



Town of Dennis

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**416 MAIN STREET - Monopole**

**PLANNING BOARD SPECIAL PERMIT - STAFF REPORT - July 17, 2025**

<b>APPLICANT:</b>	Leon D Narbonne Trustee & AT&T C/O Michael Dolan, Attorney
<b>PROJECT ADDRESS:</b>	416 MAIN STREET, WEST DENNIS MA 02670
<b>MAP AND LOT NUMBER:</b>	65-23
<b>APPLICANT ADDRESS:</b>	Brown Rudnick LLP, One Financial Center, Boston, MA 02111
<b>CASE NUMBER:</b>	PBSP-25-7
<b>ZONING:</b>	GC 2; rear of property in R-40; Flood zones AE & X
<b>HEARING DATE:</b>	July 21, 2025

<b>PROPOSAL</b>	Telecommunications Facility – Cell tower monopole within light pole.
<b>REQUEST</b>	Special Permit per ZBL § 2.2.2(7)(h) and Section 7 to construct, operate and maintain a 25' AGL light pole with a cylindrical antenna on top with a height of 30'.
<b>PROJECT BRIEF</b>	<ul style="list-style-type: none"> <li>• The proposal is to construct and maintain a 25' tall light pole with a camouflaged cylindrical wireless telecommunications antenna on top extending to a top height of 30' AGL plus related equipment and cabling within the pole</li> <li>• 25' above ground level (hereafter "AGL") monopole-style light pole (the "Pole") and install one (1) cylindrical antenna at the 29' AGL antenna centerline mark, extending to a height of 30' AGL, together with related wires, conduit, fiber and other associated equipment located on the Pole within a proposed base module, all as depicted on the plans (the "Plans") (the "Facility").</li> <li>• AT&amp;T'S proposal was previously approved and granted a Special Permit by the Planning Board in 2022. Due to funding constraints AT&amp;T was unable to timely commence construction and its Special Permit expired.</li> <li>• The only change from 2022 SP is the fiber and power will be from underground.</li> <li>• The stated purpose is to fill coverage gaps, address capacity issues and upgrade AT&amp;T's wireless service in the area along Main Street identified by AT&amp;T in a report (Proposed Burlington CRAN Facility) accompanying the application.</li> <li>• The wireless facility will consist principally of the following elements:             <ol style="list-style-type: none"> <li>1. One (1) metal LED light pole (measuring 30 feet in height).</li> <li>2. One (1) canister antenna (24.7" in height) mounted to the top of new metal pole.</li> <li>3. Fiber optic and DC power cables running along the pole to the new electric meter.</li> </ol> </li> <li>• Wireless communication services have evolved to offer a wider range of advanced services to include wide-area voice, data, internet, video, and broadband wireless data, among others. AT&amp;T has identified this site as high probability of extending coverage in the Area and has been unable to identify any existing building or tower in the specified search area to collocate with.</li> </ul>
<b>PLOT PLAN</b>	Plot & Site Plan of 416 Main Street West Dennis, MA 02670, Barnstable County for AT&T 492 Old Connecticut Path Suite 210, Framingham MA 01701, by Centerline 750 West

	Center Street, Suite 301 West Bridgewater MA, 02379 and TEP OPCO LLC 45 Beechwood Dr. North Andover MA, 01845. Plan consisting of 2 sheets dated 06-05-2025 stamped by Daniel P. Hamm.
<b>BUILDING PLANS</b>	Plans of 416 Main Street West Dennis, MA 02670, Barnstable County for AT&T 492 Old Connecticut Path Suite 210, Framingham MA 01701, by Centerline 750 West Center Street, Suite 301 West Bridgewater MA, 02379 and TEP OPCO LLC 45 Beechwood Dr. North Andover MA, 01845. Plans consisting of 8 Sheets with Title sheet, General Notes, Locus Map, Site Plan, Plot Plan, Key Plan & Elevation, Equipment Details, and Electrical & Grounding Details. Plans dated 06-05-2025 stamped by Daniel P. Hamm.

