attractive feature and service to businesses. In addition, the requested use at this location will not result in a change in the appearance of the surrounding neighborhoods. The use is passive in nature and will not generate any traffic, smoke, dust, heat, glare, discharge of noxious substances, nor will it pollute waterways or groundwater. Once constructed, the facility will comply with all applicable local, state and federal safety regulations.

Moreover and most importantly:

1. The proposed Facility will promote and conserve the convenience and general welfare of the inhabitants of Hubbardston by enhancing telecommunications services within the Town.
2. The proposed Facility will lessen the danger from fire and natural disasters by providing emergency communications in the event of such fires and natural disasters.

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3. The proposed Facility will preserve and increase the amenities of the Town by enhancing telecommunications services.
4. The proposed Facility will facilitate the adequate provision of transportation by improving mobile telecommunications for business, personal and emergency uses.

Wireless service is important to public safety and convenience. As of the end of 2016, there were an estimated 396 million mobile wireless subscribers in the United States. See FCC's *Twentieth Report to Congress on the State of Competition in the Commercial Mobile Radio Services Marketplace*, p. 5 (September 2017). There are now more wireless subscriptions than landline telephone subscriptions in the United States, and the number of landline telephone subscribers across the nation is declining each year while the number of wireless users increases. Moreover, it is forecasted that wireless connections will become more significant as network service providers facilitate increase connectivity directly between devices, sensors, monitors, etc., and their networks. *Id.*

For many Americans, wireless devices have become an indispensable replacement for traditional landline telephones. Even when Americans maintain both types of telephone service, Americans are opting increasingly to use wireless devices over their landline telephones. For Americans living in "wireless-only" homes and for those others while away from their homes, cell phones are often their only lifeline in emergencies. Over 95% of Americans now own a cellphone of some kind and more than 77% own smartphones; more importantly, more than 50 percent of American households are now "wireless only." <http://www.pewinternet.org/fact-sheet/mobile/> The FCC estimates that approximately 70% of the millions of 911 calls made daily are placed from cell phones, and that percentage is growing. See <http://www.fcc.gov/guides/wireless-911-services>

**COMPLIANCE WITH SITING CRITERIA
FOR WIRELESS COMMUNICATIONS FACILITIES**

Article 18

WIRELESS COMMUNICATION FACILITY⁶⁹

18.1 DEFINITION

Intentionally Omitted

18.2 PURPOSE AND INTENT: The Town recognizes the existence of Wireless Communications systems as defined in the Federal Telecommunications Act of 1996 and finds these regulations necessary to:

- a. Minimize adverse impacts of all communication structures and equipment on residential neighborhoods.**
- b. Regulate the type, height, amount and location of all communication structures and equipment.**
- c. Maintain and protect all ecological, aesthetic, historical and recreational features of the town.**

The proposed Facility has been designed to fulfill the purpose and intent and specific requirements of the Town's Bylaw as much as possible. The location of the proposed Facility is on a large (13 acre) substantially undeveloped and heavily treed lot. There are no other structures of sufficient height anywhere near the Property which would provide the requisite telecommunications coverage. The Facility as proposed is in a permitted zoning district and meets all required height limitations and setback requirements. As a wireless infrastructure developer, Vertex encourages co-location and has relationships with all of the existing wireless telecommunications carriers licensed in this market and intends to provide space on the proposed Facility at commercially reasonable rates, which will minimize the total number of towers in the community. Once constructed, the proposed Facility will have no adverse impact on the Town's ecological, aesthetic, historical and recreational resources, and will facilitate the provision of telecommunications services throughout the Town and enhance the ability of wireless carriers to provide telecommunications services to the community quickly, effectively and efficiently.

18.3 WIRELESS COMMUNICATIONS OVERLAY DISTRICT

18.3.1 Purpose. The Wireless Communications Overlay District is intended to provide for the construction, erection and installation of wireless communication towers, personal wireless service facilities and their accessory structures in a manner which meets the requirements of the Telecommunications Act of 1996, and balances the following needs:

- Protection of the town from the effects of the uncontrolled proliferation and placement of wireless communication towers, personal wireless service facilities and their accessory structures with resultant impact on its landscape and character;**

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The legitimate desire of residents of the town to access and utilize new technologies as such become available; and

The right of businesses to provide necessary and marketable services.

The Wireless Communications Overlay District is intended to effectuate the purposes described in Section 18.2 and identifies sites designed to meet the above described needs.

18.3.2 Relation to Other Districts. The Wireless Communications Overlay District shall be considered to be superimposed over any other existing districts of the zoning bylaw and, in the event any provision of this district is in conflict with regulations of any other district, the more restrictive regulation shall take precedence.

18.3.3 Location of the Overlay District and Map. All land in the Town Center District shall be included in the Wireless Communications Overlay District. In addition, the following parcels of land shall be included in the Wireless Communications Overlay District: Map 1, Parcel 47; Map 2, Parcel 33; Map 3, Parcel 7; Map 3, Parcel 27 A; Map 3, Parcel 57; Map 3, Parcel 73; Map 3, Parcel 75; Map 3, Parcel 76; Map 8C, Parcel 33; Map 8C, Parcel 36; Map 8C, Parcel 37; Map 11, Parcel 1; Map 11, Parcel 2; Map 12, Parcel 5. The District is shown on a map entitled "Wireless Communications Overlay District".

The proposed Facility will be located in the Town Center District and Wireless Communications Overlay District.

18.4.1 Structure Type

a. If artificial lighting is required by the FAA or FCC for any wireless communication tower, it shall be constructed and installed in such a manner that lighting will be shielded from view from any point on the ground within the Town of Hubbardston.

Accompanying this Application is the results of a FCC TOWAIR database search indicating that the proposed Facility will have no not require registration with the FCC or FAA and will have no impact on air navigation, and, therefore, no FAA lighting or marking will be required under current FAA regulations.

b. New structures may be of the monopole or lattice type, no greater than 150 (One Hundred Fifty) feet in height, designed for maximum co-location. All unmanned equipment and/or shelters shall be no more than 12 (Twelve) feet wide, and 30 (Thirty) feet long.

The proposed Facility will be a lattice style tower and 149' in height, and has been designed with the height and structural integrity to support the antennas and electronic equipment of a minimum of 4 wireless broadband carriers. No equipment shelter shall be more than 12 feet wide and 30 feet long.

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c. The Town will accept and prefer new structures camouflaged in nature such as flagpoles, evergreens, and any other design which minimizes the adverse visual impact of the wireless communications facility.

The Facility has been designed so as to minimize the visual impact of the Facility as much as possible, given the coverage objective and other technical requirements and limitations. The Facility will be sited to minimize the visibility of the Facility from adjacent properties and shall be suitably screened from abutters and public rights of way. The Facility will be amply set back from abutting properties and buffered by a dense stand of existing trees, and as such will be as unobtrusive as much as possible to reduce the visual impact of the Facility. The proposed Facility will not require FAA lighting or marking.

d. Only sector and whip type antennas will be accepted.

The Facility as proposed will only have panel (sector) and whip type antennas.

18.4 REGULATIONS

18.4.2 Location and Setbacks

a. All communication facilities shall be located in the Wireless Communications Overlay District. See Section 18.3.

The proposed Facility will be located in the Wireless Communications Overlay District.

b. The Town prefers that all communications facilities be located on existing structures, including buildings, water towers, existing communications facilities, utility poles and towers, provided that such installations preserve the character and integrity of those structures and the height of those structures is not increased by more than 10 (Ten) feet.

As is evidenced by the Affidavit of Site Acquisition Specialist and accompanying maps that accompanies this Application, there are no existing telecommunications facilities or other structures of sufficient height or structural integrity in the area of the proposed Facility that will satisfy the coverage objective of the proposed Facility for multiple wireless service providers.

c. If the Applicant demonstrates that compliance with Section 18.4.2.b. is not feasible, then any proposed communications facilities must be of the monopole type and camouflaged to the greatest extent possible using artificial screening, new landscaping and/or existing tree buffer.

The Facility has been designed so as to be camouflaged as much as possible, given the coverage objective and other technical requirements and limitations. The Facility will be sited to minimize the visibility of the Facility from adjacent properties and shall be suitably screened from abutters and public rights of way. The proposed Facility will not require FAA lighting or marking. The Facility will be amply set back from abutting properties and buffered by a dense stand of existing

trees, and as such will be as camouflaged as much as possible to reduce the visual impact of the Facility.

The Applicant notes that Section 18.4.1. b indicates that “[n]ew structures may be of the monopole or lattice type... [and] designed for maximum co-location.” Given the minimal visibility, the flexibility afforded by the lattice design to accommodate future technologies and the Town’s requirement to maximize co-locatability, the proposed facility will be a lattice style a lattice style Facility.

Accordingly, to the extent deemed necessary by either Board, the Applicant respectfully requests (i) a VARIANCE from the ZONING BOARD or (ii) a WAIVER from the PLANNING BOARD pursuant to Section 18.4.2.d, with respect to the Section 18.4.2.c. limitation that the proposed structure be of the monopole type.

d.All communications facilities must be set back from all property lines and buildings for a distance at least equal to the height 110% of the monopole, including any lightning rod, to insure the safety of all abutters. This setback will be referred to as the "Fall Zone".

A waiver of these conditions may be granted by the Planning Board during the Special Permit process if deemed appropriate. In requesting such a waiver, the applicant must demonstrate that: the proposed tower location will provide the same degree of public safety as would have been available with the full fall zone requirement; and that the proposed tower and related facilities will have a visual buffer from surrounding properties to a degree comparable to the visual buffer that would have been achieved with the full fall zone requirement.

The Facility as designed will meet all required setbacks. To the extent that the Planning Board believes that the second paragraph of this section refers to all of the conditions set forth in Section 18.4.2, including Section 18.4.2.c, the Applicant respectfully requests a WAIVER the PLANNING BOARD, with respect to from the Section 18.4.2.c. limitation that the proposed structure be of the monopole type.

e. All communication facilities must be a minimum of 500 (Five Hundred) feet away from any municipal water supply areas.

A waiver of this condition may be granted by the Planning Board during the Special Permit process if deemed appropriate.

In requesting such a waiver, the applicant shall demonstrate that the reduced setback will have no adverse effect on municipal water supplies.

The Facility as designed will meet all required setbacks.

18. 5 GENERAL REQUIREMENTS

18.5.1 Purpose: This section will cover all requirements not listed in the previous sections.

18.5.2 Requirements

a. Applicant must perform a balloon test after a desired site location has been determined, unless the Planning Board determines it inappropriate or unnecessary with respect to Section 18.4.2.b. The balloon test shall be conducted continuously for 24 hours. The date, time, and location of this test must be advertised in a newspaper of general local circulation, 14 days prior to the test. In addition a mailer will be sent to each residence at the expense of the applicant, 14 days prior to the test.

The Applicant agrees to perform a visibility demonstration by floating a balloon at and to the height of the proposed location. However, having done many visibility demonstrations, we have found that the winds are generally less earlier in the morning and increase as the day progresses (and the world warms). Given the impossibility of predicting the weather 14 days in advance, the Applicant agrees to attempt to fly the balloon from 8:00 am to 2:00 pm on a day prior to the public hearing on this Application. The Applicant agrees to advertise the visibility demonstration in a newspaper of general local circulation and mail notice to all abutters 14 days prior to the test.

b. Applicant must prepare and perform a construction control certification. All submittals, dates and times of inspections, reports and discrepancies must be reported to the Building Inspector and the Planning Board. Failure to adhere to this requirement could significantly delay occupancy permits.

Upon receipt of a Special Permit from the Planning Board and a building permit from the Building Inspector, the Applicant agrees to provide a construction control certificate to the Building Inspector and the Planning Board

c. Existing vegetation shall be preserved to the maximum extent possible.

Except for clearing required to facilitate construction of the fenced-in compound and access driveway as shown on the Site Plans, existing on-site vegetation shall be preserved to the maximum extent possible.

d. Any fencing used for a communications facility shall be a minimum of 8 (Eight) feet in height and shall be of the wood stockade type.

The Facility as proposed will be surrounded by a 6' tall chain link fence with barbed wire to prevent unauthorized access. The Facility will be amply set back and buffered by a dense stand of existing trees, and as such will be suitably buffered and camouflaged to reduce the visual impact of the Facility. The Applicant believes that a wood stockade fence is less secure than a chain link fence, and respectfully requests a WAIVER of this requirement if possible.

e. All access roads to a communications facility shall be twelve 12 (Twelve) feet to 15 (Fifteen) feet in width, depending upon terrain, and shall be composed of 12 (Twelve) inches of compacted gravel over which is laid down a 3 (Three) inch layer of crushed stone.

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As shown on the Site Plans, the access driveway to the Facility has been designed to comply with this requirement.

f. All drainage issues as a result of a communications facility must adhere to Section 7.10 of the Rules and Regulations Governing the Subdivision of Land in Hubbardston, Massachusetts, Dated 1988.

As shown on the Site Plans, the proposed Facility has been designed to address all drainage issues in compliance with this requirement.

g. All utility installations as a result of a communications facility must adhere to Section 7.07 of the Rules and Regulations Governing the Subdivision of Land in Hubbardston, Massachusetts, Dated 1988.

As shown on the Site Plans, all utility installations to the Facility will comply with this requirement.

h. All drainage issues as a result of a communications facility must adhere to Section 7.10 of the Rules and Regulations Governing the Subdivision of Land in Hubbardston, Massachusetts, Dated 1988.72

As shown on the Site Plans, the proposed Facility has been designed to address all drainage issues in compliance with this requirement.

i. All utility installations as a result of a communications facility must adhere to Section 7.07 of the Rules & Regulations Governing the Subdivision of Land in Hubbardston, Massachusetts, Dated 1988.

As shown on the Site Plans, all utility installations to the Facility will comply with this requirement.

j. An application shall be made by a licensed carrier or shall include documentation establishing that a licensed carrier has committed to locating antennae on the tower.

Accompanying this Application is a letter of intent from AT&T Wireless (a licensed wireless carrier).

k. A special permit as defined in zoning bylaw 7.1 -7.5 and an environmental impact study 8.1- 8.4.

The Applicant has applied to the Planning Board for, and respectfully requests the Planning Board issue, a Special Permit as defined in zoning bylaw 7.1 -7.5. The Applicant has commenced an environmental impact study pursuant to National Environmental Policy Act (NEPA) and will provide a copy of the NEPA Checklist upon completion.

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18.6 APPLICATION PROCESS

18.6.1 Process

a. Every special permit application for a new and co-located communications facility shall be made and filed on the applicable application form available from the Planning Board, which shall be the special permit granting authority for all wireless communications facilities. Because a special permit will be required for all wireless communications facilities, approval will be based on applications that are in accordance with Article 18, and all other applicable regulations located in the Town of Hubbardston Zoning Bylaws.

Accompanying this Application is an Application for Special Permit, Site Plans and all reports and materials required by this Section 18 and all other applicable regulations located in the Town of Hubbardston Zoning Bylaws.

18.6.2 Filing Requirements

a. General:

1. Name, address and telephone number of Property Owner, Applicant, Co-applicants and Agents.

This information has been provided.

2. Original signatures from the Property Owner, Applicant, Co-applicants and Agents applying for the special permit.

This information has been provided.

b. Design (New and Co-Location Applications)

1. Both the zoning and construction drawings will need to be approved by the Planning Board.

Accompanying this Application are zoning drawings. Upon issuance of a Special Permit and completion of further engineering studies, including a subsurface investigation and geotechnical analysis, the Applicant will provide construction drawings to the Building Inspector and the Planning Board.

2. Plot Plan at a 1"= 40' scale showing: property lines of subject property with bearings and distances, all property lines and abutter information within 500 (Five Hundred) feet of subject property, vegetative cover within subject property, and an outline of all existing structures within 500 (Five Hundred) feet of subject property .

Accompanying this Application are detailed Site Plans with all of the required information.

3. Proposed location of antennas, mounts, shelter, etc.

Accompanying this Application are detailed Site Plans with all of the required information.

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4. Locus plan to scale, showing all roads, public and private within 500 (Five Hundred) feet of subject property.

Accompanying this Application are detailed Site Plans with all of the required information.

5. Contours at 10 (Ten)-foot intervals of subject property.

Accompanying this Application are detailed Site Plans with all of the required information.

6. Site detail plan showing the communications facility at a 1"= 10' scale, including all structures and equipment to be used.

Accompanying this Application are detailed Site Plans with all of the required information.

7. Architectural and structural details of all structures, equipment, antennas, mounts, electrical and grounding applications.

Accompanying this Application are detailed Site Plans with all of the required information.

8. All proposed grade changes, tree removal, road construction and locations for restoration (if applicable).

Accompanying this Application are detailed Site Plans with all of the required information.

9. Photo rendition of a "before communications facility" and "after communication facility" placed on a mount for public hearing.

Upon completion of the balloon test required by Section 18.5.2, the Applicant will provide the Planning Board with photos and photo simulations showing the visibility, and lack of visibility, of the proposed Facility from several vantage points.

10. Specifications of all equipment, antennas, shelters, electrical and grounding application to be used.

Accompanying this Application are detailed Site Plans with all of the required information.

11. Monopole foundation drawings and specifications stamped by a Professional engineer licensed in the Commonwealth of Massachusetts.

Accompanying this Application are zoning drawings. Upon issuance of a Special Permit and completion of further engineering studies, including a subsurface investigation and geotechnical analysis, the Applicant will provide construction drawings and a foundation design to the Building Inspector and the Planning Board.

12. Specifications on any paint, artificial stealth applications and landscape techniques. All aesthetic applications shall be clear in the photo rendition.

Accompanying this Application are zoning drawings with the required information. Upon completion of the balloon test required by Section 18.5.2, the Applicant will provide the Planning Board with photos and photo simulations showing the appearance of the proposed Facility from several vantage points. Given the substantial setbacks and existing vegetative buffer, no landscape plan is necessary.

13. Landscape Plan, if applicable, showing areas to be demolished and areas to be restored stamped by a Registered Landscape Architect.

Given the substantial setbacks and existing vegetative buffer, no landscape plan is necessary.

14. Either on the survey plot plan or separate, a FAA 2C-Certification stamped by a Professional Surveyor licensed in the Commonwealth of Massachusetts.

A FAA 1-A Certification stamped by a Professional Surveyor licensed in the Commonwealth of Massachusetts has been included on the Site Plans.

15. If within 100 (One Hundred) feet of wetlands, in addition to filing with the Conservation Commission, show all wetland limits with numbered flags and their setbacks to the communications facility on the plot plan.

The proposed Facility will not be within 100 feet of wetlands; however, nearby wetlands have been delineated on the Site Plans.

16. Applicant must file an Environmental Assessment and NEPA checklist with FCC prior to beginning operations for a communications facility proposed in or involving wilderness areas, wildlife preserves, endangered species habitat, historical site, Indian religious site, flood plain and wetlands.

The Applicant does not believe that the proposed Facility will be in or involve wilderness areas, wildlife preserves, endangered species habitat, historical site, Indian religious site, flood plain and wetlands, and that, therefore, no Environmental Assessment and NEPA checklist will be required to be filed with the FCC.

17. Submit a copy of the Environmental Assessment to the Planning Board following acceptance by the FCC.

The Applicant does not believe that an Environmental Assessment and NEPA checklist will be required to be filed with the FCC.

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18. Submit an approval letter to the Planning Board from the Massachusetts Department of Public Health confirming the proposed filing meets their requirements of Regulation 105 CMR 122.00 for communication facilities with respect to emissions.

Not applicable (the Mass Department of Public Health no longer issues approval letters with respect to personal wireless service facilities).

c. Construction

1. The Building Inspector will not grant an occupancy permit until he and the Planning Board receive a Construction Control Certification that is stamped by a Professional Engineer licensed in the Commonwealth of Massachusetts. This certifies that the communication facility was built in accordance with the Planning Board approved construction plans and specifications as contained in the application and the special permit, conditions, if any, granted by the Planning Board.

Upon receipt of a Special Permit from the Planning Board and a building permit from the Building Inspector, the Applicant agrees to provide a construction control certificate to the Building Inspector and the Planning Board.

2. After construction is completed the Town Building Inspector and Planning Board will inspect the site to verify that all requirements in this Article were met.

The Applicant agrees to notify the Building Inspector and Planning Board after construction is complete.

3. An Occupancy Permit will be issued if and when both the Building Inspector and Planning Board agree that all requirements in this Article have been met.

Acknowledged.

4. Applicant must give the Town a signed letter agreeing to notify the Town 90 (Ninety) days prior to discontinuance. The Applicant must remove the facility within 90 (Ninety) days of the giving of said notice. If the Applicant does not notify the town of discontinuance, but ceases using the facility, after 90 (Ninety) days of nonuse, the Planning Board, after a hearing with prior notice to the applicant, may declare the facility to be abandoned. If the applicant fails to remove the facility within 90 (Ninety) days of discontinuance or abandonment, then the Town may remove the facility at the cost of the Applicant or Owner. Any special permit issued under this section shall include a condition stating the above requirement and further stating that, in accepting the special permit the Applicant and Owner grant the Town permission to enter the property for the purpose of removing an abandoned or discontinued facility. An Occupancy Permit will not be granted if this signed letter is not given to the Town.

Acknowledged.

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5. The Special Permit for a communications facility over 50 (Fifty) feet in height in the Town of Hubbardston, Massachusetts is valid for no more than 5 (Five) years. At the end of that time period, the personal wireless service facility shall be removed by the carrier or a new special permit shall be required. The height required for personal wireless services will be reevaluated and any height no longer justified shall be removed.

Acknowledged.

6. A cash surety of \$25,000.00 (Twenty-Five Thousand and 00/100 Dollars) shall be made payable to the Treasurer, Town of Hubbardston.

The Applicant agrees to provide a Bond in the form of or reasonably similar to the form accompanying this Application

COMPLIANCE WITH CRITERIA
FOR SPECIAL PERMITS

ARTICLE 7

SPECIAL PERMITS

7.I Purpose.

