

Town of Scituate

ZONING BOARD OF APPEALS

600 CHIEF JUSTICE CUSHING WAY
SCITUATE, MASSACHUSETTS 02066
(781) 545-8716



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Decision of the Scituate Zoning Board of Appeals on the application of Town of Scituate, 600 Chief Justice Cushing Highway, Scituate, MA 02066, to request a Special Permit under Scituate Zoning Bylaws Section 620.2 to allow the construction of a radio transmission tower to a height of eighty-five feet as an accessory use of right, at the new Public Safety Complex presently under construction at 800 Chief Justice Cushing Highway, Scituate MA.

The application was received, advertised, and a public hearing was duly held on March 17, 2016 with the following members of the Zoning Board of Appeals hearing the application:

Edward Tibbetts, Acting Chairman
John Hallin
Francis Lynch
Anthony J. Bucchere, Alternate

The property is located at 800 Chief Justice Cushing Highway and is owned by the Town of Scituate. The property is currently under construction and upon completion will house the Town of Scituate's new Public Safety Complex³. In attendance at the hearing to represent the Town of Scituate were:

Lieutenant Mark Thompson, Scituate Police Department
Deputy Chief Al Elliot Otis, Scituate Fire Department

Pursuant to Section 450.4 of the Scituate Zoning bylaws, "Any public use" which is necessary for the vicinity is allowed in any district. Further, pursuant to Section 620.2 of the Scituate Zoning Bylaws "Chimneys, spires, towers and other projections not used for human occupancy" may be constructed up to a height of seventy-five feet and may be constructed to a height greater than seventy-five feet by special permit granted by the Board of Appeals.

At the hearing Lieutenant Thompson described the necessity for the tower height of eighty-five feet in order to obtain a line-of-sight link with the existing 160' tower at 600 Chief Justice Cushing Highway. By building to eighty-five feet the tower will provide optimal radio coverage for the public safety services of the Town of Scituate. The tower will be used only for such public safety services and will be located at the southeast corner of the complex as shown on a plan dated August 31, 2015 and prepared by Nitsch Engineering.

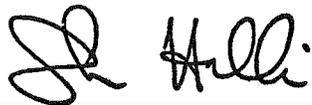
There was no comment from the public in attendance.

The Board voted unanimously to grant a special permit under section 620.2 of the Bylaw to allow the construction of the eighty-five foot radio tower per the plan dated August 31, 2015 and prepared by Nitsch Engineering.

SCITUATE ZONING BOARD OF APPEALS



Edward Tibbetts



John Hallin



Francis Lynch

Filed with the Town Clerk and Planning Board on: April 15, 2016

/ajb

This Special Permit/Finding will not become effective until such time as an attested copy of this decision has been filed with the Plymouth County of Deeds after the appeal period of twenty (20) days.

Appeal of any decision of the Zoning Board of Appeals may be made pursuant to M.G.L. Chapter 40A, Section 17, and shall be filed in a court of competent jurisdiction. Proof of that filing shall be provided to the Town Clerk within twenty (20) days of the date of the filing of the decision with the Town Clerk.