

Town of Stoneham Policy

Applications for Small Cell Wireless Installations

The Town of Stoneham (“Town”) by and through its Select Board hereby adopts this policy (“Policy”) concerning Applications for Small Cell Wireless installations within the public right of way of the Town or located on Town-owned property.

1. Application Process.

- a. Applications shall be submitted to the Select Board Office accompanied by the application fee of \$500 per application, payable to the Town of Stoneham. The \$500 fee will cover up to 5 locations. Each application for more than 5 installations is subject to a separate fee of \$100 per installation.
- b. The applicant must also pay for legal notices of the public hearing to local newspapers and abutters, as applicable. The applicant is responsible for obtaining a certified abutters list for each pole location within the application from the Assessors Department.
- c. 12 (12) hard copies of the application and 1 (one) electronic copy of the application must be submitted to the Office of the Select Board. No application will be accepted for review until all items listed in 2, below, have been submitted, as well as all fees and the abutters list paid for.
- d. Upon receipt, the Office of the Select Board shall: (1) date and time stamp the Application as received; and (2) make a determination as to completeness of the application and notify the Applicant, in writing, within 10 days, if the application is incomplete. If the Applicant is notified that the application is incomplete, the time periods set forth in this Policy shall be tilled until such time as a complete application has been submitted.
- e. The Office of the Select Board shall also circulate a copy of the application to the following departments for comment and review: Building; Public Works; Planning & Community Development; Board of Health; and, any other department the Town Administrator, in his or her sole discretion, determines.
- f. Written comments from the departments shall be submitted to the Office of the Select Board within 20 days of circulation of the application.
- g. Once the application is deemed complete, and all comments have been received, the Select Board will schedule and hold a public hearing to consider the application, such that a determination may be made on any application for an installation on an existing structure within 60 days of receipt of the application, and on a new structure, within 90 days of receipt of the application.
- h. Any material changes to an application, as determined by the Town in its sole discretion, shall constitute a new application for the purposes of the time standards. Where a changed or new application is submitted, the prior application shall be deemed withdrawn.

- i. Upon completion of the hearing, the Select Board may grant, grant with conditions, or deny the application. Petitions may only be denied based on inadequate capacity of the pole or mounting structure, safety concerns, reliability concerns, or failure to meet applicable engineering standards.
 - j. Any approval granted to an applicant shall be only for the specific applicant and location(s) as identified in the petitioner's application. Any change in the name/carrier or sister service provided by another carrier or small cell wireless location will require a new application and approval from the Town.
2. Content of Applications. Applications shall include the following information:
- a. Applicant's name, address, telephone number and email address.
 - b. Names, addresses, telephone numbers, and email addresses of anyone acting on behalf of the Applicant with respect to the application.
 - c. Detailed drawings and descriptions of the equipment to be installed, whether mounted on poles or on the ground, or otherwise, including
 - i. Type of equipment
 - ii. Specifications of equipment (including but not limited to dimensions and weight)
 - iii. Equipment mount type and material
 - iv. Power source or sources for equipment, including necessary wires, cables, and conduit
 - v. Expected life of equipment
 - vi. Coverage area of equipment, including:
 1. Amount of antennas
 2. Antenna model
 3. Antenna length
 4. RRU count and power
 5. Antenna height
 6. Typical coverage area radius
 - vii. Call capacity of equipment, including:
 1. Total RRUs
 2. Max bandwidth per RRU
 3. MIMO per RRU
 4. Backhaul rate per RRU
 - viii. Hardening, including:
 1. If there is battery backup
 2. If there is generator backup
 3. If there are multiple fiber paths to switch
 - ix. Rendering and elevation of equipment
 - d. Detailed map with locations of the poles or other facility on which equipment is to be located, including specific pole identification number, if applicable, and the areas it will service.

