



City of Cambridge

4.

IN CITY COUNCIL

April 28, 1997

COUNCILLOR TRIANTAFILLOU
VICE MAYOR BORN
COUNCILLOR DAVIS
COUNCILLOR DUEHAY
COUNCILLOR GALLUCCIO
COUNCILLOR SULLIVAN

ORDERED: That the City Manager be and hereby is requested to determine whether the Board of Zoning Appeal or the Planning Board has written justifications for declining cellular towers in its community; and if so, to send this material to the Massachusetts Municipal Association for use in the MMA's brief in the Department of Utilities Case (DPU Order 95-59) regarding whether cellular towers are exempt from local zoning controls.

In City Council April 28, 1997

Adopted by the affirmative vote of nine members.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

A handwritten signature in cursive script that reads "D. Margaret Drury".

ATTEST:-

D. Margaret Drury
City Clerk

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RECEIVED BY
OFFICE OF CITY CLERK
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CAMBRIDGE MA

4/28

Ordered: That the City Manager be and hereby
is requested to ~~report to the City~~ ^{determine to the City} whether
the ~~City~~ BZA or the Planning Board
has written justifications for declaring cellular
towers in its community, ~~which~~ and
if so, to send this material to
the Massachusetts ~~State~~ Municipal Association
for use in the MMA's brief in the
Department of Utilities Case (DPU order
95-59) regarding whether cellular
towers are exempt from local zoning controls

Have we responded to this?

DPU postpones hearings on cellular tower ruling

The Department of Public Utilities has postponed hearings in a case that could determine the role of municipalities in the siting of cellular phone towers.

The DPU is expected to issue a revised schedule soon. A ruling had been expected in April.

The DPU is reconsidering its decision to no longer consider telecommunications companies to be "public service corporations" under state law. This decision (DPU Order 95-59), which removed the companies' exemption from local zoning laws, is being appealed by telecommunications companies.

The MMA will be submitting a brief and counter-brief after the hearings have concluded addressing issues raised by the telecommunications companies.

The MMA is interested in obtaining copies from local zoning boards of written justifications for declining cellular towers in their community. Please send or fax (617-695-1314) any copies to Thatcher Kezer, legislative analyst, at the MMA. This information will be helpful for the MMA in writing its brief on these proceedings.

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Burn, Davis, Dewey, Galluccio, Sullivan
Consent Order #4
CM-225

Councillor Triantafillou re: Justification
for declining cellular towers and whether
cellular towers are exempt from local
zoning controls.

In City Council April 28, 1997

ORDER ADOPTED