

One Boston Place, 25th floor
Boston, MA 02108-4404
Main (617) 557-5900
Fax (617) 557-5999
kchaffee@rc.com
Direct (617) 557-5956

Via Hand Delivery

August 25, 2020

Donna Rich
Zoning Board of Appeals
Topsfield Town Hall
8 West Common Street
Topsfield, MA 01983

Re: 286 Boston Street Zoning Board of Appeals Filing

Dear Ms. Rich:

Bloomberg Communications, Inc., through its attorney, respectfully seeks a finding from the Topsfield Zoning Board of Appeals in order to increase the height of an existing antenna mounted to an existing tower at the above-referenced property. In support of the application, enclosed for filing in advance of the Zoning Board of Appeals' September 22, 2020 meeting, please find:

1. Application for Zoning Relief Form A;
2. A Town of Topsfield certified abutters list and Assessor's map;
3. A Plot Plan of the site, certified by a registered land surveyor (11x17);
4. A narrative provided in support of the application;
5. A photograph and a drawing of the tower with measurements indicated;
6. Authorization of the property owners;
7. Authorization of Bloomberg to Robinson & Cole, LLP;
8. 2 pre-addressed, stamped envelopes for each lot owner or party of interest;
9. 2 self-addressed, stamped envelopes; and

Robinson+Cole

Donna Rich
August 25, 2020
Page 2

10. A \$200 filing fee.

Please contact me if you need any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Karla L. Chaffee". The signature is fluid and cursive, with the first name "Karla" being more prominent.

Karla L. Chaffee
Enclosures



Issue Date: 04/26/2011

NATURE OF APPLICATION:

- ____ Petition for Special Permit pursuant to Article ____, Section ____ of the Zoning Bylaw.
- X Petition for Finding pursuant to Article III, Section 3.05 of the Bylaw.
- ____ Petition for a Variance from Article ____, Section ____, of the Zoning Bylaw.
- ____ Petition for Site Plan Review pursuant to Article IX of the Zoning Bylaw (and the Guidelines and Performance Standards for Activities Subject to the Provisions of Article IX of the Topsfield Zoning Bylaw; and Supplement Form C for submitted requirements and formats).
- ____ Petition for a Comprehensive Permit pursuant to G.L.c. 40B, Section 20-23.
- ____ Appeal from the decision dated ____ of the Building Inspector or others pursuant to L.L. c. 40A, Section 15.

DESCRIPTION OF APPLICANT:

- a. Name **Bloomberg Communications, Inc.**
- b. Address **731 Lexington Ave., New York, NY 01022**
- c. Phone Number **** please communicate with applicant through its local counsel, Michael S. Giaimo, Robinson & Cole LLP, 25th Floor, One Boston Place, Boston, MA 02108, 617-557-5959, mgiaimo@rc.com**
- d. Interest in Premises (e.g., owner, tenant, prospective purchaser, etc.) **tenant – see letter of authorization from owner.**
(Attach copy of lease and/or letter of authorization from owner, if applicable)

DESCRIPTION OF PREMISES:

- a. Assessor's Map 41, Lot(s) 88, Zoning District IRA
- b. Location of Premises (number and street) 286 Boston Street
- c. Name and address of legal owner (if different from Applicant) Donald Y. Wood & Andrea L. Wood
- d. Deed to the Premises recorded at (if known):
____ Essex South District Registry of Deeds, Book 16565 Page 0100
____ Essex South Registry District of the Land Court, Certificate Number ____
- e. Prior zoning decisions affecting the Premises (if any):
Date of Decision 7/25/1986 Name of Applicant Continental Cablevision
Nature of Decision Finding
- f. Present use of the Premises Residential and Communications Towers
- g. Present structures conform to current Zoning Bylaw. ____ Yes ____ No. If no, in what respect does it not conform. ____ N/A - No change is proposed to footprint or height of existing structures.