- e. Detailed map showing existing and proposed small cell installations within 500 feet of the Application site.
- f. Certification by a registered professional engineer that the pole/or location will safely support the proposed equipment.
- g. Written consent of the pole or facility owner to the installation (if not town owned).
- h. Affidavit from an experienced Radio Frequency Engineer outlining the network/network service requirements in Stoneham and how the installations address that need in Stoneham, Such affidavit should characterize the current level of coverage and how the desired installations will change the current level of coverage, through or with coverage maps, including current and proposed coverage, including a breakdown of “excellent” “good” and “poor” reception areas, or, alternately, as otherwise set forth in the Wireless Service Facilities Overlay District provisions of the Stoneham Zoning Bylaw.
- i. Insurance certificate. Commercial General Liability Insurance-including operation, independent contractors, complete operations for a period of one (1) year from completing right of way work. XCU hazards, broad property damage and personal injury:
 - a. General Aggregate: \$2,000,000
 - i. Products and complete operations
 - ii. Aggregate \$2,000,000
 - iii. Each Occurrence \$1,000,000
 - b. Combined Single limit \$1,000,000
 - c. Auto Liability Insurance (covers owned, non-owned and hire vehicles)
 - i. Bodily Injury Liability \$500,000 ea.
 - ii. Person accident \$1,000,000 ea.
 - iii. Property Damage Liability \$250,000 ea
 - iv. Combined Single Limit \$1,000,000
 - d. Workers Compensation and Employer’s Liability
 - i. Each Accident \$100,000
 - ii. Disease-Policy Limit \$500,000
 - iii. Disease-Each Employee \$100,000
 - e. Certificates of Insurance shall provide for at least thirty days notice to the Awarding Authority of cancellation or material change. The name of the municipality shall be listed as an additional insured on the Certificate of Insurance.
- j. Description as to why the desired location is superior to other similar locations, from a community perspective, including:
 - i Visual aspects
 - ii Proximity to single family residences
- k. Description of efforts to co-locate the equipment on existing structures, poles, or towers which currently exist or are under construction. A good faith effort to co-

locate is required and evidence of such efforts must be included within the application.

1. An Affidavit from the applicant which certifies that it will maintain the installations in good repair and according to the FCC standards, and will remove any installations not in such good repair, or not in use, within 60 days of being no longer in good repair or no longer in use.
3. Annual Re-Certification and Affidavit.
- a. Each year on July 1 the equipment owner shall submit an affidavit which shall list, by location, all small cell wireless installations it owns within the Town of Stoneham by location, and shall certify: (1) each such installation that remains in use; (2) that such in use installations remain covered by insurance; and (3) each such installation which is no longer in use.
 - b. The equipment owner shall pay an annual re-certification fee of \$270 per installation which remains in use.
 - c. Any small cell wireless installation which is no longer in use shall be removed by the owner within 60 days of receipt of the annual re-certification affidavit, at the owner's expense.
 - d. Any small cell wireless installation which is not removed within 60 days after being listed as no longer in use in the annual re-certification affidavit shall be subject to a fine of \$100/day until such installation is removed.
 - e. Where such annual re-certification has not been timely submitted, or equipment no longer in use has not been removed within the required 60-day period, no further applications for small cell wireless installations will be accepted by the Town until such time as the annual re-certification has been submitted and all fees and fines paid.
4. Design Guidelines: The purpose of the Small Cell Facilities Design Guideline are to assist and guide applicants with preparing design plans for development within the public right-of-way. These guidelines will be applied to evaluate permit applications for all proposed Small Cell Facilities, and these guidelines may be updated periodically by the Town Administrator and Select Board to keep pace with fast-evolving technology and FCC rulings.
- a. General Guidelines:
 - i. Utilize the smallest, least visually intrusive antennas, components, and other necessary equipment.
 - ii. Use all reasonable means to conceal or minimize the visual impacts of the Small Cell facility through integration with existing structures through architecture, landscape, and siting solutions.
 - iii. All equipment, antennas, poles, cables, hardware, and towers shall have a non-reflective finish and shall be painted or otherwise treated to minimize visual and aesthetic impacts.

- iv. Lighting small wireless facilities shall be prohibited except for such lighting as may be required by federal or state law or regulation.
- v. No advertising or signs, other than necessary provider identification signs, emergency contact information and warning signs, shall be allowed on or at the location of a Small Cell Facility. Radio-frequency (RF) warning labels, Node ID stickers, and other required identification labels should be the smallest possible and lowest visibility. Remove or paint over colored equipment manufacturer decals and logos not required by government regulation.

b. Guidelines for Vertical Installations

- i. Use equipment enclosures that are nearly the same width as the pole, even if they need to be slightly longer as a result. Utilize equipment mounting base plates that are no wider than the pole when feasible.
- ii. Structures should be architecturally integrated into environment and harmonize with the property on which it is proposed. Design structures to the minimum height necessary.
- iii. