

Review is:  Conceptual  Formal  
 Binding (404 Motels/VCOD/R.O.A.D. Project)  Non-binding (All other commercial projects)

Review is by:  Planning Board  Design Review Committee

YARMOUTH TOWN CLERK

## **DESIGN REVIEW COMMENT SHEET**

'22APR6AM9:22 REC

Meeting Date: April 5, 2022, Room B Town Hall Map: 50 Lots: 189.1  
Applicant: Blue Sky Towers III, LLC (dba BSTMA III, LLC) Zone(s): B2, HMOD1, ROAD, VCOD VC3  
Site Location: 1044 Route 28, South Yarmouth

### **Persons Present:**

DRC Members Present	Yarmouth Town Staff Present	Guests
Charlie Adams	Kathy Williams	Att. Ricardo Sousa
Chris Vincent		Sean Gormley
Steve O'Neil		Ben Messersmith

DRC Review for this project started at: 4:03 PM

DRC Review ended at: 5:00 PM

***On a motion by Charlie Adams, seconded by Chris Vincent, the Design Review Committee (DRC) voted (3-0) to adjourn the April 5, 2022 DRC meeting at 5:00 PM.***

### **Project Summary**

**General Description:** Blue Sky Towers III, LLC (applicant) d/b/a BSTMA III, LLC, c/o Ricardo M. Sousa, Esq., Prince Lobel Tye LLP; Roman Catholic Bishop of Fall River (owner), 1044 Route 28, South Yarmouth; Assessor Map 50, Parcel 189.1; Zoning Districts B2, HMOD1, ROAD and VCOD VC3. The Applicant is proposing to construct a 110' tall monopole Communication Tower and accessory ground equipment.

**Summary of Presentation:** Attorney Ricardo Sousa, representing the applicant, introduced his team members and gave an overview of the proposed project. He noted that Blue Sky Towers works with carriers to identify and fill gaps in coverage (in this case AT&T and T-Mobile). The purpose of the tower is to provide reliable wireless coverage for the carriers. The tower is proposed in the wooded section of 1044 Route 28. The project has gone through the Development of Regional Impact (DRI) process with the Cape Cod Commission (CCC). As part of the DRI process, Attorney Sousa noted the improvements which were made and included in the DRC application. He reviewed the site plans identifying the site location, entrance, tower compound with fencing and landscaping, profile of the tower, mounting brackets for the antennas, and details of the equipment.

### **DRC Questions & Discussions:**

Steve O'Neil inquired as to whether there are any structures to house the equipment. Attorney Sousa said they are using outside cabinets. Mr. O'Neil noted that the application does not seem to take the Town into consideration. The Town has undergone a visioning process regarding the direction of the Town and aesthetics are an important feature of Route 28. This proposal does not improve Route 28. There are a few objectives presented in the application, but the project did not deal with any of them, emphasizing the height at 110', unsightly antennas, and the changes noted were minor. Verizon has a viable antenna across the street that is concealed and blends in with the environment. The supplemental site analysis was done hastily and does not include looking at town property. Of the 8 rejected sites, 6 got no responses with no follow up. Furthermore, there is a lot of town owned property on Buck Island and he wondered if any inquiries were made. The proposed site was already picked out with no effort on looking at other sites. Mr. O'Neil would like it on the record to encourage the ZBA to include the review of additional sites.

Attorney Sousa noted that there will be a more thorough site analysis provided to the ZBA on why this site was chosen. With regard to the CAM (concealed antenna monopole) site across the street, they did look at it, but it

cannot accommodate the latest 5G equipment to operate all the services on a CAM. Trying to find a solution that will accommodate multiple carriers and solve the gap in coverage for 5G which is why the proposed height is necessary. Regarding the design, Blue Sky Towers is willing to discuss proposed designs, a 3-legged pile sign or a mono-pine were discussed which may not be acceptable, but will work on the design. With respect to Town owned land, Attorney Sousa noted there are no open RFPs to use Town owned land. Mr. O'Neil was glad to hear Blue Sky is willing to look at alternatives, but should fully vet the other sites and have a dialogue with the Town on town owned property. If this is the only site, there needs to be some camouflage to the tower. Attorney Sousa noted that they need to have a willing property owner.

Chris Vincent mentioned the previous Planning Board and Planning Staff comments from December for the DRI noting the aesthetic concerns, but the design is exactly the same. Attorney Sousa indicated that the Cape Cod Commission did not push them to look at other alternatives. There needs to be an understanding of the Town's preferences. Mr. Vincent noted that we are looking for more options. Attorney Sousa noted that there are structural aspects and cost considerations for other designs. Chris Vincent said the applicant, as the professionals, should bring forth options.