PROPOSAL (attach additional sheets if necessary)

- a. General Description: **Increase height of antenna on existing communications facility and remove second communications tower on property. (See narrative and supporting materials)**
Topsfield Zoning Board of Appeals

- b. If proposal is for construction or alteration of an existing structure, please state:

	FRONT	REAR	SIDE(S)
1. Setbacks required per bylaw		_____	_____
2. Existing setbacks		_____	_____
3. Setbacks proposed		_____	_____

	FRONTAGE	AREA
4. Frontage and area required by bylaw		_____
5. Existing frontage(s) and area		_____
6. Frontage(s) and area proposed		_____

	FEET	STORIES
7. Existing Height	121.8 feet a.g.l.	_____
Height proposed	No increase in tower height proposed. Proposal is to increase height of antenna by attaching a mast to existing tower, raising antenna height by approximately 15 feet.	

- c. Other town, state or federal permits or licenses required, if any: None

NECESSARY ACCOMPANYING DATA:

It is required that every application be accompanied by appropriate supporting data. Failure to submit appropriate and complete data could result in delay and/or denial of application for zoning relief. Place a check next to the applicable accompanying supporting data:

Variance of Special Permit Applications:

(See Zoning Board of Appeals Rules and Procedures Section III)

All required supporting data attached ☐ Yes ☐ No

Site Plan Review Applications:

(See Town of Topsfield Zoning Bylaw, Article IX, Section 9.05. See also Guidelines and Performance Standards for Activities Subject to the Provisions of Article IX of the Topsfield Zoning Bylaw)

All required supporting data attached ☐ Yes ☐ No

Comprehensive Permit Applications:

(See G.L.c. 40B, Sections 20-23)

All required supporting data attached ☐ Yes ☐ No

Appeals from decisions of Building Inspector or Others:

(See Zoning Board of Appeals Rules and Procedures, Section III (1) (e))

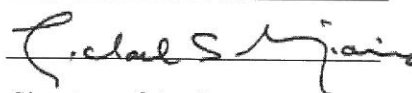
All required supporting data attached ☐ Yes ☐ No

If all required supporting data is not attached, why not:

Data relevant to the proposal has been supplied. There is no construction proposed on the ground and no change proposed in the location or footprint of any structure

August 21, 2020

Date


Signature of Applicant



STATEMENT IN SUPPORT OF APPLICATION FOR FINDING
286 Boston Street, Topsfield

The applicant respectfully seeks a finding from the Topsfield Zoning Board of Appeals in order to increase the height of an existing antenna mounted to an existing tower. No increase is proposed to the height of the Tower itself. The proposal would simply involve the attachment of a vertical mast to the Tower structure with the proposed antenna mounted on the mast and rising approximately 15 feet above the top of the tower.

The tower height is 121.8 feet above ground level. The Topsfield Zoning Board of Appeals originally authorized its construction pursuant to a 1986 decision, which was characterized as a finding. The original occupant of this Tower was succeeded by Bloomberg Communications, Inc. ("Bloomberg") which operates a translator antenna installed on the tower to relay a radio signal associated with its business. Bloomberg now finds it necessary to increase the height of its antenna, in order to reduce obstruction of its signal by the tree canopy.

Mr. Don Wood, the owner of the Premises, owns the Tower. He also owns a guyed tower on the Premises that he has used for ham radio purposes. As part of this proposal, the guyed tower, which is located about 100 feet south of the Tower, would be removed and the ham radio equipment relocated to the Tower. There is also an obsolete dish antenna located on the Tower, which would be removed as well. The Topsfield Zoning Enforcement Officer, Mr. Glenn Clohecyc, advised that the applicant should seek a finding from this Board to authorize the proposed project. The Board has authority to issue a finding for the modification of a non-conforming use, if the change would not be more detrimental or objectionable to the neighborhood. (Topsfield Zoning Bylaw §3.05.A).

The Board should make that finding in this case, as the project will not have any negative effect at all on the neighborhood. The communications tower in question has been on the site for more than 40 years. The proposal is to mount a metal pipe to the tower that extends vertically approximately 15 feet above the top of the tower. The applicant's single antenna would be placed on that mount so that it is capable of relaying signal from a higher elevation without interruption by the surrounding tree canopy.

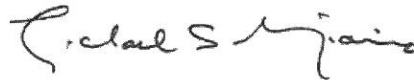
This change should not cause any visual or other impact on the neighborhood. The tower is located in an area where the surrounding tree canopy prevents the tower from being seen by the public. There will be no extension of the tower structure itself. An existing obsolete dish antenna on the tower will be removed

as part of the project. In addition, as part of the project, a second tower on the property, used by the owner for ham radio equipment, would be removed altogether. The ham radio equipment on that tower would be relocated to the remaining tower.