This Article sets forth the process for submission and review of special permit applications before the Planning Board. The purpose of a special permit is to assure that a proposed use will be conducted in a manner that is consistent with the land use objectives of the Town of Hubbardston. None of the uses allowed by special permit under these bylaws may be authorized by the Planning Board unless the use:

- a. Shall not have vehicular and pedestrian traffic of a type and quantity so as to cause significant adverse effect to the neighborhood;**
- b. Shall not have a number of residents, employees, customers, or visitors so as to cause significant adverse effect to the neighborhood;**
- c. Shall not have a greater lot coverage than allowed in the zoning district in which the premises are located;**
- d. Shall not be dangerous to the immediate neighborhood or the premises through fire, explosion, emission of wastes, or other causes;**
- e. Shall not create such noise, vibration, dust, heat, smoke, fumes, odor, glare, adverse visual effects, or other nuisance or serious hazard so as to adversely effect the immediate neighborhood;**
- f. Shall not cause degradation of the environment.**

The proposed use is passive in nature and will not generate any traffic, noise, smoke, dust, heat, glare or discharge of noxious substances, nor will it pollute waterways or groundwater. There will be only a deminimus increase in impervious surfaces, and removal of surface waters will not adversely affect neighboring properties or the public storm drainage system.

Once constructed, the Facility will be unmanned and will involve only periodic maintenance visits. The traffic generated by the facility will be one or two vehicle trips per month by maintenance and technical personnel to ensure the telecommunications site remains in good working order. These visits will not result in any material increase in

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traffic or disruption to patterns of access or egress that will cause congestion hazards or cause a substantial change in the established neighborhood character. The Applicant's maintenance personnel will make use of the existing access driveway off Brigham Street which will be extended to the base of the Facility. The proposed Facility will not obstruct existing rights-of-way or pedestrian access and will not change the daily conditions of access, egress, traffic, congestion hazard, or character of the neighborhood. The installation will not require the addition of any new parking or loading spaces. As has been discussed throughout this Project Narrative, the proposed Facility has been designed to be compatible with the neighborhood character as much as possible.

The Facility will enhance service coverage in the Town and surrounding communities. The enhancement of service coverage in the Town is desirable to the public convenience for personal use of wireless services and for community safety in times of public crisis and natural disaster. Wireless communications service also provides a convenience to residents and is an attractive feature and service to businesses. In addition, the requested use at this location will not result in a change in the appearance of the surrounding neighborhoods. Signage shall be limited to those needed at the base of the facility to identify the property and owners, and to comply with applicable safety standards. Once constructed, the Facility will comply with all applicable local, state and federal safety regulations.

**COMPLIANCE WITH CRITERIA
FOR VARIANCES**

10.1 Purpose.

The Board of Appeals shall have the power to grant, as an extraordinary remedy with respect to particular land or structures, a variance from the terms of these zoning bylaws where the Board finds that:

a. Owing to circumstances relating to the soil conditions, shape or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located, a literal enforcement of the zoning bylaw would involve substantial hardship, financial or otherwise, to the petitioner or appellant, and

b. desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the land use and environmental objectives of these zoning bylaws

Given technical limitations with respect to:

- the location of the Facility relative to the surrounding neighborhoods and other existing telecommunication sites in and around the Town;
- the topography of the surrounding area;
- the lack of viable alternatives in the area;
- the height restrictions of the Facility imposed by the Bylaw;
- the Town's requirement to accommodate multiple wireless communications companies;
- the demand for robust and reliable telecommunications coverage; and
- the requirement to accommodate rapidly evolving technologies;

the Applicant requires the requested Variances to permit construction of the Facility as proposed. As the Plans indicate, the proposed Facility has been designed to accommodate the antennas at least 4 wireless broadband co-locators. There are no existing or previously approved telecommunications facilities in the area of the proposed Facility, nor are there existing structures of sufficient height in the area of the proposed Facility, that will achieve the coverage objective of the proposed Facility. The Facility has been situated on the Property in such a way to achieve the objectives of the Bylaw as much as possible.

As has been shown throughout this Project Narrative, the granting of the Variances will not be detrimental to the public safety, health or welfare or injurious to other property and will promote the public interest. The Variances will substantially secure the objectives, standards and requirements of these regulations, and a particular hardship exists and special circumstances warrant the granting of the Variances.

In 1996, the U.S. Congress enacted the Telecommunications Act of 1996, Pub. L. No. 104-104, § 704; 110 Stat. 56 (1996) (the “TCA”). The intent of the TCA enacted by the U.S. Congress was to institute a framework to promote competition and innovation within this telecommunications industry. Under their respective licenses from the FCC, wireless telecommunications providers are obligated to provide a reliable “product” [i.e. wireless communications service] to the population in the metropolitan Boston region, which includes the Town. Likewise, consumer expectations for increasingly robust and reliable service requires competing service providers to identify and remedy existing gaps in reliable network coverage, or gaps that result from increasing subscriber voice and data traffic beyond the limits of existing network infrastructure. A carrier’s failure to remedy network gaps in a timely fashion can result in a significant loss of subscribers to competing telecommunications carriers. The proposed Facility and corresponding relief requested are necessary to remedy a gap in reliable service coverage within the various wireless carriers’ existing network infrastructure.

The Applicant has investigated alternative sites in and around the defined geographic area within which engineers determined that a facility must be located to fill the gap in service coverage and to function effectively within the network of existing and planned facilities. No existing structure or property in or near the vicinity of the proposed Facility is feasible to accommodate the coverage network requirements.

Accordingly, a literal enforcement of the provisions of the Bylaw would prevent the Applicant from eliminating an existing gap in reliable service coverage, resulting in a potential loss of subscribers and the inability to effectively compete for subscribers with FCC licensed competitors in the market, contrary to the intent of the Bylaw and the U.S. Congress in enacting the TCA.

Moreover, this hardship is owing to the circumstances relating to topography of the surrounding area. The property is a large, commercially used parcel abutting business and industrial zones and undevelopable wetlands. The surrounding area provides no other feasible location in which to install and operate a wireless telecommunications facility. Existing structures and buildings in the area are insufficient in height to allow wireless carriers to operate thereon and provide adequate coverage to this significant gap in its network. The property provides a unique opportunity, given the existing tower as well as the location and area topography surrounding the Facility, to minimize any adverse visual impacts to the surrounding area. The proposed design conforms to the existing characteristics of the Property, and utilizes the existing structures on the property to screen the proposed Facility, thereby minimizing potential impacts.

The wireless communications systems being developed by the various telecommunications carriers operating in the area have been designed employing the most sophisticated radio frequency engineering methods available. Radio frequency engineers determine the placement of network points-of-presence using computer engineering models that simultaneously evaluate topography and population patterns to identify specific geographic areas to be serviced by each antenna facility in the network. As a result of this modeling, combined with actual coverage data provided by existing “on air” facilities, the carriers’ radio frequency engineers have identified a limited geographic area as a necessary location for a communications facility to remedy an existing gap in reliable service coverage in the general vicinity of the Property. Without the requested relief, there would remain a substantial “gap” in reliable service coverage in the carriers’ respective networks. Radio frequency coverage maps confirm that a telecommunications facility located at the Property is required to remedy the existing gap in the wireless network coverage in the area. The requested height has been determined by engineers to be the minimum height necessary to connect coverage from the proposed Facility with coverage from adjacent cell sites in the carriers’ respective networks (i.e. to remedy the existing “gap” in service and to effect reliable handoffs between adjacent cell sites as a subscriber travels through the area).

Additionally, the requested height will allow future carriers to co-locate on the Facility hereby minimizing the number of new facilities needed to provide coverage to the Town.

In the context of a utility service where the critical criteria in the development of each facility is its ability to integrate with a network of surrounding sites and subsequently, for each cluster of sites to function within a regional/national network, there is an underlying premise that each site chosen by the Applicant for a facility possesses a unique location and topographical characteristics.

Finally, as noted in Nextel Communications of the Mid-Atlantic, Inc. v. Town of Wayland, 231 F.Supp. 2d 396, 406-407 [D. Mass. 2002], the “need for closing a significant gap in coverage, in order to avoid an effective prohibition of wireless services, constitutes another unique circumstance when a zoning variance is required.” No existing structure or property in an allowed zoning district is technically suitable to resolve the existing gap in the wireless service coverage in the area. In addition, the existing structures located near the Property are not at a height sufficient to provide adequate coverage to this significant gap in its network. The Facility will be the minimum height necessary to provide coverage for multiple wireless carriers. Given the location and size of the Property, as well as the proposed design of the Facility, the proposed installation will have a minimal visual impact to the surrounding neighborhood while achieving the carriers’ requisite coverage.

- The proposed Facility will reduce the number of new structures ultimately

needed to provide wireless communication services in the surrounding area by providing co-location potential;

- The proposed Facility is designed to be at the minimum height necessary to provide adequate coverage to the area and keep potential visual impacts to a minimum;
- The proposed Facility will comply in all respects with radio frequency emission standards established by the FCC;
- The proposed Facility will not have any adverse effect on the value of land and buildings in the neighborhood or on the amenities thereof. The proposed use is passive, requires no employees on the premises, and has no characteristics that are incompatible with the underlying zoning. Specifically, it will generate only about two vehicle trips per month by a service technician for routine maintenance, will be served by standard electrical and telephone service, and requires no water, septic or other town services;
- The proposed Facility will promote and conserve the convenience and general welfare of the inhabitants of the Town by enhancing telecommunications services within the town;
- The proposed Facility will lessen the danger from fire and natural disasters by providing emergency communications in the event of such fires and natural disasters;
- The proposed Facility will involve no overcrowding of land or undue concentration of population because it is an unmanned Facility;
- The proposed Facility will preserve and increase the amenities of the Town by enhancing the telecommunications services and will facilitate the adequate provisions of transportation by improving mobile telecommunications for business, personal and emergency uses;
- The proposed Facility will involve no adverse effects on public and private water supplies and indeed will utilize no water at all;
- The proposed Facility will involve no adverse effects on drainage, schools, parks, openspace, or other public requirements, and will involve no excessive noise or pollution to the environment;
- The proposed Facility will have no adverse effect on historic sites; and
- The proposed Facility will be an appropriate use of land within the Town.

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Due to the unique size, shape, location and elevation of the subject Property and the topography of the surrounding area as well as the existing zoning of the property and surrounding area, unique circumstances exist to justify the granting of the requested Variances. Moreover, Applicant's proposed Facility will have no impact on adjoining properties and the surrounding neighborhood in that the proposed Facility will produce no objectionable noise, glare, dust, smoke, fumes, odors, of effluent, and will not have any impact of traffic or circulation.

Accordingly, the Applicant requests findings that

1. a literal enforcement of the provisions of this chapter would involve a substantial hardship to the Applicant.
2. The hardship is owing to circumstances relating to the soil conditions, shape or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located.
3. Desirable relief may be granted without nullifying or substantially derogating from the intent or purpose of the zoning bylaw.

In addition (or in the alternative), the Applicant requests a finding that strict compliance would cause a conflict with the TCA.

THE TELECOMMUNICATIONS ACT OF 1996

In 1996, the U.S. Congress enacted the Telecommunications Act of 1996, Pub. L. No. 104-104, § 704; 110 Stat. 56 (1996) (the “TCA” or the “Telecommunications Act”). The intent of the TCA as enacted by Congress was to institute a framework to promote competition and innovation within the telecommunications industry. Although this law specifically preserves local zoning authority with respect to the siting of wireless service facilities, it clarifies when the exercise of local zoning authority may be preempted by federal law. Section 704 of the TCA provides, in pertinent part, that

(7) PRESERVATION OF LOCAL ZONING AUTHORITY-

(A) GENERAL AUTHORITY- Except as provided in this paragraph, nothing in this Act shall limit or affect the authority of a State or local government or instrumentality thereof over decisions regarding the placement, construction, and modification of personal wireless service facilities.

(B) LIMITATIONS-

(i) The regulation of the placement, construction, and modification of personal wireless service facilities by any State or local government or instrumentality thereof--

(I) shall not unreasonably discriminate among providers of functionally equivalent services; and

(II) shall not prohibit or have the effect of prohibiting the provision of personal wireless services.

The intent of the TCA enacted by the U.S. Congress was to institute a framework to promote competition and innovation within this telecommunications industry. Under its respective licenses from the FCC, wireless telecommunications carriers are obligated to provide a reliable “product” [i.e. telecommunications service] to the population in western Massachusetts, which includes the Town of Hubbardston. Likewise, consumer expectations for increasingly robust and reliable service requires competing service providers to identify and remedy existing gaps in reliable network coverage, or gaps that result from increasing subscriber voice and data traffic beyond the limits of existing network infrastructure. A carrier’s failure to remedy network gaps in a timely fashion can result in a significant loss of subscribers to competing telecommunications carriers. As demonstrated in the Application and supplemental materials provided by the Applicant, the proposed Facility and corresponding relief requested are necessary to remedy a gap in reliable service coverage within the existing network infrastructure. In Daniels v. Town of Londonderry, 157 N.H. 519 (2008), the New Hampshire Supreme Court upheld the grant of use and area variances for the construction of a cell tower in an agricultural-residential zone, noting that the Londonderry ZBA correctly treated the TCA as an “umbrella” that preempted local law under certain circumstances.

In a growing number of cases, federal courts have found that permit denials violate the TCA, even if such denials would be valid under state law. For example, in Omnipoint Communications v. Town of Lincoln, 107 F. Supp. 2d 108 (D. Mass. 2000), the court found that denial of a variance for a location outside of the town's wireless overlay district violated the TCA and ordered the variance to issue despite an Ordinance provision prohibiting use variances. The court in Nextel Communications v. Town of Wayland, 231 F. Supp. 2d 396 (D. Mass. 2002) reached the same result. In that case, the court stated: "Although the Board's statement [regarding its lack of authority to issue a use variance] may be correct statement in Massachusetts regarding variances, it is not controlling in the special case of Telecommunications facilities...Under the Telecommunications Act, the Board cannot deny the variance if in so doing it would have the effect of prohibiting wireless services." Wayland at 406-407. Most notably, in Omnipoint Holdings, Inc. v. Town of Cranston, No. 08-2491 (1st Cir. Nov. 3, 2009), the United States Court of Appeals for the First Circuit affirmed a judgment of the United States District Court for the District of Rhode Island, which found that the Cranston Zoning Board of Review violated the TCA by effectively prohibiting the provision of wireless services in Cranston when it denied an application for a special use permit and variance to construct a wireless facility in a residential area. The Court noted that "[t]he effective prohibition clause does not stand alone; it is also part of the TCA's larger goal of encouraging competition to provide consumers with cheaper, higher-quality wireless technology.... As cell phone use increases, carriers need to build more facilities, especially in populated areas, to continue providing reliable coverage, and local regulations can present serious obstacles." Cranston, p. 25. More recently, in New Cingular Wireless, LLC v. City of Manchester, Case No. 11-cv-334-SM (USDC D. NH Feb. 28, 2014), the United States District Court for the District of New Hampshire indicated that the City of Manchester impermissibly denied a variance to construct a telecommunications tower in a (non-permitted) residential zone, in that the tower addressed significant coverage gaps and provided competitive and reliable wireless services and there was no feasible alternative. The Court noted that the City must consider the public benefits of wireless services in determining whether to grant a zoning variance for a tower. Id.

The Applicant has investigated alternative sites in and around the defined geographic area within which its engineers determined that a facility must be located to fill the gap in service coverage and to function effectively within the wireless network of existing and planned facilities. No existing structure or property in or near the vicinity of the proposed Facility is feasible to accommodate the wireless network requirements. The proposed Facility is on large substantially undeveloped parcel and provides a substantial vegetative buffer. The wireless communications systems being developed by the various telecommunications carriers operating in the Hubbardston area have been designed employing the most sophisticated radio frequency engineering methods available. Radio frequency engineers determine the placement of network points-of-presence using computer engineering models that simultaneously evaluate topography and population patterns to identify specific geographic areas to be serviced by each antenna facility in the network. As a result of this modeling, combined with actual coverage data provided by existing "on air" facilities, the carriers' radio frequency engineers have identified a limited geographic area as a necessary location for a communications facility to remedy an existing gap in reliable service coverage in the general vicinity of the Property. Without the requested relief, there would remain

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a substantial “gap” in reliable service coverage in the carriers’ respective networks. Radio frequency coverage maps confirm that a telecommunications facility located at the Property is required to remedy the existing gap in the wireless network coverage in the area. The requested height has been determined by engineers to be the minimum height necessary to connect coverage from the proposed Facility with coverage from adjacent cell sites in the carriers’ respective networks (i.e. to remedy the existing “gap” in service and to effect reliable handoffs between adjacent cell sites as a subscriber travels through the area).

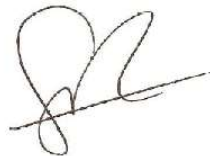
Accordingly, denial of a permit to construct the Facility would prevent the Applicant from eliminating an existing gap in reliable service coverage, resulting in a potential loss of subscribers for the carriers and the inability to effectively compete for subscribers with other FCC licensed competitors in the market, contrary to the intent of the Ordinance and the U.S. Congress in enacting the TCA.

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SUMMARY

Because the proposed facility meets all of the requirements for a Wireless Communications Facility under the Hubbardston Zoning Bylaw other than those provisions for which variances and/or waivers have been requested, and pursuant to §704(a) of the Federal Telecommunications Act of 1996 which provides, among other things, that wireless facilities may not be prohibited in any particular area and that any denial of zoning relief must be based upon substantial evidence, the Applicant respectfully requests that the Planning Board GRANT A SPECIAL PERMIT and APPROVE THE SITE PLANS as proposed (and waivers if necessary), the Zoning Board grant the requested VARIANCE(S), and the Town grant such other permits, relief or waivers deemed necessary by the Town of Hubbardston under the current Bylaw and pending Bylaws amendments, if any, so that the Applicant may construct and operate the Facility as proposed.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'F. Parisi', written over a horizontal line.

Francis D. Parisi, Esq.
Parisi Law Associates, P.C.
225 Dyer Street
Providence, RI 02903
(401) 447-8500 cell
fparisi@plapc.com

9

TOWAIR Determination Results

A routine check of the coordinates, heights, and structure type you provided indicates that this structure does not require registration.

*** NOTICE ***

TOWAIR's findings are not definitive or binding, and we cannot guarantee that the data in TOWAIR are fully current and accurate. In some instances, TOWAIR may yield results that differ from application of the criteria set out in 47 C.F.R. Section 17.7 and 14 C.F.R. Section 77.13. A positive finding by TOWAIR recommending notification should be given considerable weight. On the other hand, a finding by TOWAIR recommending either for or against notification is not conclusive. It is the responsibility of each ASR participant to exercise due diligence to determine if it must coordinate its structure with the FAA. TOWAIR is only one tool designed to assist ASR participants in exercising this due diligence, and further investigation may be necessary to determine if FAA coordination is appropriate.

DETERMINATION Results

PASS SLOPE(50:1): NO FAA REQ-RWY 10499 MTRS OR LESS & 7518.80 MTRS (7.51879) KM AWAY

Type	C/R	Latitude	Longitude	Name	Address	Lowest Elevation (m)	Runway Length (m)
AIRP	R	42-32-45.00N	072-00-52.00W	GARDNER MUNI	WORCESTER GARDNER, MA	281.6	914.3999999999998

Your Specifications

NAD83 Coordinates

Latitude 42-28-42.8 north
 Longitude 072-00-15.3 west

Measurements (Meters)

Overall Structure Height (AGL) 47.2
 Support Structure Height (AGL) 45.4
 Site Elevation (AMSL) 318.7

Structure Type

LTOWER - Lattice Tower

Tower Construction Notifications

Notify Tribes and Historic Preservation Officers of your plans to build a tower.

CLOSE WINDOW

10

STATEMENT OF BRENDAN M. GILL
Vertex Towers, LLC

I, Brendan Gill, hereby state the following in support of the application submitted by Vertex Towers, LLC for a multi-user Personal Wireless Service Facility (“PWSF”) to be located at 14 Main Street (Map 8, Lot A-41), Hubbardston, MA (the “Property”), consisting of a 150’ self-support style tower and related ground equipment contained within a fenced compound (the “Site”)

1. My name is Brendan Gill and I am the Director of Site Acquisition and Leasing for Vertex Towers, LLC.
2. I have worked in the telecommunications industry for over 10 years overseeing and assisting in the leasing, zoning, permitting and construction of wireless communications facilities and specifically in the investigation of all feasible alternatives and options locating a wireless communications facility within a search ring which would fill a significant gap in wireless coverage.
3. I have participated directly through my present and past employment in the development and analysis of hundreds of such facilities, including wireless communication facilities similar to the proposed Site.
4. I have personally visited the Property, and the areas surrounding the Property, on numerous occasions. I submit this affidavit based on my personal knowledge of the Property and the surrounding areas, while also working together with the experience and documentation provided by civil and radio frequency engineers, environmental consultants and based on my professional experience in the development of wireless communication facilities.
5. Part of my site acquisition and development duties include identifying potential candidates within an area identified as having a significant gap in coverage. The candidate identification process includes reviewing the applicable zoning ordinance with legal counsel, engineers, wetland scientists, and other professionals to identify areas where the proposed Site is allowed and feasible. First, I explore the area to determine whether there are any existing structures of sufficient height and structural capacity from which an antenna installation on such a structure would provide sufficient coverage. If there are no such existing structures, I identify properties, located within the narrowly defined search area, that appear to be suitable for the installation of a communications facility, while also eliminating certain properties that would not be suitable due various limitations or concerns related but not limited to, parcel size, access issues, landlocked parcels, conservation restrictions, wetlands, visibility, elevation, terrain and constructability. In order to be viable, a candidate must (i) provide adequate coverage to the identified significant gap in coverage and (ii) have a willing landowner with whom commercially reasonable lease terms may be negotiated. Preference is given to locations that closely comply with local zoning ordinances, or in the event no viable candidates are found within the search area, I attempt to identify other potentially suitable properties, with preference always given to existing structures.

6. In connection with this site, I have provided site acquisition services, including researching the area, and identifying potential alternative candidates to the leased ground space on the Property.
7. Based on my personal knowledge of the proposed Site and the and the surrounding area, there are no potential alternative candidates located within this geographically driven search ring that would be considered superior to the proposed Site. In addition, based on my experience, in my professional opinion, the proposed PWSF to be located at 14 Main Street is the least intrusive and only available and viable alternative to adequate meet the coverage objective to fill this significant gap in coverage.