1. **Project Summary**
2. **Town Department Comments**
3. **§ 1.4.2.1 - Special Permit Granting Authority – Criteria and Proposal**
4. **§ 4.1.2 - Site Plan Review process**
5. **§ 4.1.2.5 Design Objectives – Criteria and Proposal**

1. **TOWN DEPARTMENTS COMMENTS:**

- a. **NATURAL RESOURCES:** Signed off, no comment.
- b. **HEALTH:** Signed off, no comment.
- c. **ENGINEERING:** Zoning violations should be corrected before review.
- d. **BUILDING:** Property is currently under enforcement for Zoning Violations at rear of property for outside bulk storage, unregistered vehicles and unpermitted accessory structures in the R40 District
- e. **FIRE:** Signed off, no comment.
- f. **PLANNING:**
  - i. The proposed 30’ tall cobra LED light is more appropriate along a highway than within a property. § 7 encourages colocation within existing towers but, per § 7.2.3.2.4 monopoles are the type of freestanding structure. However, the cobra style light is not appropriate within the property.
  - ii. The applicant should consider camouflaging the cell within a flagpole instead, or on top of the tower in the building structure behind the proposed light location.
  - iii. The coverage map submitted by the applicant appears to show the proposed monopole tower would increase “moderate data rates to high data rates” to a very small area along Main Street.
  - iv. **Zoning Violations:** The property upon which the tower is proposed has numerous zoning violations with numerous unregistered vehicles, boats, boat trailers, mattresses and other junk littering the back of the property, primarily in the R-40 District portion of the property.
  - v. The property would have to apply for a Special Permit for a Contractors Yard to continue as such, but that is not available to the rear part of the property in the R-40. Some of the site uses belong in the Industrial District.
  - vi. Property owner has been cited in recent past for creating illegal accesses to Alburmar Road.
  - vii. **Landscaping:** The property has recently degraded and altered the natural environment within the flood zone. Until the violations are cleared up the Board should not even review the project. Once cleaned up the project should be reviewed and the property conditioned to prepare a landscape plan to re-establish a buffer to the residential neighbors before a Building Permit is issued.
  - viii. **Lighting:** The proposed cell is within a cobra style highway street light. The style of light is inappropriate for the location and no information on the lumens or light spillage is included.

ix. **Zoning District Intent (§2.1.5.7):** *General Commercial II and III – To integrate the evolution of a commercial development pattern with an older mixed use area so that it is compatible with the major highway it is principally oriented to while recognizing site and area limitations for on-site waste water disposal systems in terms of drainage, soil suitability, proximity to surface and subsurface water resources and slope and preserving the value of land and enhancing the existing vegetation, visual landscapes, and amenities with consideration of neighboring properties, and to conserve the value of existing structures and buildings with good period design recognizing the importance of recycling of old structures and buildings for future generations thereby retaining the character of the area, the town, and the quality of life in a rural seaside New England Village.*

2. **§ 1.4.2.1 Special Permit Granting Authority:** Special permits may be granted only upon a finding by the Board that the proposed use will not create a nuisance, hazard or congestion, or other significant harm to the neighborhood, nor cause derogation from the general purpose and intent of the By-Law, the stated district intent or applicable use criteria. The following criteria must be met:

- a. *The use is allowed by special permit in the district in which proposed, pursuant to §2.2.2 - Use Regulations Schedule; **The use is allowed per Section 7 of the Dennis Zoning Bylaw.***
- b. *Suitability of the site for the proposed use in light of the applicable district intent, as provided in §2.1.5; The clear intent of **Section 7 is to camouflage cell facilities within existing structures. The application is camouflaging cell facilities within a structure that is not existing but is the type still found along the street, but not in a yard.***
- c. *Adequacy of management of traffic flow within the site as well as in relation to adjoining streets and properties, so as to minimize unsafe or harmful impacts of the use; **No impact.***
- d. *Compatibility of the proposed use with surrounding land uses, so as to minimize harmful impact or conflict with existing desirable neighborhood character, including views, vistas and other aesthetic values; **The monopole would be more suitable if it replaced the flagpole rather than mimic the cobra highway street lights.***
- e. *Adequacy of provision of utilities and other necessary or desirable public services; **Adequate.***
- f. *Adequacy of control of artificial light, noise, litter, odor or other sources of nuisance or inconvenience to adjoining properties, public ways and neighborhoods; **The proposed cobra highway light serves no discernible purpose of itself and would likely create artificial light that would spill off the property***
- g. *Adequacy of protection from degradation and alteration of the natural environment, including but not limited to slopes and other topographical features, vegetation, wetlands, groundwater and water bodies and wildlife habitat. **The property is currently in violation degradation and alteration of the natural environment, including but not limited to slopes and other topographical features and vegetation within the flood zone. Until these violations are cleared up the Board should not even review the project. Once cleaned up the project should be reviewed and the property conditioned to prepare a landscape plan to re-establish a buffer to the residential neighbors before a Building Permit is issued.***

