Brian Tobin
Town Planner
(508) 539-1414
btobin@mashpeema.gov

Planning Department
Mashpee Town Hall
16 Great Neck Road North
Mashpee, MA 02649

March 11, 2026

To: Jeffrey Ribeiro, Cape Cod Commission Regulatory Planner II

From: Brian D. Tobin, Mashpee Town Planner

Mr. Ribeiro:

I am writing regarding the Subcommittee's review of the proposed cell phone tower at the Verizon property on Great Neck Road North in Mashpee. It is my understanding that the Subcommittee will vote on an approval draft Development of Regional Impact (DRI) decision for the application this upcoming Monday. This Memorandum serves to provide you with some general context and also a specific provision of our Zoning Bylaws regarding height requirements. Its purpose is to ensure unison between the Commission and the local Planning Board, as well as to protect the integrity of our local Bylaws. Specifically, I am requesting that if this Commission votes for an approval, it includes appropriate height conditions that honors our local bylaws. At a minimum, I am requesting the Commission limit any finding with respect to the height of the tower to its relationship to the standard that triggers DRI review (35-feet or 80-feet) so as not to supersede our local Bylaw limit of 100 feet subject to a Planning Board waiver. **See bold portions below**.

Having already received the draft Plan Review Committee meeting minutes of February 17, 2026 from the Building Department for the Town of Mashpee (a copy of which is enclosed), you are aware of Town Official concerns regarding the proposed height of the tower at 130-feet. More, at your regularly scheduled meeting on February 2, 2026, as well as at the aforementioned Plan Review Committee meeting, the applicant stated its position that they would be entitled to a 20-foot increase as of right under federal law, allowing for an increase of up to 150-feet. You should also be aware that this applicant previously submitted an application for a 150-foot tower to the Cape Cod Commission that was withdrawn on or about September 14, 2023. *See* second attachment.

On behalf of the Planning Department, I am sharing with you additional information regarding the Town of Mashpee's Zoning Bylaws to assist at arriving at the ultimate purpose of this Memorandum. **Mashpee Zoning Bylaw §174-45.3 E. (6) delineates the specific height provisions for cell towers in the Wireless Overlay District and provides for a maximum height of 100 feet. It further allows the local Planning Board (only) to waive this provision.** As this application was sent immediately to the Cape Cod Commission pursuant to the regulations governing mandatory DRI review, the applicant has not obtained any such waiver to date.

I am requesting the Cape Cod Commission include appropriate height conditions to honor our local Bylaws if it issues an approval. **Specifically, I am requesting a condition limiting height to either 80-feet with no applicant assented to waiver of a 20-foot as-of-right increase in height, if any, or to 100-feet with an applicant assented to waiver of the same. If the Planning Board for the Town of Mashpee grants a waiver to the 100-foot height restriction, then the applicant may simply return to Commission staff for an administrative adjustment to said condition. At a minimum, any finding referencing height should be in relation to a general excess of the height threshold triggering mandatory DRI review so as not to (even if inadvertently) undermine local authority regarding the waiver provisions in our Bylaws. *See* Cape Cod**

Commission Enabling Regulations Chapter A Section 3 (i) (ii) (height threshold triggering mandatory DRI review is 35-feet for a Wireless Communications Tower and 80-feet for a Concealed Antenna Monopole). In other words, such a finding should not reference a specific height in excess of our local bylaws' 100-foot maximum in the wireless overlay district prior to a granted waiver from the Planning Board after its own Consulting Engineers have reviewed the applicant's request. Any such specific finding by the Commission would be most appropriate after the Planning Board has had the opportunity to review the waiver request.

This approach will allow the Planning Board to exercise its discretion on any waiver to the aforementioned zoning bylaws' height requirement as per the intent of the same. It will further allow the Planning Board to make such a decision after conducting its own due diligence through the public hearing process with engineering peer review and obtaining public input at the local level. It will honor the spirit and intent of our local Bylaws, as well as those of the criteria triggering mandatory DRI review. Last, it will ensure unison in the decision-making process of the local Planning Board and the Cape Cod Commission as the regional planning regulatory agency with minimal burden to the applicant.

Thank you in advance for your time and attention to this request. We truly appreciate all the hard work and diligence of the Commission's staff and its volunteers. We hope you will adopt this commonsense approach to timing and work with the Town to coordinate logistical efforts and procedural best practices.

Sincerely,

/s/ *Brian D. Tobin*

Brian D. Tobin

Enclosures

Cc:

Cape Cod Commission Subcommittee on Great Neck Road North WCT, Mashpee
Full Commission
Lisa Dillon, Clerk
Kristy Senatori, Director

Attachment 1

Town of Mashpee

16 Great Neck Road North
Mashpee, MA 02649

Minutes of Meeting of
Plan Review Committee
Tuesday, February 17, 2026
Mashpee Town Hall Waquoit Meeting Room

Plan Review Committee Members Present:

Dave Morris, Building Commissioner
Zack Seabury, Health Agent
Drew McManus, Conservation Agent
Catherine Laurent, DPW Director
Brenden Ramsey, Deputy Fire Chief
Brian Tobin, Town Planner

Dave called the meeting to order at 9:10 am.