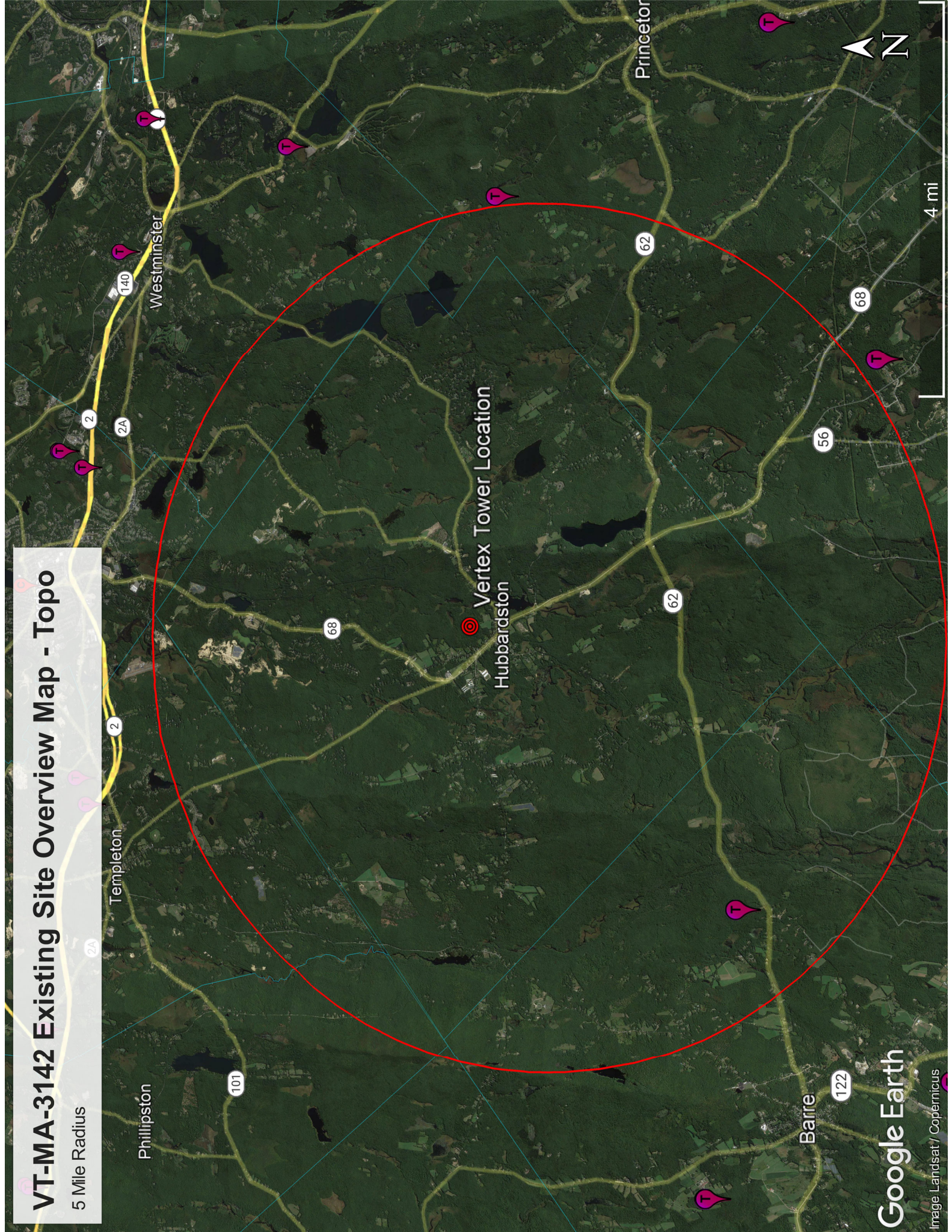
Executed this 19th of May 2022.



Brendan M. Gill
Vertex Towers, LLC

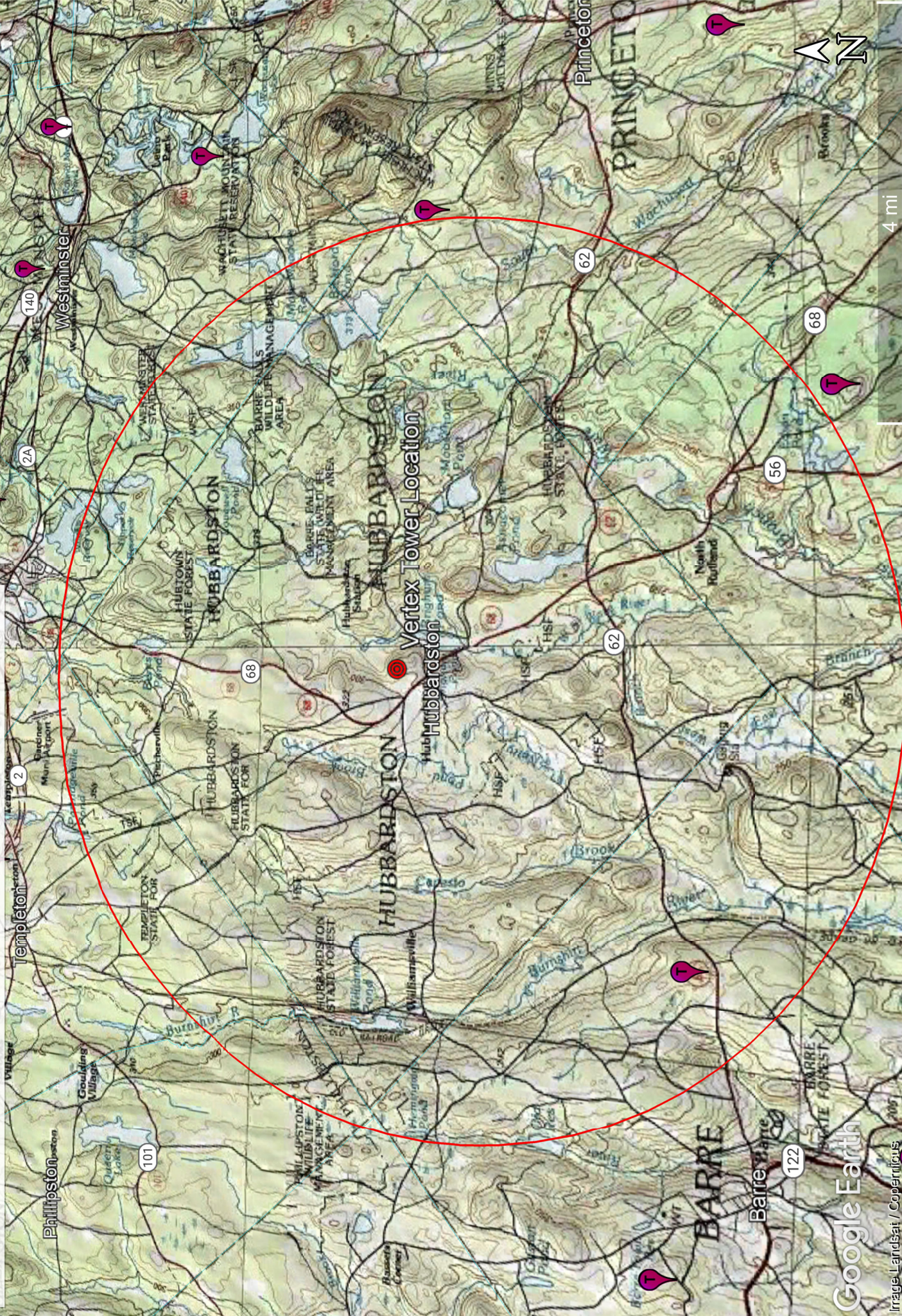
VT-MA-3142 Existing Site Overview Map - Topo

5 Mile Radius



VT-MA-3142 Existing Site Overview Map - Topo

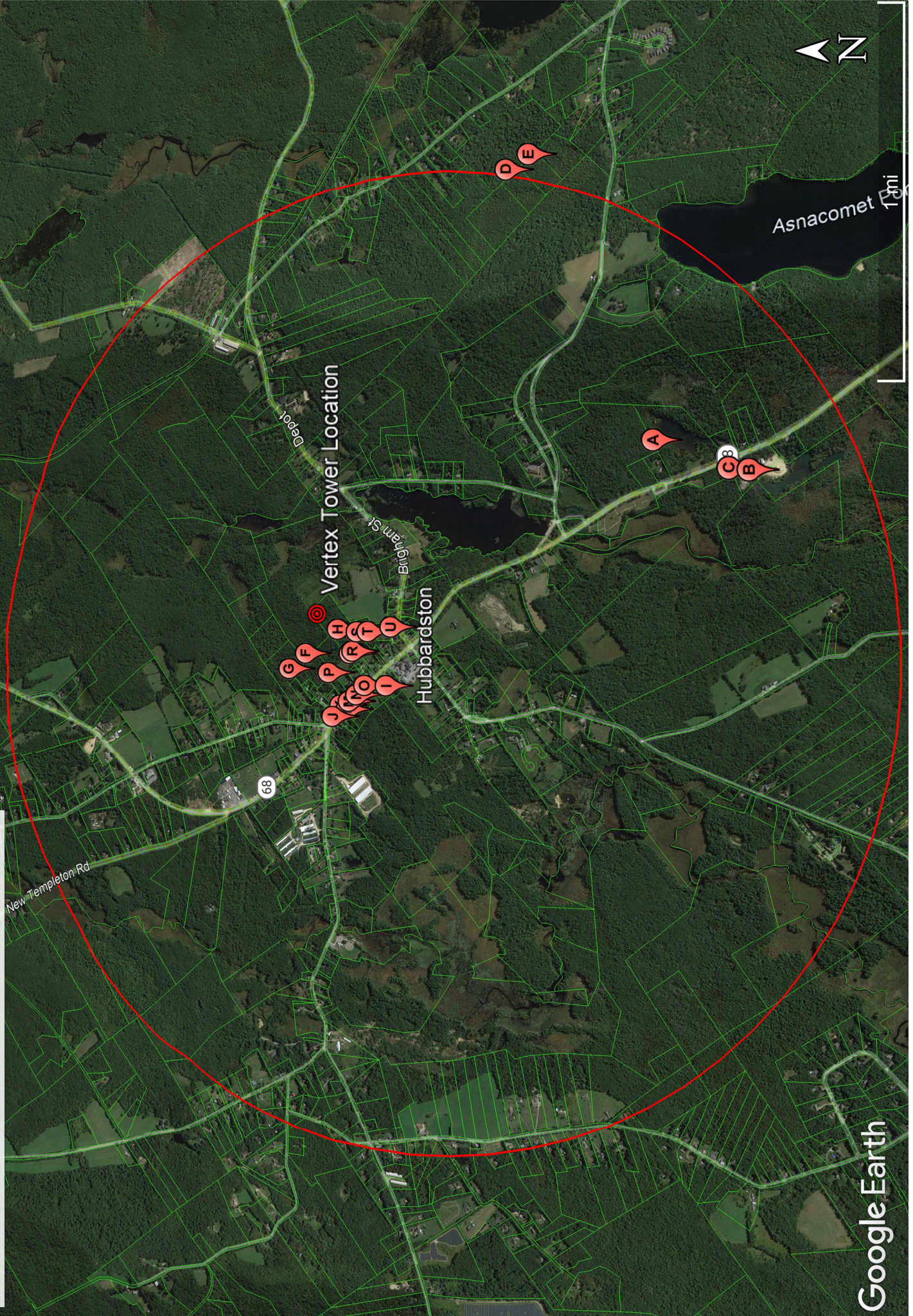
5 Mile Radius



Vertex Tower Location

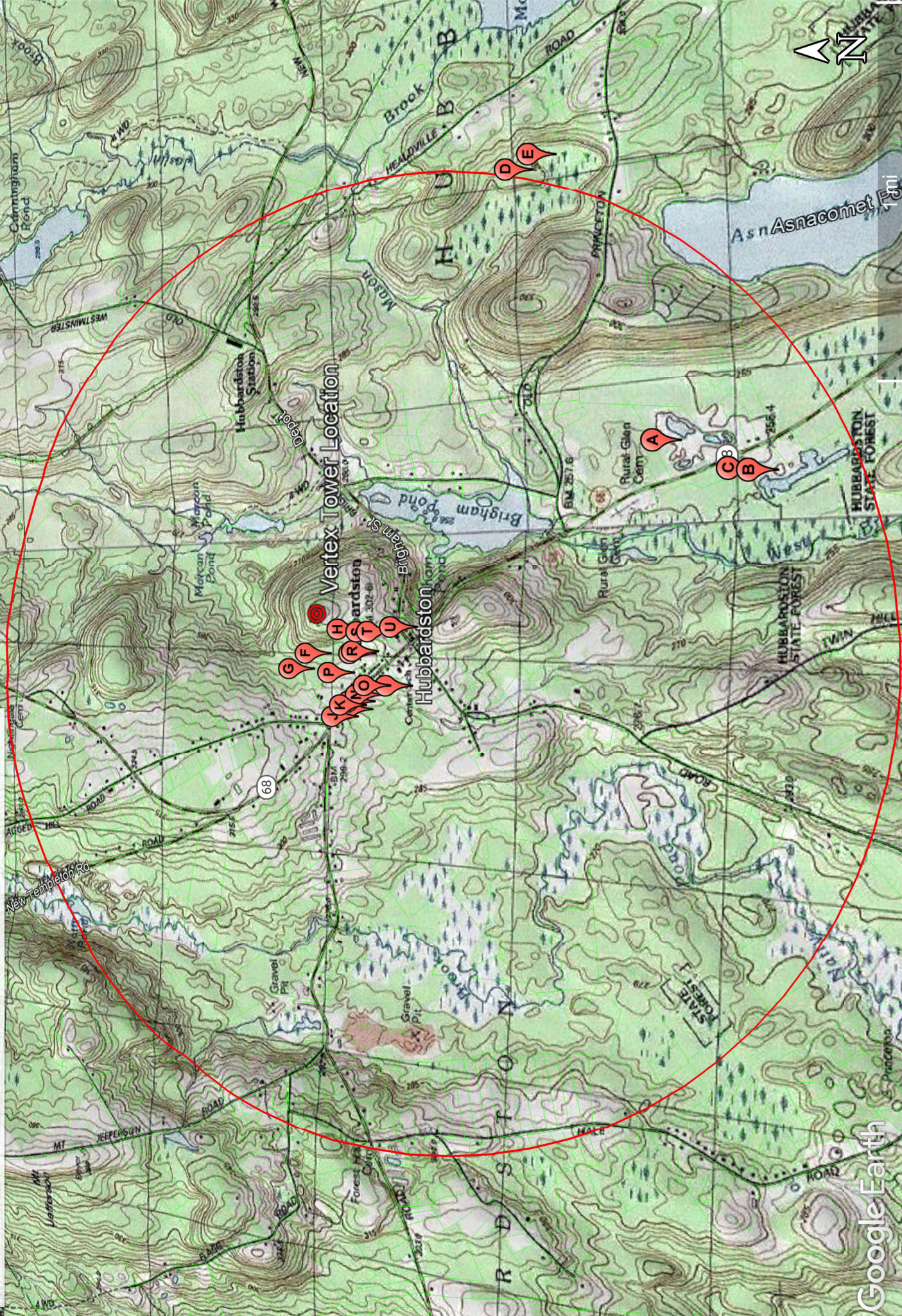
VT-MA-3142 ASA Overview Map

1.5 Mile Radius



VT-MA-3142 ASA Overview Map - Topo

1.5 Mile Radius



11

AFFIDAVIT OF RF ENGINEER

I, Jose Hernandez hereby state the following in support of the application for Vertex Tower, LLC (“Vertex”) of proposed Lattice Tower at Hubbardston, MA 01452 (42.478542, -72.004258).

(the “Site”) and the attachment of antennas, cabling and other telecommunications equipment on and at the base of the Lattice Tower by various wireless broadband telecommunications carriers as proposed in the attached application (the “Facility”).

1. I am a currently an independent consultant Principal/Manager Radio Frequency Engineer. I have been involved with the wireless telecommunications industry for 20 years, and have held various technical, operational and supervisory positions with Nextel Communications, T-Mobile, AT&T Mobility and Sprint PCS.

2. In order to satisfy its obligations under its radio licenses acquired from the FCC and under the Code of Federal Regulations 47 C.F.R. § 27.14(a), wireless broadband telecommunications carriers must have in place a system of strategically deployed “cell sites” to provide wireless communications services to their subscribers’ throughout their licensed area. These cell sites generally consist of an antenna support structure such as a telecommunications tower, building, water tank, or other structures used to elevate the antennas to the height necessary for providing adequate service to the targeted area. The antennas are connected via cabling to radio equipment located near the antennas and/or at the base of the support structure. The cell sites operate by transmitting and receiving low power radio frequency signals to and from their subscribers’ portable wireless communication devices such as basic handheld phones, smartphones, PDA’s, tablets, and laptop aircards. These wireless voice and data signals are then transferred through ground telephone lines, fiber, microwave or other means of backhaul transport, and routed to their destinations by sophisticated electronic equipment.

3. Cell sites are a vital and necessary part of carriers’ network infrastructure. In order to maintain effective, uninterrupted service throughout a given area, there must be a series of cell sites, interconnected to each other with slightly overlapping coverage areas. This allows for the subscribers to move freely about a geographic area while maintaining a consistent and reliable wireless connection to the network.

4. A proposed cell site must consider the locations and coverage provided by the surrounding cell sites in the network, and must be located within a limited geographical area, which is defined by factors such as terrain, land use characteristics, and population density. By locating within this limited area and at a sufficient height, the cell site would have a high probability of meeting the targeted objectives, thereby providing reliable coverage and capacity throughout the cell.

5. In compliance with the requirements of its FCC licenses, carriers are actively building their respective networks to provide coverage throughout its licensed area. In order to meet the responsibility of providing seamless, uninterrupted service, carriers must continue to acquire

interest in sites for additional facilities, and is applying for and obtaining local governmental zoning approvals to construct its sites in order to eliminate deficient service areas due to gaps in coverage or insufficient capacity. Any delays severely curtail carriers' ability to satisfy both mandated time requirements, and to achieve a market position that will allow it to compete for customers with other similar companies also issued licenses to operate in this area.

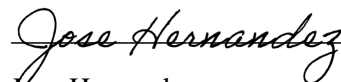
6. Using computer simulations to model radio frequency propagation, Vertex has determined that a wireless transmission facility located at or near to the proposed Facility would facilitate wireless communications within the local area along Rt.68, Brigham St and surrounding areas of Hubbardston, MA. These simulations model characteristics such as antenna types, antenna height, output power, terrain, ground elevations and RF propagation effects of the frequency utilized.

7. In my opinion based upon substantial research and analysis, without a cell site located at or very near the proposed site, this area of Hubbardston, MA would not meet the typical coverage requirements for multiple wireless carriers, resulting in a substantial gap in wireless coverage.

8. Based upon the technologies currently being deployed by wireless carriers, it is my opinion that the proposed Facility is at the minimum height necessary to satisfy the coverage objectives of multiple wireless carriers providing in the area.

9. All of the transmitter facilities to be located at the proposed location are required to comply, and when constructed and operational will comply with, all applicable regulations of the FCC regarding radio frequency (RF) exposure as detailed in FCC OET Bulletin 65, Edition 97-1.

Signed and sworn under the pains and penalties of perjury, Feb, 22, 2021.