3. **§ 4.1.2 - Site Plan Review process:** *The purpose of Site Plan Approval “is to protect the safety, public health, convenience and general welfare of the inhabitants of the Town of Dennis by providing a detailed review of the design and layout of certain developments which have a substantial impact upon the character of the Town and upon traffic, utilities and services therein”.*

4. **§ 4.1.2.5 Design Objectives:** The following design objectives (*italics*) in addition to any standards elsewhere in the Zoning By-Law, shall be used by Planning Board in considering all site plans.

a) **Landscaping:**

- a. Every effort shall be made to minimize removal of existing vegetation and to integrate existing mature trees and vegetation into the landscape plan. **Property has numerous zoning violations including recent removal of existing vegetation.**
- b. Natural buffers ... shall be maintained whenever possible. **Property has numerous zoning violations including recent removal of existing vegetation.**
- c. Landscaping shall include masses of trees and vegetation around/near buildings to reduce perceived scale and set them into the landscape. **Once cleaned up the project should be reviewed and the property conditioned to prepare a landscape plan to re-establish a buffer to the residential neighbors before a Building Permit is issued.**
- b) **Circulation:** With respect to vehicular and pedestrian circulation, including entrances, ramps, walkways, drives, parking and loading areas, special attention shall be given to
  - a. Location and number of access points to the public streets:
  - b. General interior circulation:
  - c. Separation of pedestrian and vehicular traffic:
  - d. Delineation of parking stalls and loading zones:
  - e. Access to community facilities:
  - f. Accommodations for the handicapped:
- c) **Surface Water Drainage:** Requires a Stormwater Management Permit
- d) **Building Location:** Proposed building and structures shall be integrated as much as possible.
- e) **Building Design:** The design of proposed buildings, structures and additions shall complement, whenever feasible, the general setback, roofline, arrangement of openings, color, exterior materials, proportions and scale of existing buildings in the vicinity.
- f) **Special Features:** Exposed machinery, utility structures and areas for parking, loading, storage, service and disposal shall be screened from adjoining properties and streets.
- g) **Safety** - All open and enclosed spaces shall be designed to facilitate building evacuation and maximize accessibility by fire, police, & other emergency personnel and equipment.

## 5. **§ 7 COMMUNICATIONS FACILITIES**

- § 7.1.1 The Purpose of this section is to regulate communication facilities so that these services may be provided with minimal harm to the public health safety and general welfare. Specifically, the Communication Facilities section of the Zoning By-law has been created to:

§ 7.2.3.1.9 Night lighting shall be prohibited unless required by state/fed law and shall be the minimum necessary.

§ 7.2.3.2 New communication towers may be constructed provided that the facility complies with the following:

§ 7.2.3.2.1 Towers shall be set back from the lot lines a distance equal to the height of the tower except that a tower shall be no closer to the nearest lot line of a residentially zoned lot or a lot in residential use: 30' x 30' / 35' = 26'

§ 7.2.3.2.2 One tower shall be allowed per lot. 2.3 No tower shall be more than 150 feet above the natural grade.

§ 7.2.3.2.4 Towers shall be camouflaged based upon the proposed location and shall be painted a neutral, non-reflective color designed to blend with the surrounding environment. Monopoles are the preferred type of structure.

## 6. **RECOMMENDATION:**

- Planning Board Review should not commence until the property is cleaned up.
- Once the site is satisfactorily in compliance with zoning, the review can proceed with appropriate conditions to ensure the site remains in compliance such as a landscaping plan in the rear of the property.
- The applicant should consider alternatives to a cobra lamppost such as a flagpole or camouflaged with the building tower behind the proposed location.