



Town of Ashby
Zoning Board of Appeals
895 Main St.
Ashby, MA 01431

Decision

Property at: 1140 Greenville Rd.

Applicant: Rick Woods / SBA Communications

Application for: Special Permit, addition of 12 antennas to existing communications tower

Application Submitted: May 13, 2026

Hearing Date: June 16, 2026

Hearing Continued: August 20, 2026, 7 pm; August 25, 2026, 7 pm.

Decision Date: August 25, 2026

Zoning Bylaw: section 9.2.2.1

Zoning District: Residential/Agricultural

Members Present:

x	Alan Pease, chairman		Justin Baer, member
x	Garry Baer, clerk	x	Matthew Johnson, alternate

After taking testimony from the applicant and reading one letter into the record the hearing was continued to August 20, 2026 at 7:00 pm in order for the applicant to provide additional documents.

Present Continued Hearing 8/20/2026:

x	Alan Pease, chairman		Justin Baer, member
	Garry Baer, clerk		Matthew Johnson, alternate

The hearing was opened by the chair on 8/20/2026 at 7:00 pm. No other Board members were present. Neither the applicant nor members of the public were present. At 7:10 pm the chair declared the hearing continued to August 25, 2026 at 7:00 pm in Town Hall.

Present Continued Hearing 8/25/2026:

X	Alan Pease, chairman	X	Justin Baer, member
X	Garry Baer, clerk	X	Matthew Johnson, alternate

Documents:

- a. Application for hearing.
- b. Application for special permit.
- c. Plan entitled ASHBY MA, 903 Greenville Road, Ashby, MA 01431, date 04/20/26 construction revised.
- d. Letter from George Ecker and Ruth Kenworthy.
- e. Plan entitled ASHBY MA, 903 Greenville Road, Ashby, MA 01431, date 06/18/26 construction revised.

- f. Letter of Consent.

Background

1. The communications tower at this location received a special permit many years ago.

General Findings

- 1.

Applicable Law

1. 9.2.2.1. No Personal Wireless Communications Facility shall be erected or installed except in compliance with this section. In all cases a Special Permit is required from the Zoning Board of Appeals. Any proposed extension in the height, addition of cells, antenna, panels, transmitters or construction of a new or replacement facility shall be subject to a new application for a Special Permit. Private commercial wireless communications facilities are not permitted under this section.
2. 9.2.5.1 Procedures for considering special permits shall be governed by section 11.3 of this bylaw. (note: section 11.3 has changed to 12.3)
3. 12.3 To grant a special permit for an exception as provided by sections of this by-law when it shall have found that the use involved will not be detrimental to the established or future character of the neighborhoods and town and subject to appropriate conditions or safeguards if deemed necessary.

Facts & Testimony

- 12 antennas placed at 120 feet on existing tower.
- They are Verizon antennas.
- No letter of consent from the owner.
- Incorrect address on plans.
- Letter states that electromagnetic waves pose health hazards.
- Letter of consent received by email 8/20/2026. Document received 8/25/2026.
- Revised Plan with corrected address. Received by email 8/20/2026. Document received 8/25/2026

Specific Findings

1. The use involved will not be detrimental to the established or future character of the neighborhood and/or town.

Vote unanimous

Decision

The decision of the Board is to:

- ☐ Grant the Special Permit

Conditions:

Vote

Alan Pease	X
Garry Baer	X
Justin Baer	
Matthew Johnson, alternate	X

Date 8/25/2026 Signed _____

Filing with Town Clerk

Filed with Town Clerk on _____ Signed _____

Right to Appeal

Any appeals of this decision shall be made pursuant to Massachusetts General Laws Chapter 40A, Section 17 and a copy shall be filed in the Town Clerk's office within twenty (20) days after the date of filing of the Decision in the Office of the Town Clerk.

Town Clerk Notification

I certify no appeal has been received within twenty (20) days of the filing of this notice in my office, or that if an appeal has been filed; it has been dismissed or denied.

Angela Jack, Town Clerk _____ Date _____

Notice to Applicant

Having received certification from the Town Clerk, it shall be the responsibility of the applicant to have recorded both this NOTICE OF DECISION and the DECISION at the South Middlesex Registry of Deeds and indexed in the grantor index under the name of the owner of record or recorded and noted on the owner's certificate of title. Fee for recording shall be paid by the owner or applicant. NO BUILDING PERMITS or CERTIFICATES OF OCCUPANCY shall be issued by the Building Inspector until notice of attestation by the Register of Deeds is made to the Town Clerk by filing a copy of this notice with the recording date and document number noted.

ATTESTATION

Received and entered in the Registry of Deeds in the County of Middlesex, South:

ATTEST: _____ Register of Deeds