The applicant recently had the height of the tower measured, and a photograph of the tower as it currently looks with the measurement indicated is included as part of this application.

For the foregoing reasons, and as will be further presented at the hearing on this matter and in the materials filed with the application, the applicant respectfully submits that the proposed project will not be more detrimental to the neighborhood and should not be objectionable and requests that the Board grant a finding under §3.05A of the Topsfield zoning bylaw and any other relief that may be necessary for the proposed project as described in this application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael S. Giaimo". The signature is fluid and cursive, with the first name "Michael" and last name "Giaimo" clearly distinguishable.

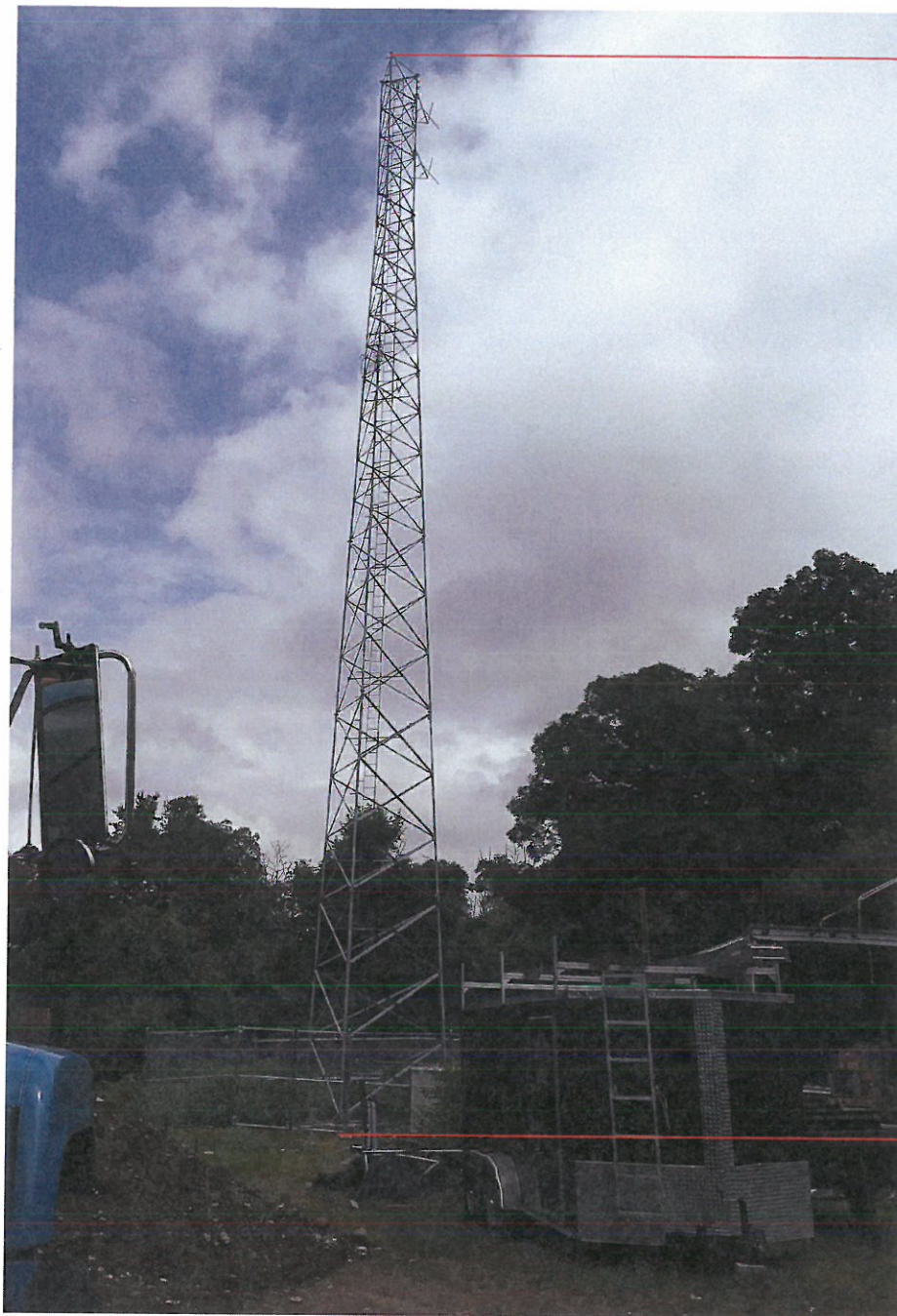
Michael S. Giaimo
Attorney for Applicant