NEW HEARINGS

9:00 am Project Address: 524 Great Neck Road North
Business name: Cellco Partnership d/b/a Verizon Wireless
Agent: Greg Richard, Centerline Communications,
and Matt Tilden, Dewberry Engineering.
Representative: Jessica Bardi, with Robinson & Cole LLP.
Request: Construction of a Personal Wireless Service Facility consisting of a 130-ft. monopole tower and ground equipment to be located within a 50' x 50' lease area behind the existing Verizon Wireless landline building on property located in the C-1 and Wireless Facility Overlay District.
(*A Special Permit application is submitted to the Planning Board.)*

Ms. Bardi represented the application. This property is in the C-1 and Wireless Facility Overlay District. The applicant is seeking a Special Permit from the Planning Board to construct a 130-ft. monopole tower behind the existing building located at the property. This project is being reviewed by the Cape Cod Commission and was heard back on February 2, 2026, and continued until March 2, 2026. The Commission is looking for comments from the Town at the next meeting.

Mr. Tilden provided the site plan for the Committee to review and pointed out the site. There's a 50' x 50' ft. fenced compound behind the existing building. There's a small 24 ft., 12 ft. wide access road that leads to the compound area. Within the compound area Verizon Wireless will have a concrete pad that will hold their radio equipment cabinet for the fiber as well as a power panel.

DRAFT

The submittal package was very extensive and provided renderings of the site. The transformer will be situated on a 12 x 14 concrete pad. There are grass swales and infiltration trench for storm water drainage. Mr. Tilden pointed out the rendering of the tower itself with co-locators. The antenna array is at 126 ft. center line. The fenced in area is all proposed.

Ms. Bardi pointed out the Tab 14 rendering of the tower.

Brenden Ramsey, Deputy Fire Chief

Mr. Ramsey has no concerns. He said that there is plenty of access. He would want a Knox box on the fence with a key to access. He asked if there was a generator for backup power. Mr. Tilden said there is no backup generator. Mr. Tilden mentioned other carriers could occupy the space within the compound. Ms. Bardi said that the tower is designed for four other carriers.

Drew McManus, Conservation Agent

This project was approved by the Conservation Commission. Mr. Tilden will grade and seed the area to avoid any water runoff.

Catherine Laurent, DPW Director

Ms. Laurent commented on the existing conditions that there is a visibility issue at the one-way intersection of Great Neck Rd. and Old Barnstable. She asked if Verizon could provide additional trimming. That intersection is a high accident area.

Ms. Bardi mentioned that the property owner is not present to discuss this issue.

Mr. Morris mentioned that he could look at that visibility issue.

Zackary Seabury, Health Agent

Mr. Seabury wanted to address the possible noise levels. The equipment should not be more than 50 decibels from the property line. Mr. Seabury wanted to know which property line was reviewed for the 50 decibels. There is one house that the property is 560 ft. away. Ms. Bardi said that the study is from Great Neck Road North. Mr. Tilden said that the generator in front of the HVAC unit will not go above 50 decibels. Mr. Bardi will provide more information. Mr. Seabury mentioned that Mashpee residents have become conscience of noise.

Mr. Seabury does not have any issues with the drainage in that area.

DRAFT

David Morris, Building Commissioner

Mr. Morris commented that there might be a height issue with the tower. The centerline of pole is 126 ft., and the top of the pole is measured at 130 ft.

Brian Tobin, Town Planner

Mr. Tobin mentioned that there was some discussion at the Cape Cod Commission meeting that a tower could be constructed up to 150 ft. as of right under federal law if locally approved at 130 ft. Ms. Bardi mentioned that is correct. This project was before the Commission back in 2021 requesting 150 ft. tower. The tower was moved further behind the existing building and lowered the height to 130 ft. to minimize any disturbance. The application was withdrawn and then refiled.

Mr. Tobin asked if the applicant would accept a condition that the tower not be extended to 150 ft. Mr. Bardi didn't know if that condition would be legal under Federal law. She would like to have that discussion with the Planning Board. Mr. Tobin noted that the zoning bylaw governing the wireless overlay district allows for a one-hundred-foot tower and that can be waived at the Planning Board's discretion up to two hundred feet. Mr. Tobin also expressed concerns regarding the clarity of the visual renderings (balloon study and mock tower image) particularly from the rotary. Mr. Tobin also asked for renderings to show the tower height at not just 130 ft., but also 100 feet and 150 feet. Ms. Bardi stated the applicant can provide clearer imagery and those additional renderings showing height variations.