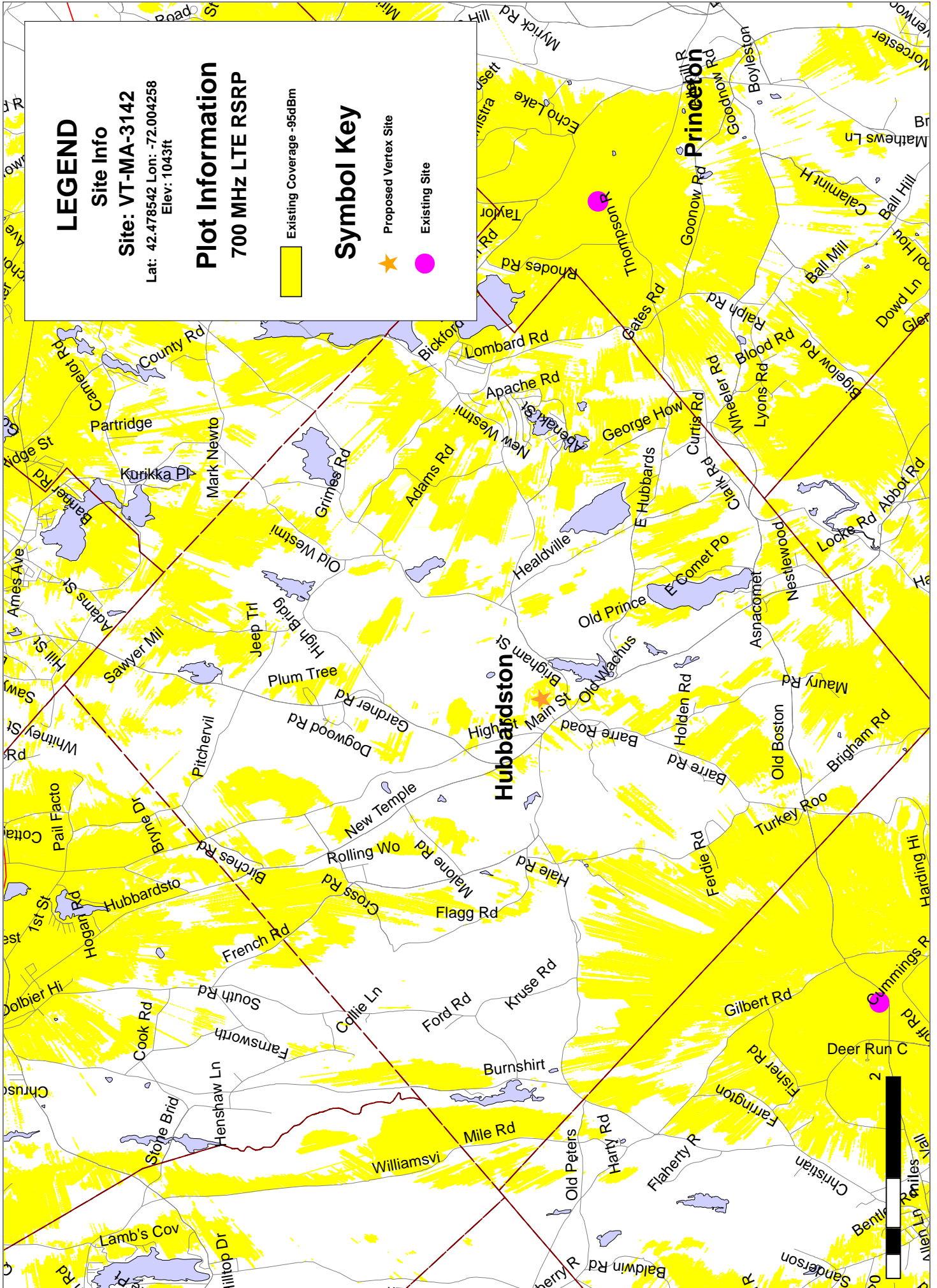
 _____

Jose Hernandez

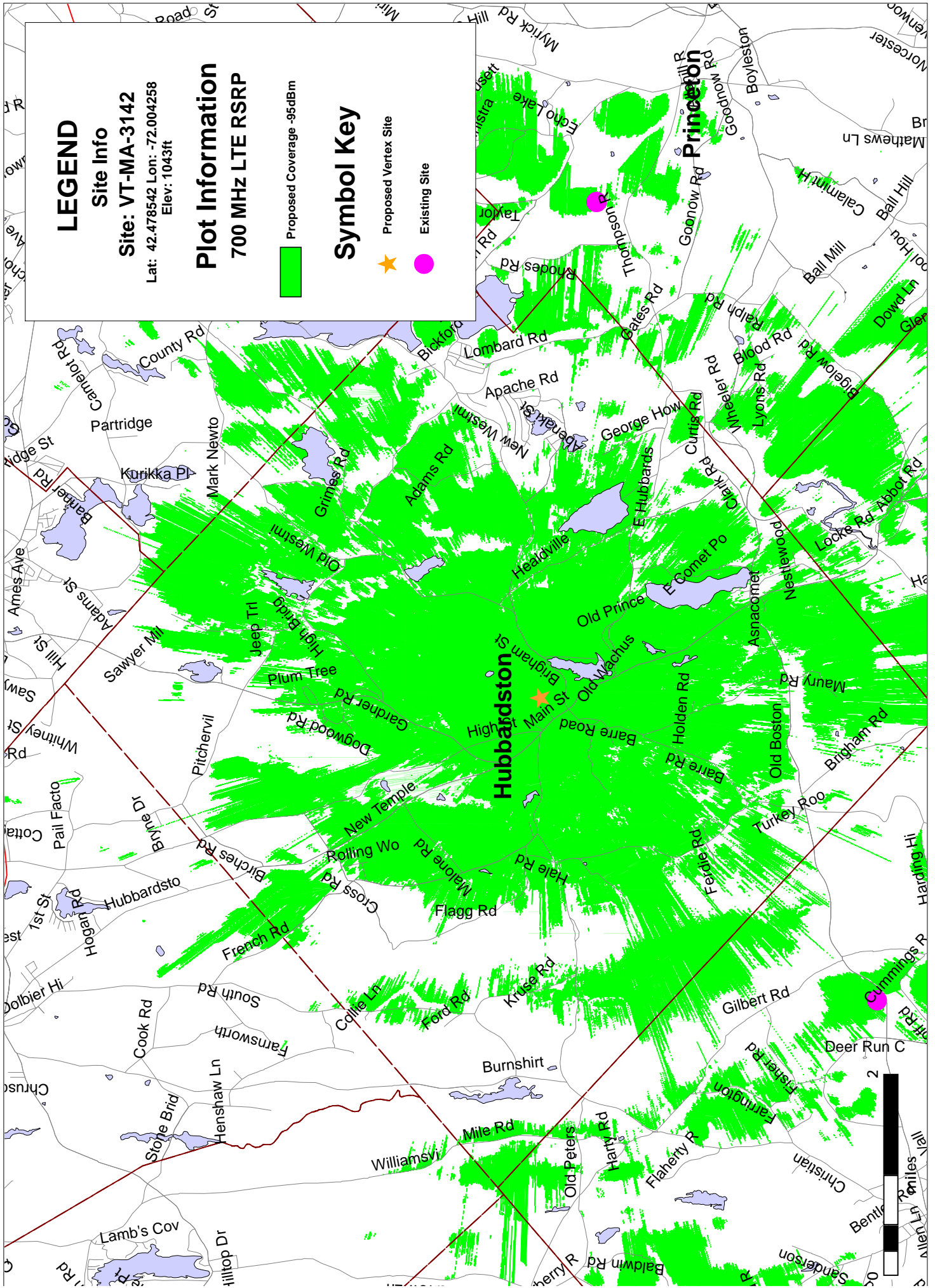
JNaerowaves.Corp

President / Principal Radio Frequency Engineer

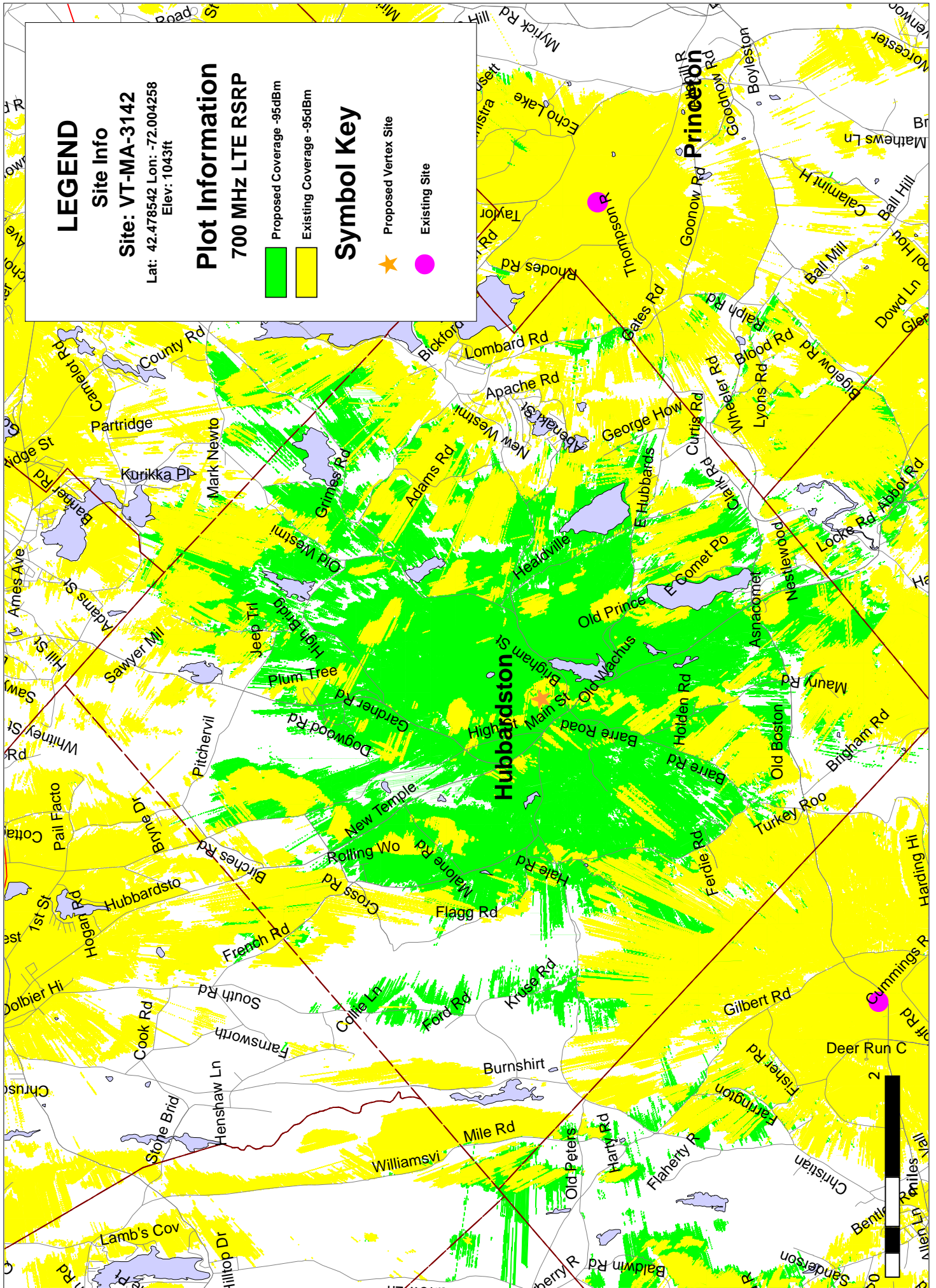
RF Existing Coverage Without VT-MA-3142@145'



RF Proposed Coverage For VT-MA-3142@145'



RF Existing Coverage With VT-MA-3142@145'



12

Site Emissions Report For Hubbardston, MA

Date Performed: 02/22/2021

This site emissions analysis was created for Vertex Towers, LLC. The Lattice Tower analysis was performed to include all 4 major carriers. According to the analysis, this Lattice Tower located at Hubbardston, MA 01452. (42.478542/-72.004258) does pass the FCC requirements for Radio Frequency emissions. The FCC requirements used in this report were determined from the FCC OET65 documentation and calculations.

The Lattice Tower assumes the worst case scenario which would not occur in the real world. It assumes that all 4 carriers are using all frequency bands and are all on the lowest height of the tower.

The approach taken for calculations takes into account the typical antenna used, since a Cell Site antenna is directional and has different gains at different angles.

At the lowest height of 115ft, the highest emissions does not go above 2.11 $\mu\text{W}/\text{cm}^2$ which is **0.211%** of the Maximum Permissible Emissions requirements, which is less than 1% of the MPE requirements.

Site Name: VT-MA-3142

Coordinates: (42.478542/-72.004258)

Location: Hubbardston, MA 01452.

Carrier Available

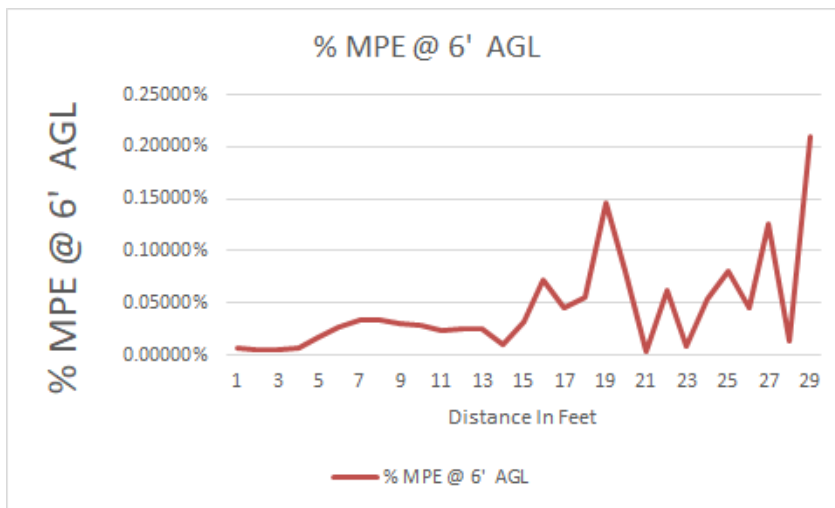
Heights (ft): 145,135,125,115

Equation for Predicting RF Fields:

$$S = \frac{EIRP}{4\pi R^2} \quad (4)$$

where: EIRP = equivalent (or effective) isotropically radiated power
S = power density (in appropriate units, e.g. mW/cm^2)

Reference: OET Bulletin 65



Wireless Service Provider	Frequency Band	ERP (Watts)
Carrier 1	1900MHz	1250
Carrier 1	700MHz	1000
Carrier 1	850MHz	1000
Carrier 1	2100MHz	2500
Carrier 2	1900MHz	2000
Carrier 2	700MHz	1000
Carrier 2	850MHz	1000
Carrier 2	2100MHz	1000
Carrier 3	1900MHz	1360
Carrier 3	2100MHz	1360
Carrier 3	700MHz	1000
Carrier 4	850MHz	400
Carrier 4	1900MHz	1360

Analysis Performed by: Jose Hernandez
Jose Hernandez – President / Principal, RF Engineer - JNaerowaves.Corp

Jose Hernandez is an independent Radio Frequency Engineer with 20 years of experience as an engineer in the Wireless Telecommunications field. Jose has performed numerous emissions reports for the Wireless Telecommunications Industry.

02/22/2021

13

DRAFT

ISSUED THROUGH

A.A. DORITY COMPANY

BOSTON

TOWER / STRUCTURE / EQUIPMENT REMOVAL BOND

Location tower/structure/equipment:

Site ID:

Bond No.

KNOW ALL MEN BY THESE PRESENTS:

That Vertex Tower Assets, LLC, 155 South Street, Suite 205, Wrentham, MA 02093 as Principal and, NGM Insurance Company, a corporation duly organized under the laws of the State of Florida as Surety, are held and firmly bound unto the Town of _____ as Obligee, the penal sum of _____ for the payment of which, well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents, the liability of the surety being limited to the penal sum of this bond regardless of the number of years the bond is in effect.

WHEREAS, the Principal has entered into a written agreement with the property owner for the placement of a tower, structure or equipment furnishing telephone, television or other electronic media service, which agreement sets forth the terms and conditions which govern the use of such towers, structures or equipment and which agreement is hereby specifically referred to and made part hereof, and

WHEREAS, the Town of _____ and/or the property owner, requires the submission of a bond guaranteeing the maintenance, replacement, removal or relocation of said tower,

NOW THEREFORE, the condition of this obligation is such, that if the above bounded Principal shall perform in accordance with the aforesaid ordinance and/or agreement, and Indemnify the Obligee against all loss caused by the Principal's breach of any ordinance or agreement relating to the maintenance, replacement, removal or relocation of a tower, structure or equipment, then this obligation shall be void; otherwise to remain in full force and effect unless cancelled as set forth below.

THIS BOND may be cancelled by Surety by giving thirty (30) days written notice to the Obligee by certified mail. Such cancellation shall not affect any liability the surety has incurred under this bond prior to the effective date of the termination.

PROVIDED that no action, suit or proceeding shall be maintained against the Surety on this bond unless the action is brought within twelve (12) months of the cancellation date of this bond.

SIGNED this _____ day of _____

Principal: Vertex Tower Assets, LLC

Surety: NGM Insurance Company





KNOW ALL MEN BY THESE PRESENTS: That NGM Insurance Company, a Florida corporation having its principal office in the City of Jacksonville, State of Florida, pursuant to Article IV, Section 2 of the By-Laws of said Company, to wit:

"Article IV, Section 2. The board of directors, the president, any vice president, secretary, or the treasurer shall have the power and authority to appoint attorneys-in-fact and to authorize them to execute on behalf of the company and affix the seal of the company thereto, bonds, recognizances, contracts of indemnity or writings obligatory in the nature of a bond, recognizance or conditional undertaking and to remove any such attorneys-in-fact at any time and revoke the power and

does hereby make, constitute and appoint

its true and lawful Attorneys-in-fact, to make, execute, seal and deliver for and on its behalf, and as its act and deed, bonds, undertakings, recognizances, contracts of indemnity, or other writings obligatory in nature of a bond subject to the following limitation:

1. No one bond to exceed

and to bind NGM Insurance Company thereby as fully and to the same extent as if such instruments were signed by the duly authorized officers of NGM Insurance Company; the acts of said Attorney are hereby ratified and confirmed.

This power of attorney is signed and sealed by facsimile under and by the authority of the following resolution adopted by the Directors of NGM Insurance Company at a meeting duly called and held on the 2nd day of December 1977.

Voted: That the signature of any officer authorized by the By-Laws and the company seal may be affixed by facsimile to any power of attorney or special power of attorney or certification of either given for the execution of any bond, undertaking, recognizance or other written obligation in the nature thereof; such signature and seal, when so used being hereby adopted by the company as the original signature of such office and the original seal of the company, to be valid and binding upon the company with the same force and effect as though manually affixed.

IN WITNESS WHEREOF, NGM Insurance Company has caused these presents to be signed by its Vice President, General Counsel and Secretary and its corporate seal to be hereto affixed this day of

NGM INSURANCE COMPANY By:

State of Florida,
County of Duval.

On this before the subscriber a Notary Public of State of Florida in and for the County of Duval duly commissioned and qualified, came NGM Insurance Company, to me personally known to be the officer described herein, and who executed the preceding instrument, and he acknowledged the execution of same, and being by me fully sworn, deposed and said that he is an officer of said Company, aforesaid: that the seal affixed to the preceding instrument is the corporate seal of said Company, and the said corporate seal and her signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Company; that Article IV, Section 2 of the By-Laws of said Company is now in force.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Jacksonville, Florida this day of

I, of NGM Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney executed by said Company which is still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Company at Jacksonville, Florida this day of

WARNING: Any unauthorized reproduction or alteration of this document is prohibited.
TO CONFIRM VALIDITY of the attached bond please call 1-800-225-5646.

TO SUBMIT A CLAIM: Send all correspondence to 55 West Street, Keene, NH 03431 Attn: Bond Claims.



14

ARTICLE 8
ENVIRONMENTAL AND COMMUNITY IMPACT
ANALYSIS

8.3 Analysis.

For each of the components of the Environmental and Community Impact Analysis listed under paragraph 4 below, each of the following concerns must be separately addressed:

- a. **The Environmental and Community Impacts of the Proposed use and/or Development** - All primary and secondary environmental and community impacts, both beneficial and adverse, anticipated as a result of the proposed use and/or development. This section shall include all impacts resulting from the construction phase as well as those resulting from the project's completion.
- b. **Adverse impacts which cannot be avoided should the proposed use and/or development be implemented** - The report shall describe the kinds and magnitudes of adverse impacts which cannot be reduced in severity or which can be reduced in severity, but not eliminated.
- c. **Alternatives to the proposed use and/or development** - The report shall develop, describe, and objectively weigh alternatives to the proposed use and/or development which are allowed by the Zoning Bylaw.
- d. **Measures to be used to minimize adverse environmental and community impacts** - Corrective and protective measures which will be taken, as part of the project, to minimize adverse impacts shall be described in detail.

8.4 Scope.

The Environmental and Community Impact Analysis shall evaluate all of the following topics:

a. Natural Environment.

- i. **Air and Noise Pollution** - The impact of local air quality and noise from the proposed development (including traffic generated from the development), both during and after construction, shall be evaluated. The Planning Board may require detailed technical reports of such impacts.
 - a. *The proposed Facility will have no Environmental and Community Impact on Air and Noise Pollution.*
 - b. *The proposed Facility will have no Adverse Impact on Air and Noise Pollution which cannot be avoided*
 - c. *There are no Alternatives to the proposed Facility which will have lesser impact on Air and Noise Pollution.*
 - d. *The Applicant has taken sufficient measures to minimize adverse impact from Air and Noise Pollution.*

The proposed Facility is passive in nature and will not generate smoke, dust, discharge of noxious substances into the air, nor will it generate any noise. The proposed Facility will be on a large substantially undeveloped lot and will be surrounded by a substantial vegetative buffer which will mitigate noise, if any, generated at the Facility. The

Facility has been sited on the subject property to meet all required setbacks under the Zoning Ordinance, and as is provided in the Reports of Site Acquisition Specialist and RF Engineer, there are no viable alternatives to the Facility that would satisfy the wireless coverage gap.

ii. **Water Pollution - The impact of storm water run-off on adjacent and downstream surface water bodies and sub-surface ground water shall be evaluated. Dangers of flooding as a result of increased downstream runoff, especially peak runoff. The impact of the proposed project on water table levels shall also be analyzed.**

- a. *The proposed Facility will have no Environmental and Community Impact due to stormwater runoff or water table levels*
- b. *The proposed Facility will have no Adverse Impact on stormwater runoff or water tables which cannot be avoided*
- c. *There are no Alternatives to the proposed Facility which will have lesser impact on stormwater runoff or water table levels.*
- d. *The Applicant has taken sufficient measures to minimize adverse impact from stormwater runoff or water table levels.*

As is shown in the Site Plans, the Applicant has incorporated substantial storm water runoff elements to eliminate off-site stormwater runoff or runoff into wetlands. The foundation of the proposed Facility has not yet been designed (once the Planning Board approves the Site Plan, the Applicant's engineers will do subsurface geotechnical analysis at the site and design a foundation appropriate for the approved Facility at this specific location, but typically the foundation will be approximately 20' x 20' x 6' deep, and will have no effect on stormwater runoff or water table levels.

iii. **Land - Compatibility of the proposed development with existing soils; the impact of any soils or other materials to be removed from the site; and the potential dangers and impacts of erosion and sedimentation caused by the proposed development.**

- a. *The proposed Facility will have no Environmental and Community Impact on existing soils, erosion and sedimentation.*
- b. *The proposed Facility will have no Adverse Impact on existing soils and there is no potential danger or impact from erosion or sedimentation which cannot be avoided*
- c. *There are no Alternatives to the proposed Facility which will have lesser impact on existing soils, erosion or sedimentation.*
- d. *The Applicant has taken sufficient measures to minimize adverse impact on existing soils, erosion and sedimentation.*

As is shown in the Site Plans, the Applicant has incorporated substantial erosion control elements to ensure that there is no erosion at the base of the Facility or along the access driveway.

- iv. **Plants & Wildlife - The impact that the proposed project may have on wildlife habitat and on any rare or endangered plant or animal species known to exist in the area.**
- a. *The proposed Facility will have no Environmental and Community Impact on wildlife habitat or any rare or rare or endangered plant or animal species known to exist in the area.*
 - b. *The proposed Facility will have no Adverse Impact on wildlife habitat or any rare or rare or endangered plant or animal species known to exist in the are and there is no potential danger or impact on wildlife habitat or rare or endangered plant or animal species which cannot be avoided*
 - c. *There are no Alternatives to the proposed Facility which will have lesser impact on wildlife habitat or rare or endangered plant or animal species*
 - d. *The Applicant has taken sufficient measures to minimize adverse impact on wildlife habitat or rare or endangered plant or animal species*

As is shown in the Site Plans, the proposed Facility will only be 60' x 60' within a 13 acre parcel, with only a deminimus amount of land disturbance. As is indicated is shown on NEPA Land Use Screening Checklist, the Applicant has requested and is awaiting confirmation from the US Fish and Wildlife Service that the proposed Facility will have no impact on any Threatened or Endangered Species and Critical Habitats. The Applicant has provided a substantial alternatives analysis which demonstrates that there is no viable alternative to the proposed Facility.
- v. **Water Supply - The average and peak daily demand and the impact of such demands on groundwater aquifers.**
- a. *The proposed Facility will have no Environmental and Community Impact on water supply or groundwater aquifers.*
 - b. *The proposed Facility will have no Adverse Impact on water supply or groundwater aquifers.*
 - c. *There are no Alternatives to the proposed Facility which will have lesser impact on water supply or groundwater aquifers.*
 - d. *The Applicant has taken sufficient measures to minimize adverse impact on water supply or groundwater aquifers.*

Once constructed, the proposed Facility will be unmanned and will not require water service.

vi. **Sewage Disposal - The average and peak daily disposal and the impact of such disposal on groundwater aquifers.**

- a. *The proposed Facility will have no Environmental and Community Impact on sewage disposal or groundwater aquifers.*
- b. *The proposed Facility will have no Adverse Impact on sewage disposal or groundwater aquifers.*
- c. *There are no Alternatives to the proposed Facility which will have lesser impact on sewage disposal or groundwater aquifers.*
- d. *The Applicant has taken sufficient measures to minimize adverse impact on sewage disposal or groundwater aquifers.*

Once constructed, the proposed Facility will be unmanned and will not require sewage disposal service

a.Man-Made Environment.

i. **Existing Neighborhood Land Use - Compatibility with adjacent or nearby existing land uses, or approved private development plans, if known, for adjacent or nearby land use changes to occur during the life of the proposed development. If not compatible, reasons therefor shall be detailed. Consultation with the Planning Board is strongly recommended.**

- a. *The proposed Facility will have no Environmental and Community Impact on existing neighborhood land use.*
- b. *The proposed Facility will have no Adverse Impact on existing neighborhood land use.*
- c. *There are no Alternatives to the proposed Facility which will have lesser impact on neighborhood land use.*
- d. *The Applicant has taken sufficient measures to minimize adverse impact on neighborhood land use.*

As is discussed extensively throughout the Project Narrative, , the requested use at this location will not result in a change in the appearance of the surrounding neighborhoods. The use is passive in nature and will not generate any traffic, smoke, dust, heat, glare, discharge of noxious substances, nor will it pollute waterways or groundwater. The Applicant has provided a substantial alternatives analysis which demonstrates that there is no viable alternative to the proposed Facility.

ii. Zoning - Compatibility of proposed development with the purposes of the Zoning ByLaw and the Zoning District.

- a. The proposed Facility will have no Environmental and Community Impact with the purposes of the Zoning ByLaw and the Zoning District.*
- b. The proposed Facility will have no Adverse Impact on with the purposes of the Zoning ByLaw and the Zoning District.*
- c. There are no Alternatives to the proposed Facility which will have lesser impact on with the purposes of the Zoning ByLaw and the Zoning District.*
- d. The Applicant has taken sufficient measures to minimize adverse impact on with the purposes of the Zoning ByLaw and the Zoning District.*

The Property is a large, 13 acre substantially undeveloped parcel in the Town Center Zoning District and Wireless Communications Overlay District, in which the prosed Facility is a permitted use subject to a Special Permit from the Planning Board. The Applicant has provided a substantial alternatives analysis which demonstrates that there is no viable alternative to the proposed Facility.

iii. Architecture - The style of architecture of the buildings shall be described; its relation to prevailing types of architecture for similar buildings; and its compatibility with the function of the building and to the architecture of adjacent buildings. Sketches, photos, elevations and renderings are encouraged to illustrate architectural appropriateness as well as innovation.

- a. The proposed Facility will have no Environmental and Community Impact on the architecture of similar buildings in the area.*
- b. The proposed Facility will have no Adverse Impact on the architecture of similar buildings in the area.*
- c. There are no Alternatives to the proposed Facility which will have lesser impact on the architecture of similar buildings in the area.*
- d. The Applicant has taken sufficient measures to minimize adverse impact on architecture of similar buildings in the area.*

The proposed facility will be a 149' tall LATTICE style tower designed for maximum co-location, which complies with Section 18.4.1.b of the Zoning Bylaw; however, the Facility will be sited to minimize the visibility of the Facility from adjacent properties and shall be suitably screened from abutters and public rights of way. The proposed Facility will not require FAA lighting or marking. The Facility will be amply set back from abutting properties and buffered by a dense stand of existing trees, and as such will be as camouflaged as much as possible to reduce the visual impact of the Facility. The Applicant has provided a substantial alternatives analysis which demonstrates that there is no viable alternative to the proposed Facility.

c. **Public Service.**

i. Schools - The expected impact on the school system both elementary and secondary levels, the number of students; projected school bus routing changes and projections of future school building needs resulting from the proposed project.

- a. *The proposed Facility will have no Environmental and Community Impact on schools.*
- b. *The proposed Facility will have no Adverse Impact on schools.*
- c. *There are no Alternatives to the proposed Facility which will have lesser impact on schools.*
- d. *The Applicant has taken sufficient measures to minimize adverse impact on schools.*

The proposed Facility will be unmanned and unoccupied by school age children.

ii. Police - The expected impact on police services, time and manpower needed to protect the proposed development and service improvements necessitated by the proposed development.

- a. *The proposed Facility will have no Environmental and Community Impact on police services.*
- b. *The proposed Facility will have no Adverse Impact on police services.*
- c. *There are no Alternatives to the proposed Facility which will have lesser impact on police services.*
- d. *The Applicant has taken sufficient measures to minimize adverse impact on police services.*

The proposed Facility will be unmanned. However, the enhancement of wireless service coverage in the Town of Hubbardston is desirable to the public convenience for personal use of wireless services and for community safety in times of public crisis and natural disaster.

iii. Fire - Expected fire protection needs; on-site fire fighting capabilities; on-site alarm or other warning devices; fire-flow water needs, source and delivery system and other needs shall be presented. Fire department service improvements necessitated as a result of the proposed project shall also be discussed.

- a. *The proposed Facility will have no Environmental and Community Impact on fire protection services.*
- b. *The proposed Facility will have no Adverse Impact on fire protection services.*

c. *There are no Alternatives to the proposed Facility which will have lesser impact on fire protection services.*

d. *The Applicant has taken sufficient measures to minimize adverse impact on fire protection services.*

Because cell sites are many times built in remote, rugged and higher elevation terrain with limited access, tower owners, telecommunications carriers, equipment manufacturers and the engineers who design cell sites have incorporated many different fire prevention methods into these sites. The telecommunications equipment that will be utilized at the Facility will be installed and owned by the respective carriers who co-locate at the Facility, and is constantly evolving with advances in technology and safety protocols. However, in general, the electronic equipment used at telecommunications facilities is non-combustible and heat sensitive. The cabinets in which telecommunications equipment is placed are generally made of a steel, UL listed, Telcordia approved, OSHA compliant, non-corrosive and fire resistant material to provide a suitable environment for telecommunications equipment and to prevent and/or self-contain combustion within the cabinet in the unlikely event of a combustible electrical malfunction. These cabinets also have passive (venting) and/or active (small cooling fans) cooling mechanisms to prevent overheating. More importantly the cabinets also contain thermostats and/or heat detectors and/or smoke detectors that are remotely monitored by carriers' respective Network Operations Control Center ("NOCC") to ensure that the equipment temperature remains optimal. In the event of extreme heat or combustion event, the equipment is programmed to either shut down automatically or can be shut down remotely at the NOCC, which can also dispatch a technician to the site to address the issue. Technicians who are required to visit a cell site are well-trained in fire safety protocol. Equipment cabinets are placed on concrete foundations within a gravel-covered fenced-in compound, which will be kept free of vegetation and which will mitigate the risk of fire within the compound by maintaining a non-combustible buffer. The area around the fenced-in compound will be cleared to facilitate construction and for the installation of the access driveway and erosion mitigation systems, further reducing the risk of fire around the perimeter of the Facility.

The cell tower will be designed with a lightning rod and an extensive, below grade electrical grounding system, to safely dissipate lightning electrical energy in the event of a lightning strike. Similarly, each base station cabinet will be grounded to also safely dissipate lightning and other electrical energy. Following approval of the Facility by the Planning Board, Vertex will conduct a more extensive below-grade geotechnical analysis to ascertain subsurface conditions so its engineers can design a site specific and appropriate foundation and grounding system. More importantly, the lattice style of tower that will be utilized at the site also reduces the risk of fire because future tower structural reinforcement, if necessary, can be more easily accomplished without aerial welding. Vertex takes cell site safety very seriously, and engages engineers, construction managers and other professionals to ensure that the Facility will remain compliant with all applicable safety standards, including fire prevention, and believes that the public safety benefit of enhanced wireless communications greatly outweighs the risk of fire at the Facility.

iv. Recreation - On-site recreation provisions shall be detailed and off-site recreation demands shall be estimated. Provision for public open space, either dedicated to the Town or available to its residents shall be described. Open space available primarily or exclusively for residents or employees shall also be described.

- a. The proposed Facility will have no Environmental and Community Impact on recreation.*
- b. The proposed Facility will have no Adverse Impact on recreation.*
- c. There are no Alternatives to the proposed Facility which will have lesser impact on recreation.*
- d. The Applicant has taken sufficient measures to minimize adverse impact on recreation.*

The proposed Facility will be unmanned.

v. Solid Waste Disposal - Analysis of the projected volume and type of solid waste to be generated by the proposed development and methods of removal.

- a. The proposed Facility will have no Environmental and Community Impact on solid waste disposal.*
- b. The proposed Facility will have no Adverse Impact on solid waste disposal*
- c. There are no Alternatives to the proposed Facility which will have lesser impact on solid waste disposal.*
- d. The Applicant has taken sufficient measures to minimize adverse impact on solid waste disposal.*

The proposed Facility will be unmanned and is passive in nature, and will not generate any solid waste.

vii. Traffic - The expected impact of traffic generated by the proposed development on area roadways. Discussion shall include existing average and peak traffic volumes and composition, projected average and peak traffic generation and composition, intersection impacts and analysis of area roadway and intersection capacities. Methodologies used to make projection shall be described in detail.

- a. The proposed Facility will have no Environmental and Community Impact on traffic.*
- b. The proposed Facility will have no Adverse Impact on traffic.*
- c. There are no Alternatives to the proposed Facility which will have lesser impact on traffic.*
- d. The Applicant has taken sufficient measures to minimize adverse impact on traffic.*

Once constructed, the Facility will be unmanned and will involve only periodic maintenance visits. The traffic generated by the facility will be one or two vehicle trips per month by maintenance and technical personnel to ensure the telecommunications site remains in good working order. These visits will not result in any material increase in traffic or disruption to patterns of access or egress that will cause congestion hazards or cause a substantial change in the established neighborhood character. The Applicant's maintenance personnel will make use of the existing access driveway and parking to be constructed at the Property. The proposed Facility will not obstruct existing rights-of-way or pedestrian access and will not change the daily conditions of access, egress, traffic, congestion hazard, or character of the neighborhood. The installation will not require the addition of any new parking or loading spaces.

viii. Highway - Projected need, responsibility and costs to the Town of roadway maintenance shall be analyzed. Impacts of construction equipment on area roadways shall also be discussed.

- a. *The proposed Facility will have no Environmental and Community Impact on highway and roadway maintenance.*
- b. *The proposed Facility will have no Adverse Impact on highway and roadway maintenance.*
- c. *There are no Alternatives to the proposed Facility which will have lesser impact on highway and roadway maintenance.*
- d. *The Applicant has taken sufficient measures to minimize adverse impact on highway and roadway maintenance.*

Once constructed, the Facility will be unmanned and will involve only periodic maintenance visits. The traffic generated by the facility will be one or two vehicle trips per month by maintenance and technical personnel to ensure the telecommunications site remains in good working order. These visits will not result in any material increase in traffic or disruption to patterns of access or egress that will cause congestion hazards or cause a substantial change in the established neighborhood character. The Applicant's maintenance personnel will make use of the existing access driveway and parking to be constructed at the Property. The proposed Facility will not obstruct existing rights-of-way or pedestrian access and will not change the daily conditions of access, egress, traffic, congestion hazard, or character of the neighborhood. The installation will not require the addition of any new parking or loading spaces.

d. Aesthetics.

i. Lighting - The type, design, location, function and intensity of all exterior lighting facilities shall be described. Attention given to safety, privacy, security, and daytime and nighttime appearance shall be detailed.

- a. *The proposed Facility will have no Environmental and Community Impact because of lighting.*
- b. *The proposed Facility will have no Adverse Impact because of lighting.*
- c. *There are no Alternatives to the proposed Facility which will have lesser impact because of lighting.*
- d. *The Applicant has taken sufficient measures to minimize adverse impact because of lighting.*

Accompanying this Application is the results of a FCC TOWAIR database search indicating that the proposed Facility will not require registration with the FCC or FAA and will have no impact on air navigation, and, therefore, no FAA lighting or marking will be required under current FAA regulation.

ii. Landscaping - Provisions for landscaping shall be described including type, location and function of all plantings and materials.

- a. *The proposed Facility will have no Environmental and Community Impact because of landscaping.*
- b. *The proposed Facility will have no Adverse Impact because of landscaping*
- c. *There are no Alternatives to the proposed Facility which will have lesser impact because of landscaping*
- d. *The Applicant has taken sufficient measures to minimize adverse impact because of landscaping.*

The Facility will be sited to minimize the visibility of the Facility from adjacent properties and shall be suitably screened from abutters and public rights of way. The Facility will be amply set back from abutting properties and buffered by a dense stand of existing trees, and as such no additional landscaping is required.

iii. Visual - Attention given to views into the site and from the site shall be described. Included shall be long-distance views as well as views to and from adjacent properties.

- a. *The proposed Facility will have no Environmental and Community Impact because of visibility.*
- b. *The proposed Facility will have no Adverse Impact because of visibility.*

- c. *There are no Alternatives to the proposed Facility which will have lesser impact because of visibility*
- d. *The Applicant has taken sufficient measures to minimize adverse impact because of visibility.*

The proposed Facility is designed to be at the minimum height necessary to provide adequate coverage to the area and keep potential visual impacts to a minimum. The Facility has been designed so as to be camouflaged as much as possible, given the coverage objective and other technical requirements and limitations. The Facility will be sited to minimize the visibility of the Facility from adjacent properties and shall be suitably screened from abutters and public rights of way. The proposed Facility will not require FAA lighting or marking. The Facility will be amply set back from abutting properties and buffered by a dense stand of existing trees, and as such will be as camouflaged as much as possible to reduce the visual impact of the Facility. The proposed Facility is designed to be at the minimum height necessary to provide adequate coverage to the area and keep potential visual impacts to a minimum. The Applicant has provided a substantial alternatives analysis which demonstrates that there is no viable alternative to the proposed Facility.

e. Planning.

Analyze the compatibility of the proposed development and its alternatives with the goals and objectives of the most recent Growth Management Master Plan and the most recent Open Space Plan.

- a. *The proposed Facility will have no Environmental and Community Impact in light of the Growth Management Master Plan and the most recent Open Space Plan.*
- b. *The proposed Facility will have no Adverse Impact in light of the Growth Management Master Plan and the most recent Open Space Plan.*
- c. *There are no Alternatives to the proposed Facility which will have lesser impact in light of the Growth Management Master Plan and the most recent Open Space Plan*
- d. *The Applicant has taken sufficient measures to minimize adverse impact in light of the Growth Management Master Plan and the most recent Open Space Plan*

The Property is a large, 13 acre substantially undeveloped parcel in the Town Center Zoning District and Wireless Communications Overlay District, in which the proposed Facility is a permitted use subject to a Special Permit from the Planning Board. As is shown in the Site Plans, the proposed Facility will only be 60' x 60' within a 13 acre parcel, with only a de minimus amount of land disturbance. The Applicant has provided a substantial alternatives analysis which demonstrates that there is no viable alternative to the proposed Facility.

f. Cost/Benefit Analysis.

This municipal benefit/cost analysis should follow standard and usual procedures for measuring both the benefits to be derived and costs to be incurred by the Town of Hubbardston as a result of the proposed development. This element should also estimate net benefits or costs of non-quantifiable environmental impacts.

- a. *The proposed Facility will have no Environmental and Community Impact under a cost/benefit analysis.*
 - b. *The proposed Facility will have no Adverse Impact under a cost/benefit analysis*
 - c. *There are no Alternatives to the proposed Facility which will have lesser under a cost/benefit analysis*
 - d. *The Applicant has taken sufficient measures to minimize adverse impact under a cost/benefit analysis*
- *The proposed Facility will reduce the number of new structures ultimately needed to provide wireless communication services in the surrounding area by providing co-location potential;*
 - *The proposed Facility is designed to be at the minimum height necessary to provide adequate coverage to the area and keep potential visual impacts to a minimum;*
 - *The proposed Facility will comply in all respects with radio frequency emission standards established by the FCC;*
 - *The proposed Facility will not have any adverse effect on the value of land and buildings in the neighborhood or on the amenities thereof. The proposed use is passive, requires no employees on the premises, and has no characteristics that are incompatible with the underlying zoning. Specifically, it will generate only about two vehicle trips per month by a service technician for routine maintenance, will be served by standard electrical and telephone service, and requires no water, septic or other town services;*
 - *The proposed Facility will promote and conserve the convenience and general welfare of the inhabitants of the Town by enhancing telecommunications services within the town;*
 - *The proposed Facility will lessen the danger from fire and natural disasters by providing emergency communications in the event of such fires and natural disasters;*
 - *The proposed Facility will involve no overcrowding of land or undue concentration of population because it is an unmanned Facility;*

- *The proposed Facility will preserve and increase the amenities of the Town by enhancing the telecommunications services and will facilitate the adequate provisions of transportation by improving mobile telecommunications for business, personal and emergency uses;*
- *The proposed Facility will involve no adverse effects on public and private water supplies and indeed will utilize no water at all;*
- *The proposed Facility will involve no adverse effects on drainage, schools, parks, openspace, or other public requirements, and will involve no excessive noise or pollution to the environment;*
- *The proposed Facility will have no adverse effect on historic sites; and*
- *The proposed Facility will be an appropriate use of land within the Town.*

The Applicant incorporates by reference the Application and supporting materials filed with respect thereto, including without limitation:

- Project Narrative
- TOWAIR (FAA Analysis re No Hazard to Air Navigation)
- Affidavit of Site Acquisition Specialist
- Affidavit of RF Engineer and RF Coverage Maps
- Site Emissions Report
- Site Plans

Respectfully submitted,



Francis D. Parisi, Esq.
 Parisi Law Associates, P.C.
 225 Dyer Street
 Providence, RI 02903
 (401) 447-8500 cell
fparisi@plapc.com



NEPA Land Use Screening Checklist

Site ID: Hubbardston Center VT-MA-3142A	Site Address: 14 Main Street Hubbardston, MA 01452	Site Type (choose one): <input checked="" type="checkbox"/> Raw Land <input type="checkbox"/> Tower Colocation <input type="checkbox"/> Other Colocation <input type="checkbox"/> Tower Replacement
--	---	--

FCC NEPA Category (See 47 CFR § 1.1307)	Federal, State, or Local Agency Contacted	Check appropriate boxes below			
		No Adverse Impact	Potential Adverse Impact	Exempt from Review	NPA Applies
1. Designated Wilderness Areas	National Park Service U.S. Forest Service Bureau of Land Mgmt.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Designated Wildlife Preserves	National Park Service U.S. Forest Service Bureau of Land Mgmt.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. Threatened or Endangered Species, and Critical Habitats	U.S. Fish and Wildlife Service (USFWS) – New England Field Office	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. Historic Place	State Historic Preservation Officer (SHPO) Tribal Historic Preservation Officer (THPO)	<input type="checkbox"/> SHPO Consultation Completed	<input type="checkbox"/>	<input type="checkbox"/>	Collocation Agreement Applies: <input type="checkbox"/> Nationwide Agreement: Exclusion Applies: <input type="checkbox"/>
5. Indian Religious Sites	American Indian Tribes Bureau of Indian Affairs Tribal Historic Preservation Officer (THPO)	<input type="checkbox"/> Tribal Consultation Completed	<input type="checkbox"/>	<input type="checkbox"/>	Collocation Agreement Applies: <input type="checkbox"/> Nationwide Agreement: Exclusion Applies: <input type="checkbox"/>
6. Floodplain	Federal Emergency Management Agency (FEMA)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Surface Features, Wetlands, and Floodways	USFWS NWI Maps U.S. Army Corps of Engineers (USACE)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. High Intensity White Lights	Federal Aviation Administration (FAA)				

Signature: Christopher M. Lucas Company: Lucas Environmental, LLC

Print Name: Christopher M. Lucas Date: April 23, 2022

15



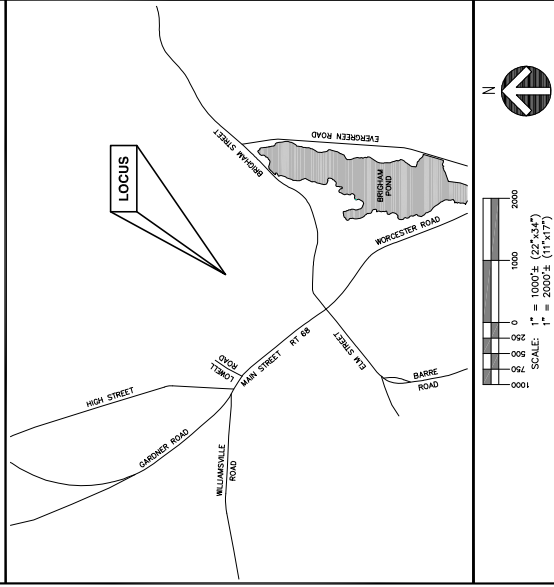
**SITE NAME: HUBBARDSTON CENTER
 SITE NUMBER: VT-MA-3142A
 ADDRESS: 14 MAIN STREET
 HUBBARDSTON, MA 01452**

PERMITTING

PROJECT INFORMATION

SITE TYPE:	RAW LAND
SCOPE OF WORK:	PROPOSED FENCED COMPOUND CONTAINING 140± ALL-SEASONS SUPPORT TOWER, GRAVEL DRIVEWAY AND IMPROVEMENTS FROM EXISTING GRAVEL TRAVEL WAY AND UTILITIES FROM EXISTING SOURCES.
SITE NAME:	HUBBARDSTON CENTER
SITE NUMBER:	VT-MA-3142A
SITE ADDRESS:	14 MAIN STREET HUBBARDSTON, MA 01452
ASSESSOR'S TAX ID#:	8A-41 (TOWER) 8A-49 & 8A-51 (ACCESS)
ZONING DISTRICT(S):	TOWN CENTER (TOWER) RESIDENTIAL AGRICULTURAL (ACCESS)
LATITUDE:	42° 28' 42.75" ± N (SURVEY 1A)
LONGITUDE:	72° 00' 15.33" ± W (SURVEY 1A)
(P) ELEVATION:	1045.5 ± AT TOWER CENTER
DATUM:	NAD83/NAVD88
PROPERTY OWNER:	N/F WAHAIE, E. & MARY J. TAYLOR 14 MAIN STREET HUBBARDSTON, MA 01452
PROPERTY OWNER:	N/F PETER, H. & MARGARET A. AALTO 14 MAIN STREET HUBBARDSTON, MA 01452
PROPERTY OWNER:	N/F RENEE R. OLSEN HUBBARDSTON, MA 01452
APPLICANT:	VERTEX TOWER ASSETS, LLC 155 SOUTH STREET WRENTHAM, MA 02093 PH: 617-817-8664
SITE ENGINEER:	PROTERRA DESIGN GROUP, LLC 4 BAY ROAD HADLEY, MA 01035
SURVEYOR:	NORTHEAST SURVEY CONSULTANTS 3 FERRY STREET STUDIO 1 EAST EASTHAMPTON, MA 01027
WETLAND SCIENTIST:	LUCAS ENVIRONMENTAL, LLC 500A WASHINGTON STREET QUINCY, MA 02169

VICINITY MAP



DRAWING INDEX	
SHEET	REVISION
T-1	TITLE SHEET 0
C-1	ABUTTERS PLAN & EXISTING CONDITIONS 1
A-1	COMPILED PLOT PLAN 0
A-2	COMPOUND PLAN & ELEVATION 0
A-3	PARTIAL SITE PLAN 0
P-1 TO P-3	DRIVEWAY PLAN & PROFILE 0
D-1 TO D-2	DETAILS 0
CA-1	TENANT DETAILS 0
EC-1 TO EC-2	EROSION CONTROL PLAN & DETAILS 0

GENERAL NOTES

- CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS AND CONDITIONS IN THE FIELD. THE ENGINEER, VERTEX TOWER ASSETS, LLC REPRESENTATIVE IN WRITING OF RECORD SHALL BE RESPONSIBLE FOR SAME.
- THIS PLAN SET WAS ORIGINALLY PRINTED TO ANSI D (22"X34") WITH 1" MARGINS. PRINTING TO ANSI B (11"X17") WILL RESULT IN A HALF-SCALE (1:2) SHEET SET WITH 1/2" MARGINS. CONFIRM ALL SCALED DISTANCES WITH GRAPHICAL SCALES SHOWN HEREIN.
- ALL UNDERGROUND UTILITY INFORMATION WAS DETERMINED FROM SURFACE INVESTIGATIONS AND AVAILABLE PLANS OF RECORD. THE CONTRACTOR SHALL LOCATE ALL UNDERGROUND UTILITIES IN THE FIELD PRIOR TO ANY EXCAVATION. CALL DIG-34PE (888) 344-7235 72-HOURS PRIOR TO ANY EXCAVATION.
- NEW CONSTRUCTION WILL CONFORM TO ALL APPLICABLE CODES AND ORDINANCES.
- ALL CONSTRUCTION SHALL COMPLY WITH MASSACHUSETTS STATE BUILDING CODE 780 CMR - 9TH EDITION (8C 2015) AND AMENDMENTS.
- ELECTRICAL CODE: NEC 2020 WITH MASSACHUSETTS AMENDMENTS 927 CMR 12.00.
- THE PROTECTION AREA IS ABOVE THE EXCAVATION THRESHOLD OF 4'-6" BELOW THE FINISHED GRADE. THE WORK SHOWN HEREIN IS SUBJECT TO REGULATION UNDER THE EPA NPDES GENERAL CONSTRUCTION PERMIT PROGRAM.

4 Bay Road
Hadley, MA 01035
(413)330-4918

APPLICANT:
Vertex Towers LLC
155 SOUTH STREET
WRENTHAM, MA 02093

TITLE:
SITE NAME: HUBBARDSTON CENTER
SITE NUMBER: VT-MA-3142A
ADDRESS: 14 MAIN STREET
HUBBARDSTON, MA 01452

DATE: 03/19/2022
DRAWN: JEB
CHECK: JMM/TEJ
SCALE: SEE PLAN
JOB NO.: 18-015
SHEET TITLE:

TITLE SHEET

T-1

NO.	DATE	REVISIONS
1	2/17/2022	ISSUED FOR REVIEW
2	2/22/2022	WORK TOWNSHIP

VERTICAL
AMERICAN
TOWERS LLC
155 SOUTH STREET, SUITE 205
HUBBARDSTON, MA 01452



STAMP:

DATE: 02/17/2022
DRAWN: JDC
CHECK: BCF
SCALE: 1"=100'
JOB NO: 21-237

**ABUTTERS
PLAN & EXISTING
CONDITIONS**
C-1

FAA 1-A CERTIFICATION

I HEREBY CERTIFY THAT THE LATITUDE, LONGITUDE, AND ELEVATION PRESENTED HEREON MEET THE REQUIREMENTS OF THE FAA WITH THE FOLLOWING ACCURACIES:

THREE (3) FEET VERTICALLY
THREE (3) FEET HORIZONTALLY

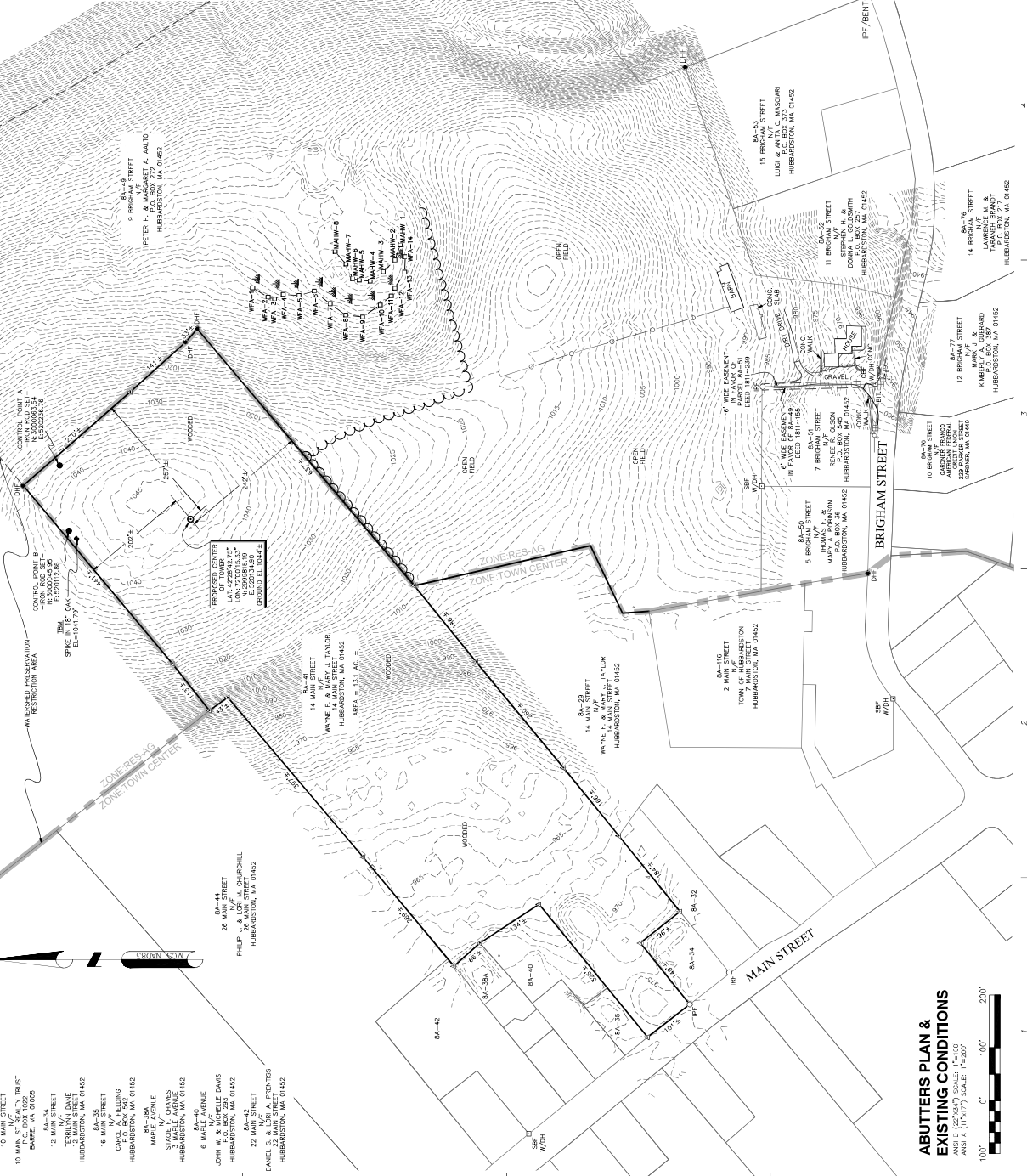
Daniel S. Phentis
DANIEL S. PHENTIS #7160
DATE: 2-17-2022

SURVEY NOTES

- THIS SURVEY IS BASED ON FIELD DATA COLLECTED ON 12/15/2021 & 12/16/2021.
- THE PURPOSE OF THIS SURVEY IS TO SUPPORT THE DESIGN AND CONSTRUCTION OF A NEW BRIDGE OVER THE MAIN STREET WATERWAY. THE SURVEY DATA IS TO BE USED TO SUPPORT THE DESIGN OF THE BRIDGE AND THE ADJACENT PROPERTY. THE USE OF THIS SURVEY FOR ANY PURPOSE NOT RELATED TO THE DESIGN OF THE INTENDED FACILITY IS STRICTLY PROHIBITED.
- PROPERTY LINES AND BOUNDARY DIMENSIONS SHOWN ON THIS SURVEY ARE NOT INTENDED TO REPRESENT DEFINITIVE BOUNDARY LINES OR BE USED FOR THE PURPOSES OF CONVEYANCE. PROPERTY-RELATED OBSERVATIONS AND NO ASSESSMENT OF LAND OCCUPATION HAS BEEN CONDUCTED IN THE PREPARATION OF THIS SURVEY. A PROPERTY LINE REINFORCEMENT SURVEY HAS NOT BEEN CONDUCTED.
- THE PROPERTY LINES SHOWN ON THIS PLAN ARE THE LINES DIVIDING THE LAND INTO LOTS. THE LINES ARE THOSE OF PUBLIC STREETS OR PRIVATE STREETS OR LOTS ALREADY ESTABLISHED, AND NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIP OR FOR NEW LOTS ARE SHOWN.
- PRIMARY GEODETIC SURVEY CONTROL WAS ESTABLISHED FROM AN OLD MASSACHUSETTS STATE PLANE COORDINATE SYSTEM OF 1983 (2011) ON 12/15/2021. THE GRID COORDINATES ARE BASED ON THE (2011) MASSACHUSETTS STATE PLANE COORDINATE SYSTEM OF 1983 (2011). HORIZONTAL AND VERTICAL DATUM, VERTICAL AND HORIZONTAL INFORMATION SHOWN MEETS THE STANDARD CRITERIA FOR AN FAA 1A CERTIFICATION (20" HORIZONTAL AND 3" VERTICAL).
- IN THE EVENT THAT BENCHMARKS (BENCH) ESTABLISHED FOR THIS SURVEY ARE FOUND TO BE UNRELIABLE OR A DISCREPANCY IS FOUND, THE USER SHOULD NOTIFY THIS FIRM IN WRITING PRIOR TO COMMENCING OR CONTINUING ANY WORK.
- THE LOCAL PARCEL IS SHOWN AS PARCEL: 8A-41 IN THE TOWN OF HUBBARDSTON TAX ASSESSOR'S DATABASE.
- THE PROPOSED IMPROVEMENTS ARE LOCATED IN FLOOD ZONE C (AREAS OF MINOR FLOODING). THE LOCAL PARCEL NUMBER IS 250331 0015 B, EFFECTIVE DATE 6/1/1984.
- THE LOCAL PARCEL IS LOCATED IN THE TOWN OF HUBBARDSTON TOWN CENTER COMMERCIAL DISTRICT.
- ALL UNDERGROUND UTILITY INFORMATION WAS OBTAINED FROM SURFACE INVESTIGATIONS AND EXISTING PLANS OF RECORD. THE CONTRACTOR SHALL LOCATE ALL UNDERGROUND UTILITIES IN THE FIELD PRIOR TO CONSTRUCTION. PRE-CONSTRUCTION NOTIFICATION 72-HOURS PRIOR TO ANY EXCAVATION ACTIVITY. DIG SHEET SYSTEM (MA, ME, NH, RI, VT): 1-888-344-7235
- METLANDS SHOWN HEREON WERE DELINEATED BY LUCAS ENVIRONMENTAL, LLC ON 12/01/2021.
- ALL CONTOURS SHOWN HEREON WERE GENERATED IN JOBS FROM THE SURVEY DATA AND WERE CHECKED BY LUCAS ENVIRONMENTAL. DATA COLLECTED BY USGS AND DISTRIBUTED BY NOAA.

LEGEND

N/F	- NOW OR FORMERLY
○	- TOWER CONTROL POINT
●	- CALCULATED POINT
○	- CONC. OR STONE BOUND FOUND
○	- CONC. OR STONE BOUND FOUND
○	- IRON PIPE OR ROD FOUND
○	- CATCH BASIN
○	- LOCUS PROPERTY LINE
---	- ABUTTERS PROPERTY LINE
---	- EASEMENT LINE
---	- CONTOUR LINE
---	- STONEWALL
---	- ZONING LINE



10 MA-32
10 MAIN STREET
M/V/S TRUST
SHARPE, MA 01005

12 MAIN STREET
TERRELL, DANIE
HUBBARDSTON, MA 01452

16 MAIN STREET
CAROL A. FELDING
HUBBARDSTON, MA 01452

18 MAIN STREET
M/V/S TRUST
HUBBARDSTON, MA 01452

20 MAIN STREET
3 MARLE AVENUE
HUBBARDSTON, MA 01452

22 MAIN STREET
JOHN W. & MICHELLE DAVIS
HUBBARDSTON, MA 01452

24 MAIN STREET
PHILIP J. & LORI W. DEPOHLL
HUBBARDSTON, MA 01452

26 MAIN STREET
DANIEL S. & LORI A. PHENTIS
HUBBARDSTON, MA 01452

28 MAIN STREET
WAYNE F. & MARY J. TAYLOR
HUBBARDSTON, MA 01452

30 MAIN STREET
M/V/S TRUST
HUBBARDSTON, MA 01452

32 MAIN STREET
M/V/S TRUST
HUBBARDSTON, MA 01452

34 MAIN STREET
M/V/S TRUST
HUBBARDSTON, MA 01452

36 MAIN STREET
M/V/S TRUST
HUBBARDSTON, MA 01452

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M/V/S TRUST
HUBBARDSTON, MA 01452

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HUBBARDSTON, MA 01452

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HUBBARDSTON, MA 01452

74 MAIN STREET
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HUBBARDSTON, MA 01452

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80 MAIN STREET
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HUBBARDSTON, MA 01452

82 MAIN STREET
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HUBBARDSTON, MA 01452

84 MAIN STREET
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HUBBARDSTON, MA 01452

86 MAIN STREET
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HUBBARDSTON, MA 01452

88 MAIN STREET
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HUBBARDSTON, MA 01452

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HUBBARDSTON, MA 01452

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HUBBARDSTON, MA 01452

96 MAIN STREET
M/V/S TRUST
HUBBARDSTON, MA 01452

98 MAIN STREET
M/V/S TRUST
HUBBARDSTON, MA 01452

100 MAIN STREET
M/V/S TRUST
HUBBARDSTON, MA 01452

DATE	REVISIONS
10/27/22	ISSUED FOR REVIEW
03/17/22	ISSUED FOR PERMITTING
03/18/22	ISSUED FOR PERMITTING

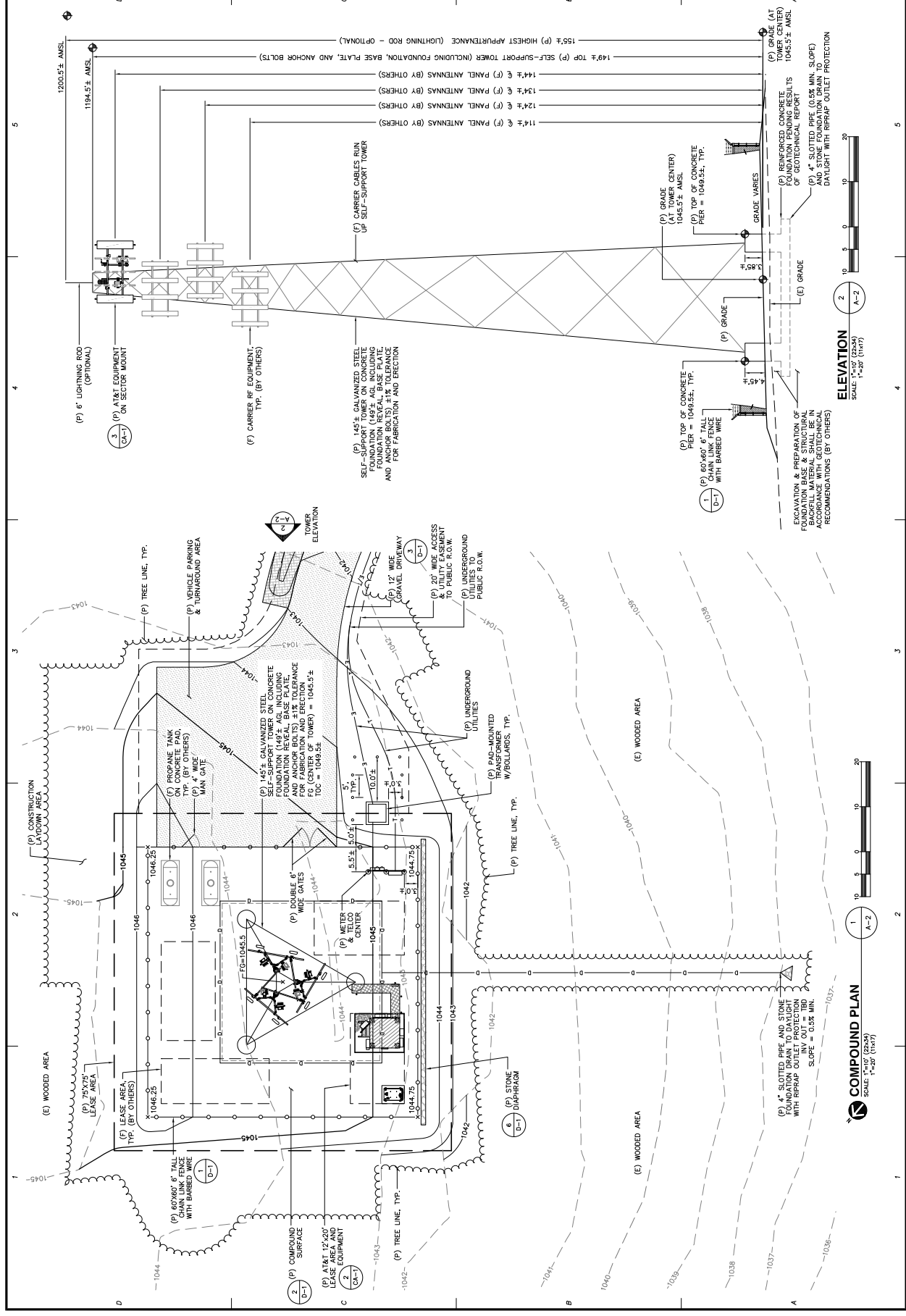
DATE	REVISIONS

Vertex
VERTICAL ASSETS, LLC
166 SOUTH STREET
HUBBARDSTON, MA 01452
APPLICANT:
Vertex
VERTICAL ASSETS, LLC
166 SOUTH STREET
HUBBARDSTON, MA 01452

STATE: MA
COMMISSION: MA
5-20-2022

TITLE: **COMPOUND PLAN & ELEVATION**
SITE NAME: **HUBBARDSTON CENTER**
ADDRESS: **14 MAIN STREET**
HUBBARDSTON, MA 01452
JOB NO: 18-015
SHEET TITLE:
DATE: 03/19/2022
DRAWN: JEB
CHECK: JMM/TEJ
SCALE: SEE PLAN
JOB NO: 18-015

COMPOUND PLAN & ELEVATION
A-2



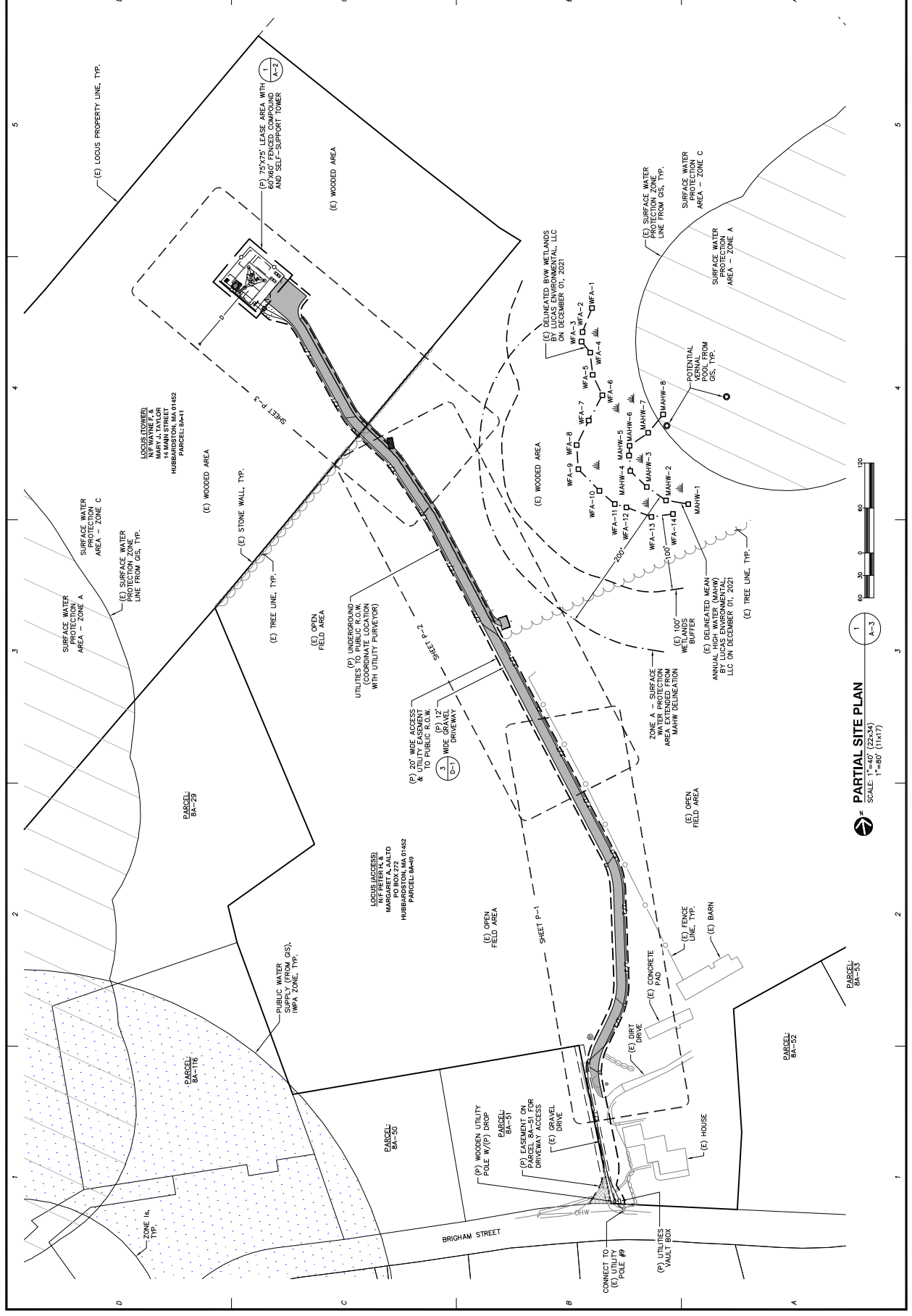
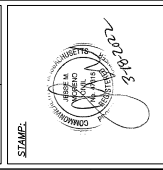
COMPOUND PLAN & ELEVATION
SCALE: 1"=10' (22x34)
1 10 5 0 10 20
A-2
2 10 5 0 10 20
A-2
ELEVATION
SCALE: 1"=10' (22x34)
1 10 5 0 10 20
A-2

NO.	DATE	REVISIONS
0	03/18/22	ISSUED FOR PERMITTING
1	02/17/22	ISSUED FOR REVIEW
2	02/17/22	ISSUED FOR REVIEW
3	02/17/22	ISSUED FOR REVIEW

APPLICANT:	VERTIX TOWER ASSETS, LLC
ADDRESS:	146 SOUTH STREET HUBBARDSTON, MA 01832
SITE NUMBER:	VT-MA-3142A
VERTIX TOWER ASSETS, LLC	156 SOUTH STREET WRENTHAM, MA 02093

DATE: 03/18/2022
DRAWN: JEB
CHECK: JMM/TEJ
SCALE: SEE PLAN
JOB NO: 18-015

PARTIAL SITE PLAN
SHEET TITLE:
A-3



PARTIAL SITE PLAN
SCALE: 1"=40' (22'x34')
1"=80' (11x17')

DATE	REVISIONS
02/17/23	ISSUED FOR REVIEW
03/18/23	ISSUED FOR PERMITTING
03/18/23	REVISION
03/18/23	REVISION
03/18/23	REVISION
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03/18/23	REVISION
03/18/23	REVISION

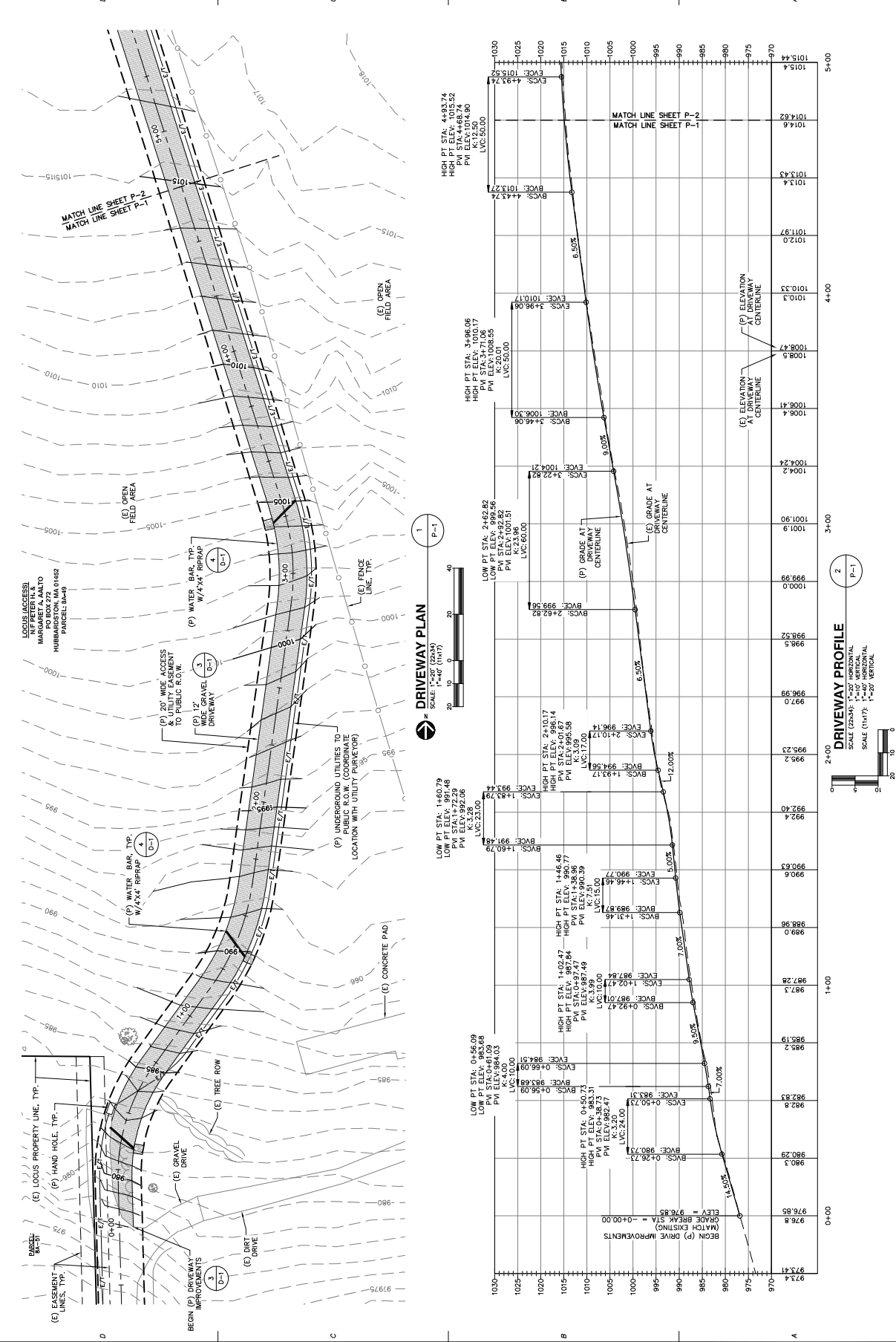
SITE NAME: HUBARDSTON CENTER
ADDRESS: 14 MAIN STREET
HUBARDSTON, MA 01824

APPLICANT:
Vertex
LOWERS LLC
166 SOUTH STREET
HUBARDSTON, MA 01893



DATE: 03/18/2022
DRAWN: JEB
CHECK: JMM/TEJ
SCALE: SEE PLAN
JOB NO: 18-015

DRIVEWAY PLAN & PROFILE
P-1



1 DRIVEWAY PLAN
SCALE: 1"=40' (HORIZ)
SCALE: 1"=10' (VERT)

2 DRIVEWAY PROFILE
SCALE (HORIZ): 1"=10' HORIZONTAL
SCALE (VERT): 1"=20' VERTICAL

STATION	ELEVATION	GRADE	VERTICAL CURVE DATA
0+00	975.41	7.00%	
0+10	976.83	14.50%	
0+20	980.29	14.50%	
0+30	982.73	14.50%	
0+40	982.83	14.50%	
0+50	982.88	14.50%	
0+60	982.88	14.50%	
0+70	982.88	14.50%	
0+80	982.88	14.50%	
0+90	982.88	14.50%	
1+00	982.88	14.50%	
1+10	982.88	14.50%	
1+20	982.88	14.50%	
1+30	982.88	14.50%	
1+40	982.88	14.50%	
1+50	982.88	14.50%	
1+60	982.88	14.50%	
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4+60	982.88	14.50%	
4+70	982.88	14.50%	
4+80	982.88	14.50%	
4+90	982.88	14.50%	
5+00	982.88	14.50%	

NO.	DATE	REVISIONS
1	02/17/22	ISSUED FOR REVIEW
2	03/18/22	ISSUED FOR PERMITTING
3	03/18/22	ISSUED FOR PERMITTING

VERTIX LLC
166 SOUTH STREET
WRENTHAM, MA 02093

APPLICANT:

VERTIX TORRES ASSETS, LLC

SITE NAME: HUBBARDSTON CENTER
ADDRESS: 14 MAIN STREET
HUBBARDSTON, MA 01462



TITLE: DRIVEWAY PLAN & PROFILE

DATE: 03/19/2022

DRAWN: JEB

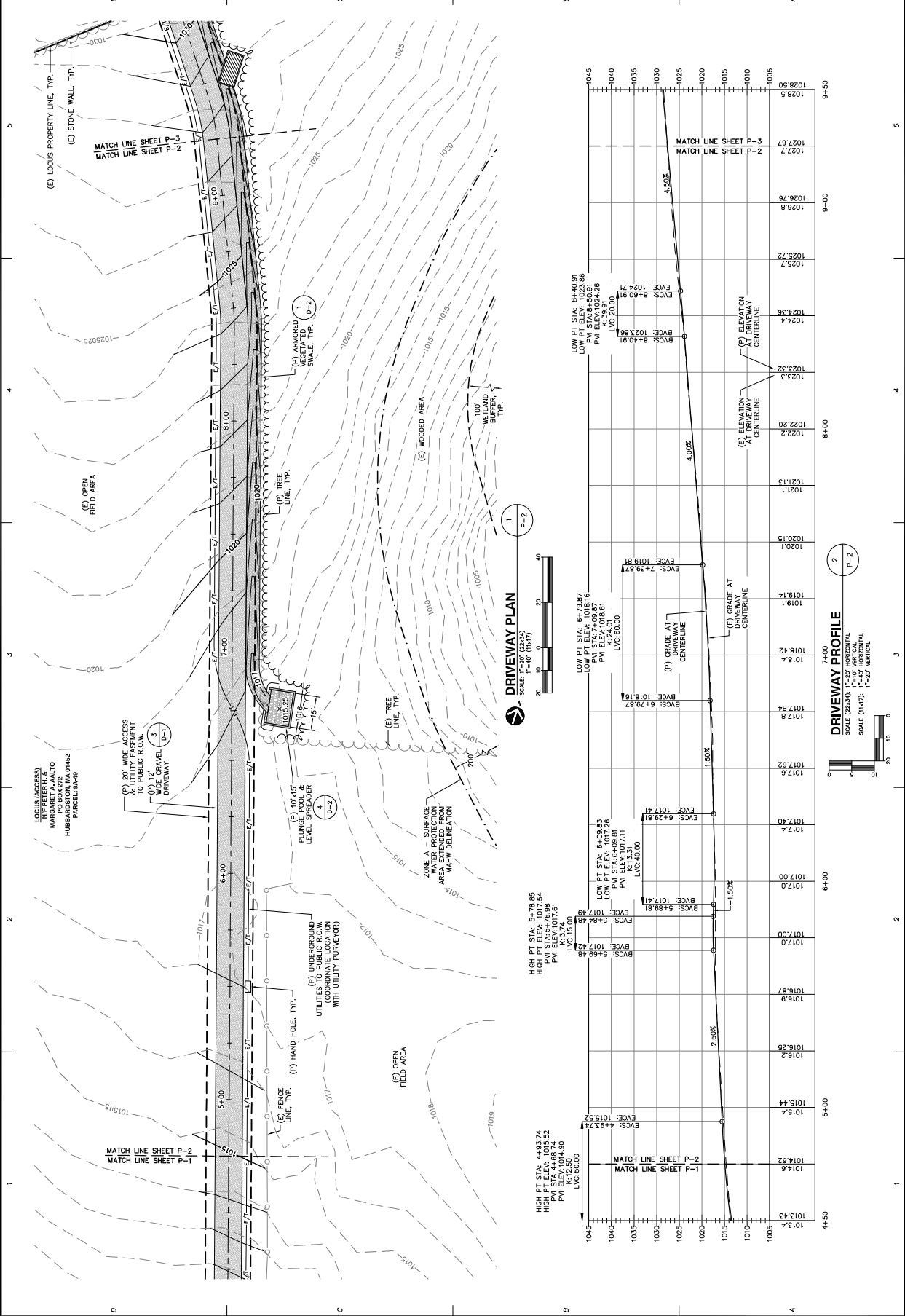
CHECK: JMM/TEJ

SCALE: SEE PLAN

JOB NO: 18-015

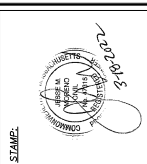
SHEET TITLE:

P-2



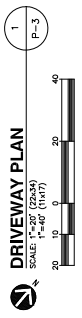
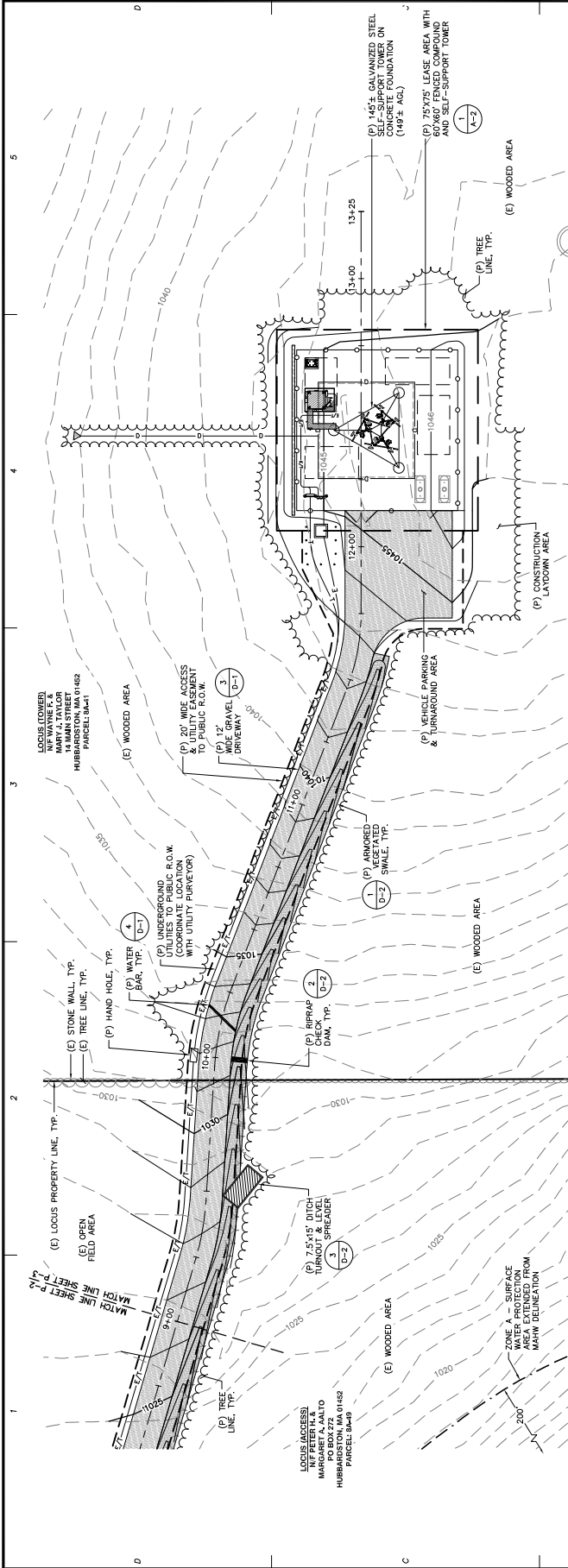
DATE	REVISIONS
03/18/22	ISSUED FOR PERMITTING
03/17/22	ISSUED FOR PERMITS
02/17/22	ISSUED FOR REVIEW
01/27/22	ISSUED FOR REVIEW
01/27/22	ISSUED FOR REVIEW
01/27/22	ISSUED FOR REVIEW

VERTIX LLC
166 SOUTH STREET
HUBBARDSTON, MA 01824
APPLICANT:
VERTIX TOWER ASSETS, LLC
166 SOUTH STREET
HUBBARDSTON, MA 01824
SITE NAME: HUBBARDSTON CENTER
ADDRESS: 14 MAIN STREET
SITE NUMBER: VT-MA-3142A



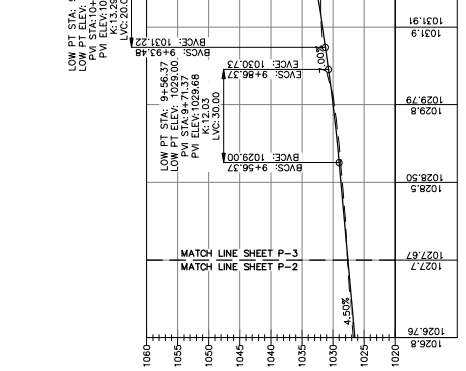
DATE: 03/19/2022
DRAWN: JEB
CHECK: JMM/TJ
SCALE: SEE PLAN
JOB NO: 18-015

SHEET TITLE:
**DRIVEWAY PLAN
& PROFILE**
P-3



LOW PT STA: 9+33.48
LOW PT ELEV: 103.22
PW STA: 10+03.48
PW ELEV: 103.92
K: 12.03
LVC: 20.00

HIGH PT STA: 11+37.16
HIGH PT ELEV: 104.54
PW STA: 10+39.04
PW ELEV: 103.94
K: 28.57
LVC: 100.00



NO.	DATE	REVISIONS
0	03/18/22	ISSUED FOR PERMITTING
1	03/18/22	ISSUED FOR PERMITTING
2	02/17/22	ISSUED FOR REVIEW
3	02/17/22	ISSUED FOR REVIEW

DATE	REVISIONS
03/18/22	ISSUED FOR PERMITTING
03/18/22	ISSUED FOR PERMITTING
02/17/22	ISSUED FOR REVIEW
02/17/22	ISSUED FOR REVIEW

