



# TOWN OF YARMOUTH

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## MEMORANDUM

To: John H. McCormack, Chair - Cape Cod Commission Regulatory Committee  
cc: Jordan Velozo, Regulatory Planner – Cape Cod Commission  
From: Kathy Williams, Town Planner  
Date: June 10, 2021  
Subject: Blue Sky Towers Monopole – CCC File No. 21005 - 1044 Route 28, South Yarmouth, MA  
**COMMENTS - JUNE 9, 2021 PUBLIC HEARING**

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As requested, I am submitting formal comments related to the June 9, 2021 DRI Public Hearing for the Blue Sky Wireless Tower proposed for 1044 Route 28, South Yarmouth.

1. **Existing Concealed Monopole:** I can confirm that the 70' concealed monopole located at 1045 Route 28 was constructed with Verizon using the top two slots. It is my understanding that the bottom two slots remain open.
2. **Planning Efforts:** Route 28 is our main commercial corridor and sets the stage for how residents and visitors view Yarmouth. Through our ongoing Community Visioning Project, our residents have re-confirmed their desire to improve the look of Route 28. The Town has expended significant efforts over the years to improve Route 28 through various zoning initiatives (VCOD), regulatory relief (GIZ extension), and economic development tools (Opportunity Zone designation), all to promote aesthetically pleasing redevelopment of Route 28. We are also working hard on infrastructure improvements along Route 28 through the replacement of the Parkers River Bridge and MassDOT projects such as the resurfacing project from the Barnstable line to Parkers River. Route 28 is also included in the first phase of our municipal wastewater program. A 120' monopole with exposed antennas in full view of Route 28 is the antithesis of what we are looking for and counter to our efforts to beautify Route 28.
3. **Location, Height and Gap in Coverage:**
  - a. We appreciate the input from Isotrope Wireless as this is a complicated, technical topic that benefits from a peer review. Thank you to the Commission for requesting this review.
  - b. Further analysis is needed to confirm that the proposed location and height are the least impactful ways to fill the gap in coverage. The Applicant should determine the wireless coverage using multiple ways to fill the coverage gap including:
    - i. Adding AT&T on the WXTK tower.
    - ii. Using the two unused slots on the existing concealed monopole tower at 1045 Route 28 and then identifying the remaining coverage gap.
    - iii. Evaluating the potential of the other sites identified in the Isotrope Wireless report.
    - iv. Evaluating coverage at lower heights. The Isotrope report notes that there is no demonstration that the 120' height is necessary, but is proposed to allow for 4-carriers. I'm unclear on who the 4 carriers would be as Verizon already has a tower across the street and the only other carrier notified by the Applicant besides Verizon was DISH Wireless.

Other carriers have found ways to balance the need for wireless infrastructure with the need to be less visually intrusive, often using multiple smaller facilities such as the 70' concealed monopole across the

street, smaller antennas attached to utility poles, and wireless facilities located within church towers, such as at the South Yarmouth Methodist Church.

4. **Aesthetics**: If the 1044 Route 28 location is confirmed to be the best location, significant improvements would need to be made to camouflage the structure. The existing wooded vegetation to the north and west will provide some screening but the height of the pole exceeds the height of the trees and is fully exposed on the south side facing Route 28 and the majority of the east side facing Forest Road. As noted in the Isotope report, “the focus of the defined term “camouflaged” is to make the facility look like something that is ordinarily associated with the Cape Cod environs.” The current exposed antennas on a 90’ or 120’ very large pole (6’ diameter at the base and 3’ at the top) are not hidden, located within an existing/proposed structure, or disguised in anyway and are objectionable to the Town of Yarmouth. The Applicant should be required to pursue various options for camouflaging the structure to hide the facility in plain sight. There are many different creative options that have been installed in other Towns that meet the needs of both the wireless carrier and the aesthetics of the community.

In addition, improvements are needed to the equipment area which is currently proposed to have a 6’ chain link fence with razor wire, some evergreen trees for screening, and an exposed 12’ drive making the LP gas tanks fully visible from Route 28. Camouflaging the tower by making it something you’d want to look at also necessitates changes be made to the equipment area to locate it behind the structure with access off the side avoiding direct views from public roads and providing better screening, solid fencing and possible shelters. All utilities should be underground.

5. **Waivers**: The Applicant is requesting three waivers, two related to the height of the structure and one regarding the control over the fall zone. With the wireless facility as designed, no waiver in the height requirement should be provided. Furthermore, the Applicant should be required to have legal control over the fall zones to ensure these areas are not subsequently built upon and to retain the buffer trees which the Applicant is relying upon for screening.
6. **Historical Commission Letter**: Although the wireless facility is not located within the Bass River Historic District, it will be visible from the District from Photo Location 3. In their May 28<sup>th</sup> Memo, the Historical Commission felt the structure as currently proposed would impact the view shed and potentially degrade the integrity of the district.
7. **Town Zoning**: As pointed out in the Public Hearing by Commission Staff, several waivers from the Yarmouth Zoning Bylaw would be required as part of the Special Permit per Section 408. The Applicant will need to prove to the satisfaction of the Zoning Board of Appeals (ZBA) that these waivers do not derogate from the intent of the Bylaw.

**REQUEST OF THE SUBCOMMITTEE**: In conclusion, I would respectfully request that the Subcommittee not recommend the current application as presented to the full Cape Cod Commission; and that the Applicant be required to:

- Conduct the further analysis regarding the proposed location and height as noted above.
- Pursue various options for camouflaging the tower to hide the facility in plain sight and to adjust the location, design and access to the ground equipment area to make it less visible. Multiple options for camouflaging the tower should be presented.
- Have legal control over the fall zones.
- Provide two additional photo-simulations where the tower will be most visible; one from Route 28 just east of the Forest Road/Route 28 intersection looking west towards the monopole, and another from Forest Road south of the intersection looking northwest towards the monopole.
- Although not mentioned at the Hearing, I would also request that the Applicant address the comments made in the CCC Staff Report, especially those of Isotope Wireless.

Thank you for the opportunity to provide these additional comments.