

**Proposed Zoning Bylaw Amendments to Account for
Wireless Communication Facilities and Small Wireless Facilities
DRAFT March 3, 2021**

2194 Wireless Communication Facility shall mean a facility for the reception and transmission of personal wireless communication signals including towers, antennas, panels, and appurtenant structures designed to facilitate the following types of services: cellular telephone services, personal communication systems, and enhanced specialized mobile radio service. ***A wireless telecommunications facility shall not include Small Wireless Facilities as defined herein.***

2XXX Small Wireless Facilities are facilities as defined in 47 C.F.R. § 1.6002(l) as may be amended from time to time.

4003(3) **UTILITY AND PUBLIC SERVICE USES.**

	DISTRICTS						
	AR	R1	B	B1	OP	TC	IC
Public utility	SP	SP	Y	Y	SP	SP	SP
<i>Small Wireless Facilities located outside of a right of way</i>	<i>SP</i>	<i>SP</i>	<i>SP</i>	<i>SP</i>	<i>SP</i>	<i>SP</i>	<i>SP</i>
Wireless Communication Facility	-----See Footnote 17-----						

¹⁷ See Section 7200 Wireless Communication Facilities.

7200 Wireless Communication Facilities

7202 *Applicability*

This Section shall apply to reception and transmission facilities for the purpose of personal wireless communication services. This Bylaw shall not apply to towers or antennas installed for use by a federally licensed amateur radio operator. ***A wireless communications facility shall not include Small Wireless Facilities as defined herein.***

7203 *General Requirements*

Wireless Communication Facilities shall be allowed only in the Wireless Communication Facilities Overlay District only upon issuance of a special permit in accordance with the provisions of MGL Ch 40A, § 9, this Bylaw and any rules and regulations adopted hereunder. The ***Planning Board*** ~~Board of Appeals~~ shall be the Special Permit Granting Authority for Wireless Communication Facilities.

- (1) Wireless Communication Facilities should be concealed within existing structures where possible.
- (2) Lattice style towers and similar facilities requiring more than one leg or guy wires for support are prohibited.
- (3) All structures associated with wireless communication facilities shall be removed ***by the owner or its agent***, within one year of cessation of use.

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- (4) The tower height shall not exceed 100 feet measured from the base of the tower to the highest point of the tower including anything on it.
- (5) All towers shall be set back from lot lines a minimum of the height of the tower except where the tower abuts the right of way of Route I-495 and Route 2 where the setbacks shall be the minimum permitted by the Commonwealth of Massachusetts. All towers shall be setback a minimum of 500 feet from any school building.
- (6) No tower shall be located within 1500 feet of another such tower.
- (7) Any utilities servicing a tower shall be located underground.
- (8) Lighting of wireless communication facilities shall be limited to low level security lighting installed at or near ground level and otherwise in accordance with the outdoor lighting provisions of this Zoning Bylaw, except for lighting required by the Federal Aviation Administration (FAA).
- (9) Fencing shall be provided to control unauthorized access to the tower. All equipment areas shall be landscaped and screened from public view *to minimize visibility year-round.*
- (10) The facility shall contain one sign no greater than one square foot that provides the phone number where the operator in charge can be reached on a 24-hour basis.

7XXX Small Wireless Facilities Outside of the Public Right of Way

7XXX.1 Purpose and Intent

The Purpose and Intent of this bylaw section is to permit regulation of the installation of Small Wireless Facilities outside of public rights of way so as to respect the neighborhood characteristics in which they are proposed to be installed consistent with the purposes set forth below and with federal and state law,

- a) to minimize adverse impacts of Small Wireless Facilities on residential neighborhoods and the community;***
- b) to encourage the shared use of facilities, where appropriate, to reduce the need for new facilities;***
- c) to limit the overall number and height of facilities to what is necessary to serve the public;***
- d) to protect the visual, aesthetic, scenic, historic, environmental and natural or man-made resources of the Town;***

7XXX.2 Special Permit

All installations of Small Wireless Facilities outside of the public right of way require a Special Permit. The Special Permit Granting Authority is the Planning Board in accordance with the provisions of MGL Ch 40A, § 9, this Bylaw and any rules and

regulations adopted hereunder. All such facilities shall comply with the Technical and Aesthetic Standards for Small Cell Siting published by the LELWD, to the extent feasible.

7XXX.3 Special Requirements

The following Special Requirements shall apply to Small Wireless Facilities located outside of the right of way. The Special Permit Granting Authority shall review all Applications to ensure the following:

- a) To the extent feasible, Applicants shall follow Section 5, General Technical and Aesthetic Requirements and Guidelines as outlined in Littleton Electric Light and Water Department's Technical and Aesthetic Standards for Small Cell Siting.*
- b) The proposed facility(ies) shall be designed, using the best available technology, to blend into the surrounding environment through the use of camouflaging techniques (including minimizing size, tapered shapes and colors that match the surrounding area and infrastructure, or other architectural treatments.*
- c) No tree trimming or pruning for improved line of sight or for other functional needs will be allowed without explicit permission from the Tree Warden. Requests for tree trimming or pruning and identification of locations shall be included as part of the Application. Applicants shall specifically avoid, when possible, tree trimming or pruning along the Route 111 Corridor and along designated scenic roads.*
- d) Small Wireless Facilities outside of the right of way may be co-located on same structure if the Special Permit Granting Authority determines that aesthetics and structures will not be adversely impacted. A demonstration as to the necessity to co-locate facilities on to the same structure will be required to be made to the Special Permit Granting Authority. Input may be requested from the Building Inspector or other Town Personnel to determine the safety of such proposed facilities.*
- e) In neighborhoods served by underground electric and other utilities, no above-ground facilities shall be installed if there is an underground alternative. Such installations shall be done at the Applicant's expense. A waiver of this requirement may be granted by the SPGA upon request by the Applicant if the Applicant can demonstrate sufficient mitigation of visual, aesthetic and other impacts to the neighborhood, with the implementation of stealth design and the addition of landscaping and screening as determined by the SPGA.*
- f) Stealth designs that are not visible to the public are preferred. Examples of stealth designs include shapes and colors that match surrounding infrastructure and minimize adverse visual impacts and the use of tapered shapes that smoothly integrate into structures (avoiding, for example, new rectangular boxes). Examples of stealth locations include chimneys, light poles, rooftop pads and cupolas.*