VERTIX
SITES LLC
166 SOUTH STREET
HUBBARDSTON, MA 01462

APPLICANT:
VERTIX SITES LLC
166 SOUTH STREET
HUBBARDSTON, MA 01462

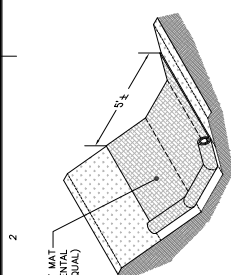
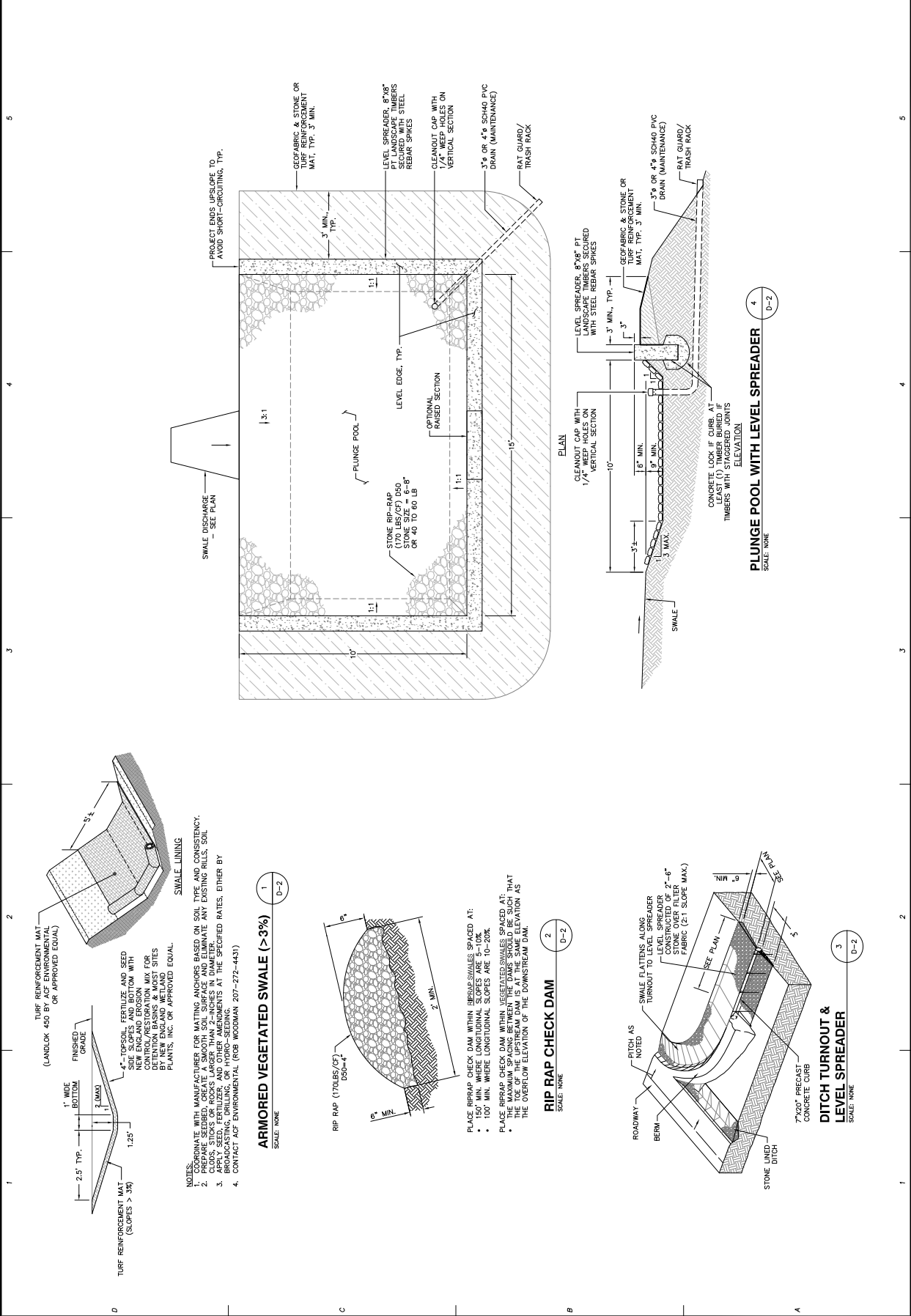
TITLE:
SITE NAME: HUBBARDSTON CENTER
ADDRESS: 14 MAIN STREET
HUBBARDSTON, MA 01462



DATE: 03/18/2022
DRAWN: JEB
CHECK: JMM/TEJ
SCALE: SEE PLAN
JOB NO.: 18-015

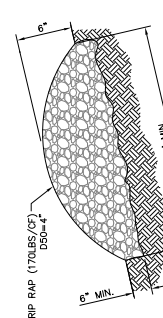
SHEET TITLE:
DETAILS

D-2



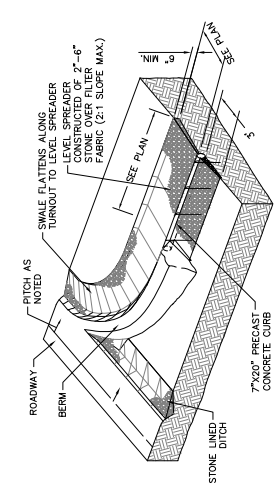
- NOTES:**
1. APPROPRIATE WITH MANUFACTURER FOR MATING ANCHORS BASED ON SOIL TYPE AND CONSISTENCY.
 2. PREPARE SEEDBED, CREATE A SMOOTH SOIL SURFACE AND ELIMINATE ANY EXISTING RILLS, SOIL CRACKS, OR OTHER OBSTRUCTIONS AT THE SPECIFIED RATES, EITHER BY BROADCASTING, DRILLING, OR HYDRO-SEEDING.
 3. BROADCASTING, DRILLING, OR HYDRO-SEEDING.
 4. CONTACT ACP ENVIRONMENTAL (800 WOODMAN 207-272-4431)

ARMORED VEGETATED SWALE (>3%)
SCALE: NONE



- PLACE RIPRAP CHECK DAM WITHIN BERMS/SWALES SPACED AT:**
- 100' MIN. WHERE LONGITUDINAL SLOPES ARE 10-20%.
 - 50' MIN. WHERE LONGITUDINAL SLOPES ARE 2-10%.
- PLACE RIPRAP CHECK DAM WITHIN VEGETATED SWALES SPACED AT:**
- THE MAXIMUM SPACING BETWEEN THE DAMS SHOULD BE SUCH THAT THE TOE OF THE UPSTREAM DAM IS AT THE SAME ELEVATION AS THE OVERTOP ELEVATION OF THE DOWNSTREAM DAM.

RIP RAP CHECK DAM
SCALE: NONE



DITCH TURNOUT & LEVEL SPREADER
SCALE: NONE

DATE	REVISIONS
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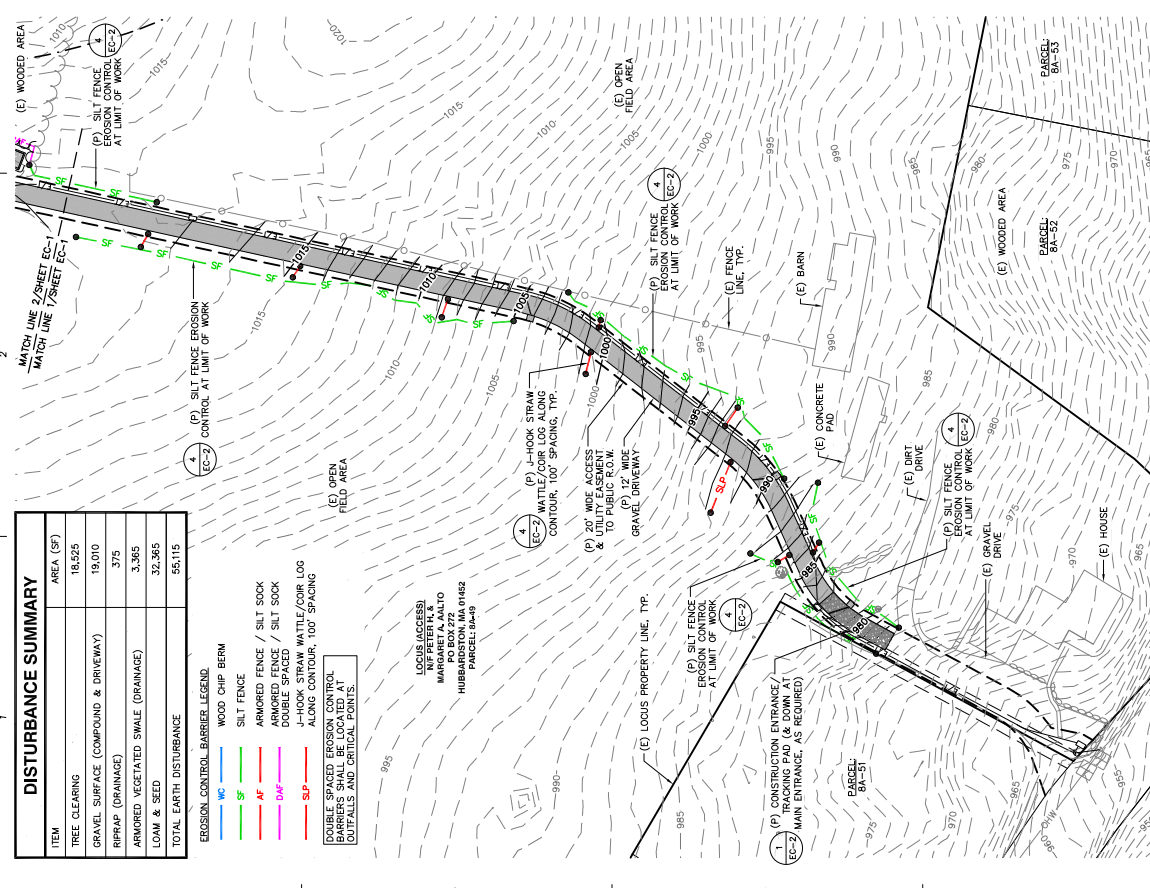
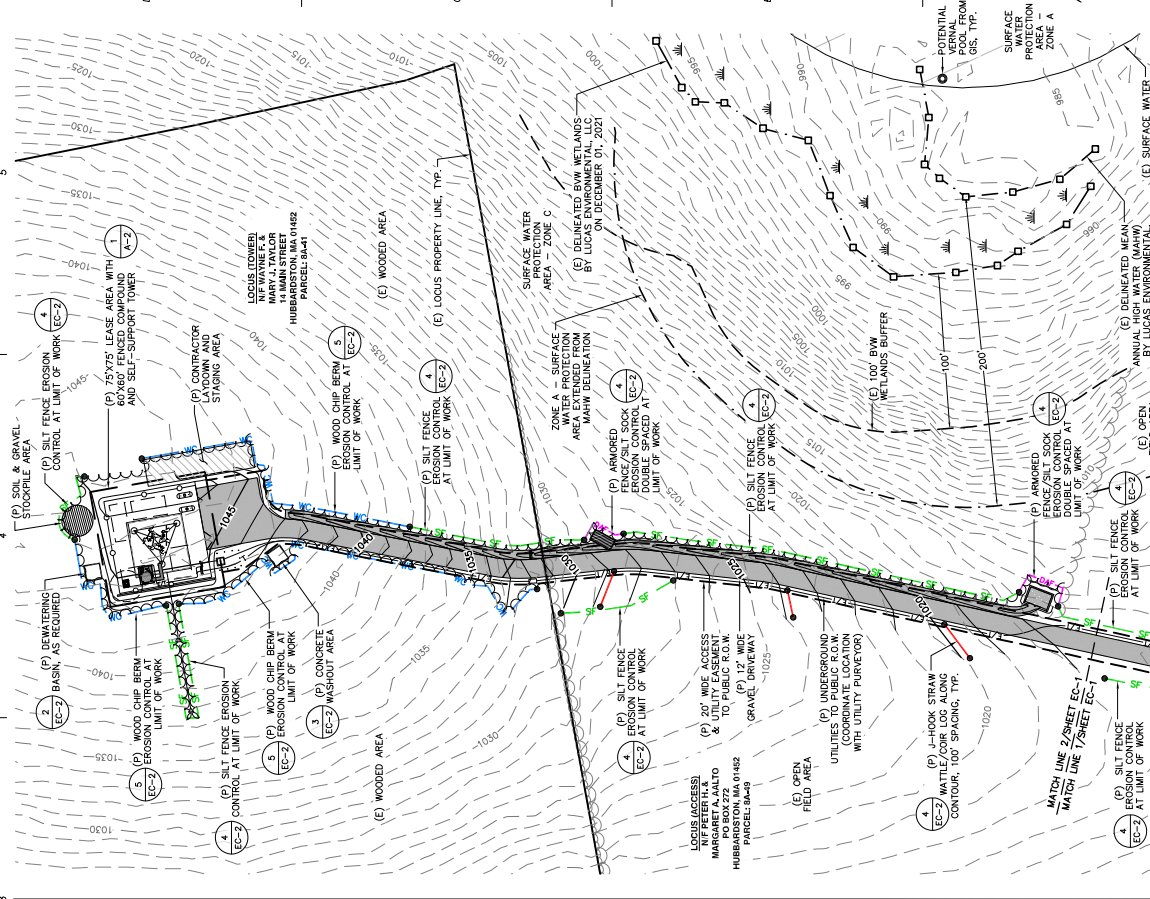
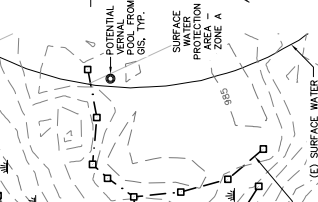
Vertex LLC
166 SOUTH STREET
HUBBARDSTON, MA 01825

APPLICANT:
HUBBARDSTON CENTER
ADDRESS: 14 MAIN STREET
HUBBARDSTON, MA 01824

DATE: 03/19/2022
DRAWN: JEB
CHECK: JMM/TEJ
SCALE: SEE PLAN
JOB NO: 18-015

EROSION CONTROL PLAN

SHEET TITLE: **EC-1**



DISTURBANCE SUMMARY

ITEM	AREA (SF)
TREE CLEARING	18,525
GRAVEL SURFACE (COMPOUND & DRIVEWAY)	19,010
RIPRAP (DRAINAGE)	375
ARMORED VEGETATED SWALE (DRAINAGE)	3,365
LOAM & SEED	32,365
TOTAL EARTH DISTURBANCE	55,115

- EROSION CONTROL BARRIER LEGEND:**
- WC WOOD CHIP BERM
 - SF SILT FENCE
 - AF ARMORED FENCE / SILT SOCK
 - DF DOUBLE SPACED J-HOOK STRAW WATTLE/COR LOG ALONG CONTOUR, 100' SPACING
 - SP DOUBLE SPACED EROSION CONTROL OUTFALLS AND CRITICAL POINTS

EROSION CONTROL PLAN A

SCALE: 1"=40' (22x34)
1"=80' (11x17)

EROSION CONTROL PLAN B

SCALE: 1"=40' (22x34)
1"=80' (11x17)

VERTICES LLC
166 SOUTH STREET
WESTBOROUGH, MA 01581
TEL: 508-734-8222



APPLICANT:
HUBBARDSTON CENTER
ADDRESS: 14 MAIN STREET
HUBBARDSTON, MA 01842
SITE NUMBER: WT-MA-9142

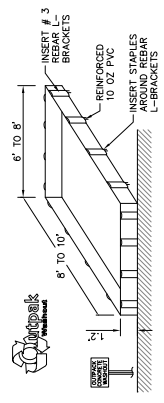
DATE: 02/19/2022
DRAWN: JEB
CHECK: JMM/TE
SCALE: SEE PLAN
JOB NO: 18-015

EROSION CONTROL PLAN & DETAILS

EC-2

EROSION CONTROL NOTES

- APPLICANT PROPOSES TO CONSTRUCT A CELLULAR TELECOMMUNICATIONS FACILITY CONSISTING OF A FENCED CELL AND UTILITY WORK WITHIN A LEASE AREA AND CASSEMENTS AND UTILITY WORK WITHIN A LEASE AREA AND CASSEMENTS.
- TEMPORARY SILT FENCE, EROSION CONTROL BARRIERS, STOCK PILE ON SITE 100 FT. OF SILT FENCE FOR SMALL LOCATIONS AND 200 FT. OF SILT FENCE FOR LARGE LOCATIONS SHALL BE MAINTAINED THROUGHOUT SITE CONSTRUCTION. SILT FENCE SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION. SILT FENCE SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION. SILT FENCE SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION.
- THE CONTRACTOR SHALL CHIP ALL BRUSH AND SLASH CUTTINGS ON SITE AND STOCKPILE THE CHIPS TO BE USED FOR TEMPORARY STABILIZATION MULCH. NO BURNING WILL BE ALLOWED ON SITE.
- TEMPORARY STABILIZATION MUST BE PROVIDED TO ANY EXPOSED EROSION CONTROL AREAS. CHIPS FROM LAND CLEARING, EROSION CONTROL BLANKETS, OR FAST CEMENT SHALL BE USED FOR TEMPORARY STABILIZATION AS REQUIRED.
- STRIPPED TOPSOIL SHALL BE STOCKPILED AND PROTECTED WITH STRAW MULCH. ALL STOCKPILES SHALL HAVE AN APPROVED SILTATION BARRIER TOTALLY SURROUNDING THE STOCKPILE. STOCKPILES SHALL BE COVERED WITH A MINIMUM OF TWENTY-FIVE FEET FROM ALL RESOURCE AREAS.
- THE PHASING AND SEQUENCING OF THE WORK FOR THE SITE PREPARATION AND TELECOMMUNICATIONS CONSTRUCTION SHALL BE DETERMINED BY THE CONTRACTOR. TEMPORARY EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION. FOUNDATION WORK, EXCAVATION FOR UTILITIES, BACK FILL FOR FOUNDATIONS AND UTILITY TRENCHES, FENCED COMPOUND EQUIPMENT FOUNDATIONS, AND LIGHTNING PROTECTION EQUIPMENT SHALL BE INSTALLED AND PROTECTED WITH STRAW MULCH. TEMPORARY STABILIZATION MULCH SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION. EQUIPMENT TESTING, FINAL GRADING AND STABILIZATION SHALL BE COMPLETED BEFORE THE WORK BEGINS OUTSIDE THE COMPOUND. FINAL CLEANUP, THE ESTIMATED TIME FOR COMPLETION OF THE WORK IS APPROXIMATELY SIXTEEN (16) WEEKS.
- THE COMPOUND ENCLOSURE IS SURFACED WITH CRUSHED GRANULAR MATERIAL. THE ENCLOSURE SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION. PEAK FLOW RATES WILL NOT BE ALTERED BY THE PROPOSED CONSTRUCTION.
- ALL DISTURBED AREAS OUTSIDE THE LIMITS OF THE PROJECT SHALL BE REVEGETATED WITH A NATIVE VEGETATIVE GROUND COVER AT THE COMPLETION OF CONSTRUCTION. DISTURBED AREAS SHALL BE PROTECTED WITH STRAW MULCH UNTIL A GOOD VEGETATIVE COVER IS ESTABLISHED.
- THE TOTAL IMPACT AREA OF THE DISTURBED CONSTRUCTION SITE IS BOUNDED BY THE "LIMIT OF WORK" WHICH IS THE PERIMETER OF ALL CONSTRUCTION WITHIN THE LIMIT OF WORK IS APPROXIMATELY 515,000 SQUARE FEET. THE PROJECT IMPACT AREA IS ABOVE THE REGULATORY LIMITS OF THE MA CONSTRUCTION PERMITS (CFR PARTS 9.122-124 AND THEREFORE IS SUBJECT TO REGULATION UNDER THE EPA NPDES GENERAL CONSTRUCTION PERMIT PROGRAM.
- UPON COMPLETION OF THE PROJECT, THE CONTRACTOR SHALL REMOVE ALL ACCUMULATED SILT FROM BEHIND SILTATION BARRIERS AND DISPOSE OF CONCENTRATED FLOW MULCH AND SEDIMENT IN AN APPROPRIATE MANNER. WHEN A GOOD VEGETATIVE COVER IS ESTABLISHED, A CONCRETE WASHOUT AREA SHALL BE INSTALLED PRIOR TO ANY CONCRETE PLACEMENT ON THIS PROJECT. SIGNS SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION. THE LOCATION OF THE CONCRETE WASHOUT, WASHOUT RESIDUE SHALL BE REMOVED FROM THE SITE AND DISPOSED OF AT AN APPROVED WASTE SITE.

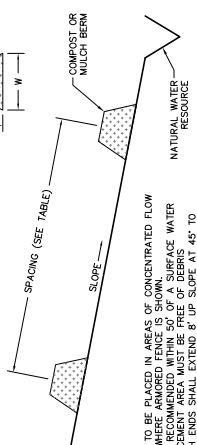


- CONCRETE WASHOUT AREA**
SCALE: NONE
- NOT TO BE PLACED IN AREAS OF CONCENTRATED FLOW.
 - NOT RECOMMENDED WITHIN 50' OF A SURFACE WATER RESOURCE.
 - PLACEMENT AREA MUST BE FREE OF DEBRIS.
 - MAIN BERM SHALL EXTEND 8' UP SLOPE AT 45° TO PREVENT WASHOUT.
 - SHALL BE INSPECTED WEEKLY AND AFTER ALL RUNOFF AT CONCLUSION OF CONSTRUCTION, BERM MATERIAL MAY BE SPREAD LEVEL.

CONCRETE WASHOUT AREA
SCALE: NONE

SPACING TABLE

SLOPE	SPACING
< 2%	110'
2-5	100'
5-10	75'
10-20	50'
> 20	NOT ALLOWED



WOOD CHIP FILTER BERM ALTERNATIVE
SCALE: NONE

DEWATERING BASIN



- DEWATERING BASIN**
SCALE: NONE
- ENSURE DISCHARGE AREA IS COVERED BY STABLE VEGETATION.
 - USE DIFFUSER NOZZLE AT LOW DISCHARGE RATE TO PREVENT SCOURING.
 - LOCATE BASIN AT AN UPLAND LOCATION THAT WILL ALLOW WATER TO DRAIN TO THE GROUND.
 - SIZE OF STRAW BALE ENCLOSURE TO BE 10'x10' ADJUSTED TO WATER VOLUME.
 - ADDITIONAL STRAW BALES MAY BE USED TO INCREASE RETENTION & FILTERING.

DEWATERING BASIN
SCALE: NONE

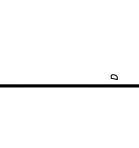
CONSTRUCTION ENTRANCE



- CONSTRUCTION ENTRANCE**
SCALE: NONE
- AGGREGATE CONSTRUCTION ENTRANCE SHALL BE INSTALLED PRIOR TO ANY EARTH MOVING OPERATIONS.
 - CONSTRUCTION ENTRANCE TO BE MAINTAINED THROUGHOUT CONSTRUCTION.
 - CONSTRUCTION ENTRANCE WAY TO BE 50' WERE DIVERSION RIDGE IS PROVIDED.

CONSTRUCTION ENTRANCE
SCALE: NONE

EROSION CONTROL BARRIER



- EROSION CONTROL BARRIER**
SCALE: NONE
- USE SILT SOXX WHERE CONDITIONS DO NOT ALLOW STAKES TO BE DRIVEN. SILT SOXX SPECIFICATIONS AND APPLICATION REQUIREMENTS.
 - SILT SOXX COMPOST MATERIAL TO BE DISPERSED ON PROTECTED SIDE OF BARRIER.
 - FILTER MEDIA/STRAW BALES TO BE INERT AND FREE FROM INVASIVE WEEDS AND NON-NATIVE SPECIES.
 - MAY STAKE BEHIND SOCK AT SLIGHT ANGLE (6° O.C.).

EROSION CONTROL BARRIER
SCALE: NONE

1

4

3

2

1

D

5

3

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4

1

B

6

5

3

4

1

B

A

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