MICHAEL S. GIAIMO

One Boston Place, 25th floor
Boston, MA 02108-4404
Main (617) 557-5900
Fax (617) 557-5999
mgiaimo@rc.com
Direct (617) 557-5959

8/21/2020

- NOTES: 1) THIS PLAN HAS BEEN PREPARED TO SHOW RESULTS OF SURVEY
PERFORMED ON JULY 1, 2020.
2) ELEVATIONS SHOWN HEREON ARE BASED ON AN ASSUMED DATUM.



TOP TOWER
ELEVATION = 216.0

HEIGHT = 121.8'

AVERAGE GROUND
ELEVATION AT BASE
OF TOWER = 94.2

TOWER ELEVATION EXHIBIT

PLAN OF LAND IN
TOPSFIELD, MA

(296 BOSTON STREET)

PREPARED FOR

ROBINSON & COLE, LLP

NOT TO SCALE JULY 6, 2020

23760

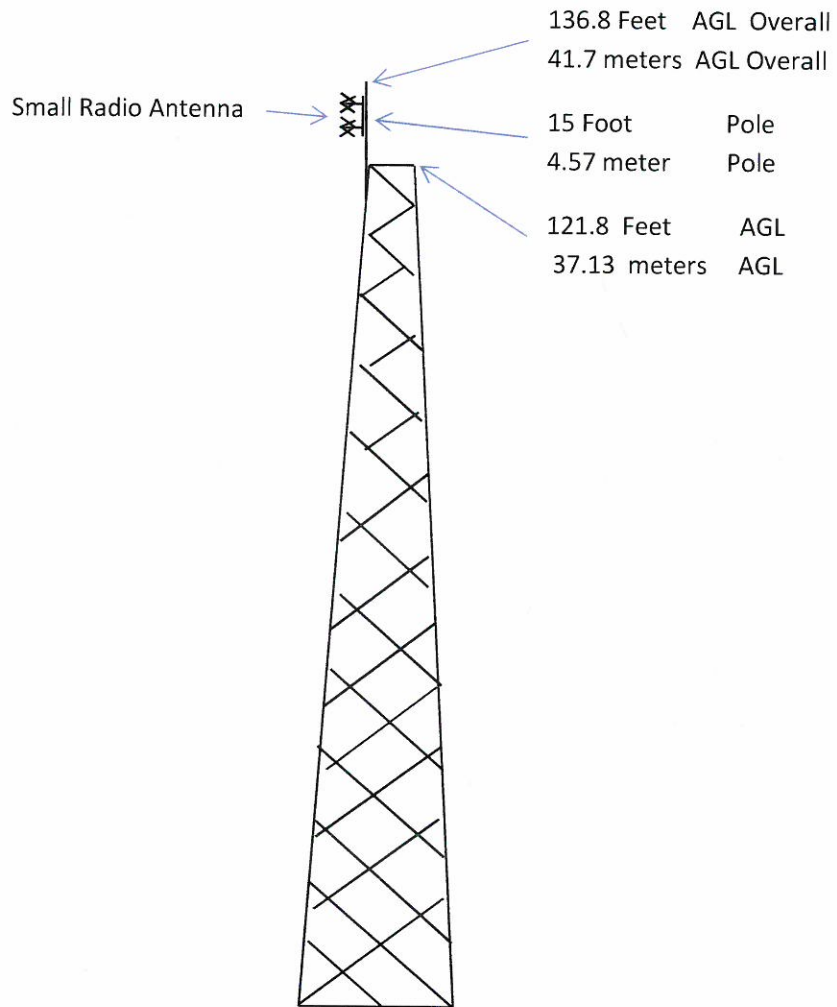
HANCOCK

Survey Associates, Inc.