Charlie Adams indicated his feelings are similar as the other members. He inquired about the impacts to the airport, noting the planes can come in fairly low and need to check with the Barnstable airport to see if the tower will have any affects. He also asked about health impacts pertaining to the wave frequency impacts on people in residential neighborhoods. He felt there has to be better locations, preferably town owned property and not in such a highly visible tourist area. Mr. Adams noted that there are cost considerations, but show us some of the alternatives and a selection can be made. Attorney Sousa noted that FAA requires all towers pass compliance and this tower would not interfere with flight paths. In addition, with regard to electromagnetic energy, the antennas analysis is fully compliant with the FCC and will be submitted to the ZBA.

Attorney Sousa showed the simulation for the mono-pine and the pilon sign, noting these are two viable alternatives for this site.

Mr. O'Neil noted that he would like consideration of the designs presented by staff at the DRC meeting and why they can't be used. Mr. Adams noted that this area is essentially our town center and picture what people will say about this needle sticking out.

Kathy Williams will forward the tower options discussed at the DRC to Attorney Sousa for the Applicants engineer to evaluate the viability. The DRC members want more information and a comprehensive evaluation of other locations including Town land, as well as options for the aesthetics. The Applicant has been asked to provide this information and come back to Design Review.

***On a motion by Chris Vincent, seconded by Charlie Adams, the Design Review Committee (DRC) voted (3-0) to approve these DRC Comments as meeting minutes for the April 5, 2022 meeting for the proposed communications tower and ground equipment at 1044 Route 28.***

#### **ATTACHMENTS:**

- **April 5, 2022 Agenda**
- **Examples of Camouflaged Cell Towers from Town Staff**
- **Cape Cod Commission (CCC) Development of Regional Impact (DRI) Comments from Planning Staff, Planning Board and Historical Commission**
- **DRC Application:**
  - **Cover Dated March 23, 2022**
  - **Table of Contents**
  - **Tab 1 – Design Review Application**
  - **Tab 2 – Materials Specifications Sheet**
  - **Tab 3 – Supporting Statement**
  - **Tab 4 - Site Plans: All plans prepared by ProTerra Design Group, LLC, dated 10/25/21 unless otherwise noted:**
    - **T-1: Title Sheet**
    - **C-1: Abutters Plan & Existing Conditions, dated 8/7/20**
    - **A-1: Aerial & USGS Map**
    - **A-2: Compiled Plot Plan**

YARMOUTH TOWN CLERK

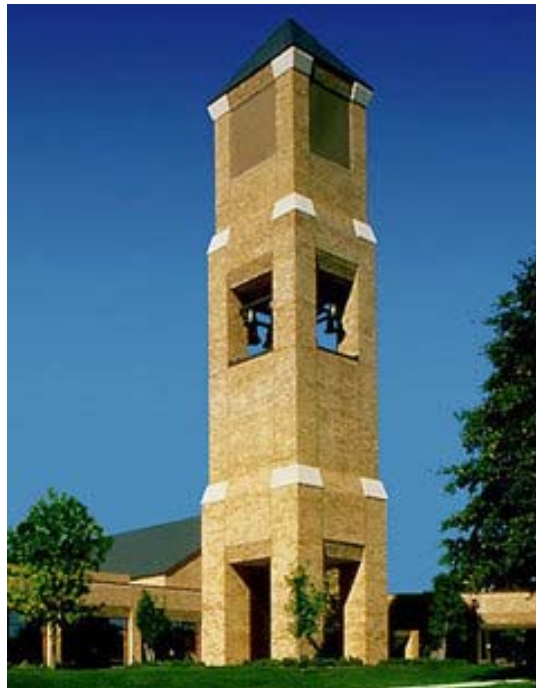
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- **A-3: Overall Site Plan**
- **A-4: Compound Plan & Elevation**
- **A-5: Planting Plan**
- **SE-1: Siting Elevations**
- **D-1: Details**
- **CA-1 to CA-4: Co-Applicant Details**
- **EC-1: Erosion Control Plan & Details**
- **Tab 5 – Photographic Simulation Package**
- **Tab 6 – Proposed Design Photographic Simulation**
- **Tab 7 – Alternative Site Analysis**
- **Tab 8 – Supplemental Alternative Site Analysis**
- **Tab 9 – AT&T Antenna Specifications**
- **Tab 10 – T-Mobile Antenna Specifications**
- **Tab 11 – AT&T Equipment Cabinet Specifications**
- **Tab 12 – T-Mobile Equipment Cabinet Specifications**
- **Tab 13 – AT&T Generator Specifications**
- **Tab 14 – T-Mobile Generator Specifications**

**YARMOUTH PLANNING STAFF - CELL TOWER CAMOUFLAGE EXAMPLES**



**CLOCK TOWERS**



**BELL TOWER**



**SCULPTURE**