Mr. Tobin noted that any approval by this Committee should be conditioned upon the Planning Board Consulting Engineer Tighe & Bond's review and approval of the proposal, as well as the applicant making any suggested adjustments during the peer review process before the Planning Board. The review would require an analysis of need and careful review of the RF Report.

Discussion

Mr. Morris asked if this meeting should be continued to have the comments submitted to Cape Cod Commission.

Ms. Laurent would like some screening to provide for the monopole.

Mr. Morris asked for a motion.

Mr. Tobin moved to approve the comments, conditions and points of clarity required by the Committee and have them sent to the Cape Cod Commission.

DRAFT

Mr. McManus, second.

Discussion on Motion

Ms. Laurent wanted a more detailed motion and comments to provide the Planning Board and/or Cape Cod Commission with respect to the concerns about Tower height stating that the Committee is not supportive of the Tower going up to 150 feet.

Ms. Laurent moved to amend the motion to specifically include the above. A summary of the comments, conditions and points of clarity would therefore be:

- FD access/Knox box on fence.
- Compliance with Concom conditions, including limitation loam and seed for slope stability.
- Further information regarding noise impact for Health Department.
- Screening and troubleshooting of visibility/line of sight issue at intersection for DPW.
- Satisfactory completion of Peer Review by Planning Board Consulting Engineer Tighe & Bond including, without limitation careful review of the RF Report.
- Better visual renderings of proposal regarding height of the monopole and comparisons at 150 ft., 130 ft., and 100 ft. for the Planning Board to review.
- The Committee is to supportive of any height increase, and, if the project were approved by the Planning Board, it supports conditions that there is no additional height increase of the tower.

The amendment was seconded by Mr. Seabury, and the motion to amend was unanimously approved.

Mr. Tobin amended his motion as indicated by Mr. Morris. Mr. McManus second. All were in favor.

Mr. Morris asked for a roll-call vote. Ms. Laurent, yes, Mr. Seabury, yes, Mr. McManus, yes, Mr. Ramsey, yes, Mr. Tobin, yes, and Mr. Morris, yes. All were in favor.

DRAFT

Minutes of Meeting of
Plan Review Committee
Tuesday, February 17, 2026
Mashpee Town Hall Waquoit Meeting Room

OTHER BUSINESS

Approve Meeting Minutes dated October 21, 2025.

Mr. Seabury made a motion to accept the meeting minutes. Ms. Laurent second. All were in favor.

Additional Topics

Ms. Laurent wanted clarification regarding the ZBA application for 71-B Echo Road. There are several boats stored in the rear of the property, and there's a fence that obstructs fire access.

Mr. Morris will have a discussion with the applicant regarding their modification to the existing Special Permit.

Mr. Tobin made a motion to adjourn. Mr. McManus second. All were in favor of adjourning. The meeting adjourned at 10:10 am.

Respectfully submitted;

Mary Ann Romero
Administrative Secretary
Zoning Board of Appeals

DRAFT

Attachment 2

GEHRING & ASSOCIATES, LLC
Wireless Planning & Zoning

Post Office Box 98
West Mystic, CT 06388

860-536-0675
wireless@gehringzone.com

September 14, 2023

Planning Board
Town of Mashpee
16 Great Neck Road North
Mashpee, MA 02649
USPS # 7015 0640 0000 6946 7236

Cape Cod Commission
3225 Main Street
P. O. Box 226
Barnstable, MA 02630
USPS# 7015 0640 0000 6946 7243

RE: Application of Cellco Partnership d/b/a Verizon Wireless
Dated June 1, 2023 for Special Permit and DRI Approval to
Install a New Personal Wireless Service Facility at
524 Great Neck Road North, Mashpee, Assessor's Parcel 67-4-0

Dear Members of the Mashpee Planning Board and Cape Cod Commission:

Pursuant to Cape Cod Commission Chapter A Enabling Regulations [governing DRI review] Barnstable County Ordinance 90-12 Section 6(c)(xii) and M.G.L. Chapter 40A Section 16, Cellco Partnership d/b/a Verizon Wireless respectfully requests to ***withdraw without prejudice*** the above-captioned Special Permit and DRI applications at this time.

The Applicant would like to pause the permitting process while third-party build-to-suit opportunities and network build priorities are internally discussed, vetted and analyzed. Although *no substantive plan changes are anticipated*, additional time is needed whereas current regulations do not allow an applicant to effectuate an indefinite pause;

Accordingly, leave to ***withdraw without prejudice*** is hereby respectfully requested.

Thank you

Sincerely,

Cellco Partnership d/b/a Verizon Wireless

Gehring & Associates, LLC

By cgehring
Carl W. Gehring, on behalf of Cellco Partnership d/b/a Verizon Wireless

cc: William Perry - Verizon Wireless Real Estate Department