185 CENTRE STREET, DANVERS, MA. 01923

VOICE (978) 777-3050, FAX (978) 774-7816

Topsfield Communications Tower



Bloomberg

August 13 2020

Zoning Board of Appeals
Town of Topsfield
Topsfield Town Hall
8 West Common Street
Topsfield, MA



Re: Application of Bloomberg Communications, Inc.
286 Boston Street, Topsfield, MA

Mr. Chairman and Member of the Zoning Board of Appeals:

The undersigned as record owners of the property at 286 Boston Street, Topsfield Massachusetts is party to a lease with Bloomberg Communications Inc. ("Bloomberg") related to the existing tower on that property, and hereby authorizes Bloomberg to apply for any necessary or appropriate zoning relief related to proposed work on that tower. This authorization is effective unless and until revoked in writing.

A copy of this authorization shall be regarded as having the same effect as the original.

Sincerely,


Donald Y. Wood
Andrea L. Wood

Bloomberg

August 11 2020

Zoning Board of Appeals
Town of Topsfield
Topsfield Town Hall
8 West Common Street
Topsfield, MA


Re: Authorization to Represent Bloomberg Communications, Inc.

To Whom It May Concern:

Bloomberg Communications, Inc. ("Bloomberg") hereby authorizes its attorneys, Robinson & Cole, LLP, to represent Bloomberg before the Town of Topsfield, Massachusetts Zoning Board of Appeals and any other Town boards or offices, in applying for zoning relief for the proposed project at 286 Boston Street, Topsfield, MA.

A copy of this letter shall be regarded as having the same effect as the original.

Sincerely,



Bloomberg Communications, Inc.



TOWN OF TOPSFIELD
BOARD OF ASSESSORS
8 West Common Street
Topsfield, Massachusetts 01983
Telephone: (978) 887-1514 Fax: (978) 887-1502

This form must be completed and Assessor fee of \$20.00 must be paid before release of the certified abutters list.

Submission Date Tuesday, July 28, 2020 Issue Date Monday, August 03, 2020

Department requiring list: Planning Board *Zoning Board of Appeals*

300 Ft. ☒ 100 Ft. ☐ (Conservation Only) ☐ Direct Abutters

Person/Party requesting list: Karla L. Chaffee

Address: 182 Cross Street, Rowley, MA 01969

Phone #: 617-557-5956 Email Address klchaffee@gmail.com Misc: _____

Property Owner: Donald Y. Wood and Andrea L. Wood

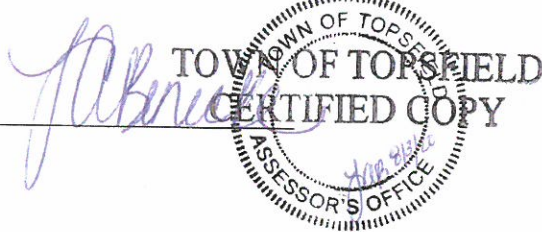
Assessor's Map(s) 41 Lot(s) 88 Location 286 Boston Street, Topsfield, MA

Assessor's Fee Paid: ☒ Yes ☐ No

The Assessors' Office requires ten (10) working days to certify an Abutters List. This list is valid for sixty days only from date of issue.

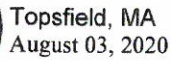
Certified By:

Topsfield Assessors



Certification of Parties in Interest

The Board of Assessors of the Town of Topsfield do hereby certify, in accordance with the provisions of Section 10 and 11 of Chapter 808 of the Acts of 1975, that the following named persons, firms and corporations are parties in interest, as in said Section 11 defined, with respect to the premises herein above described.



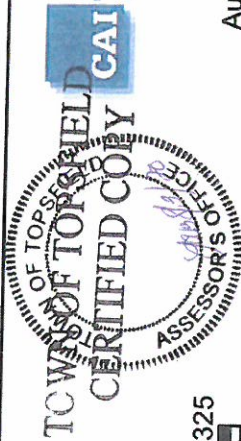


286 Boston Street

Topsfield, MA

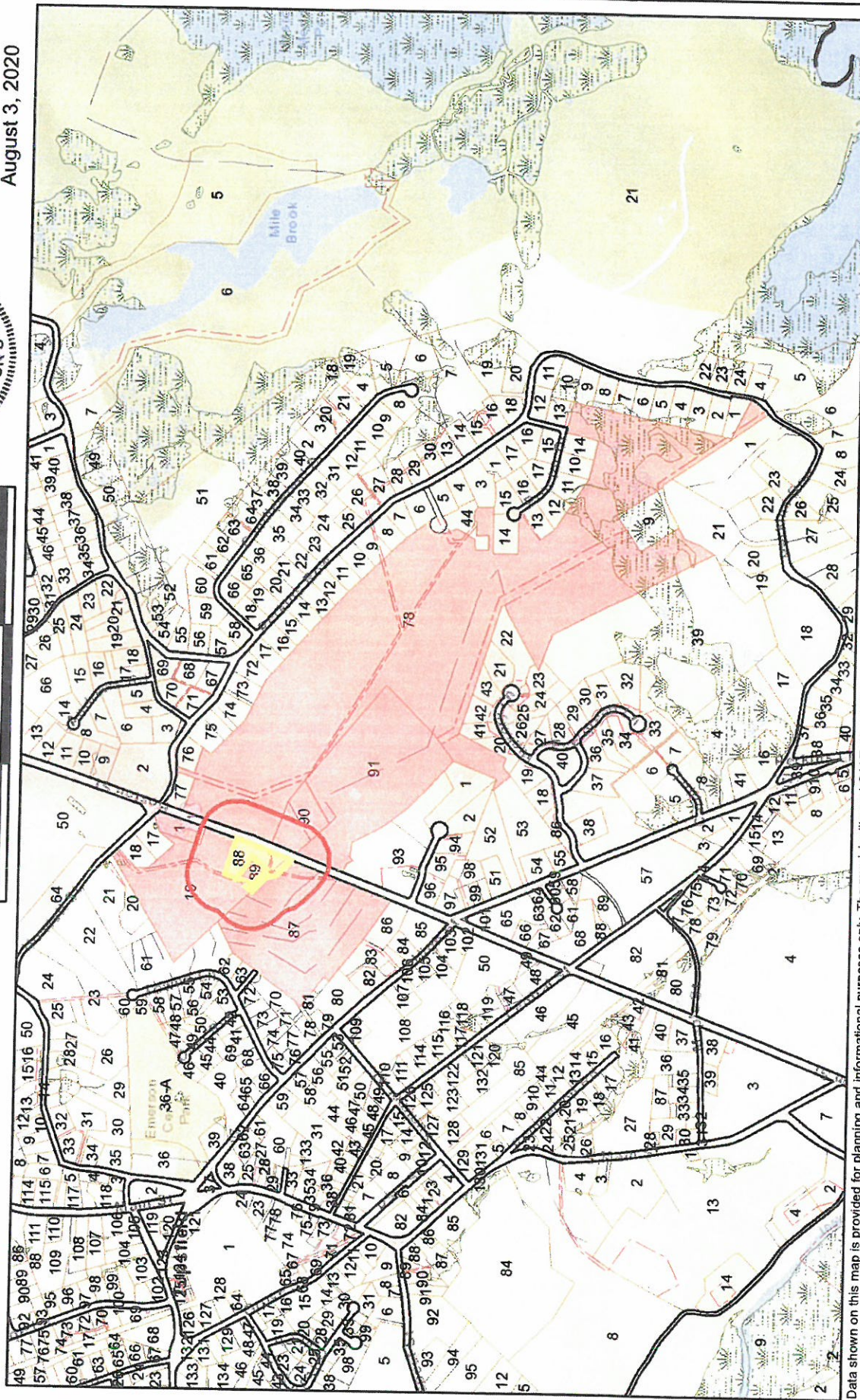
1 inch = 1108 Feet

0 1108 2217 3325



CAI Technologies
Professional Mapping Services of Excellence

August 3, 2020



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

ALBRIGHT RICHARD C JR
54 HIGH ST
TOPSFIELD, MA 01983

DJORDJIC VOJISLAV
71 HOWLETT ST
TOPSFIELD, MA 01983

FREEMAN GLENN
77 HOWLETT ST
TOPSFIELD, MA 01983

GREEN ACRES REALTY INC
82 NORTH ST
TOPSFIELD, MA 01983

SKEFFS LLC
82 NORTH ST
TOPSFIELD, MA 01983

TOWN OF TOPSFIELD
279 BOSTON ST
TOPSFIELD, MA 01983

TOWN OF TOPSFIELD
8 WEST COMMON ST
TOPSFIELD, MA 01983

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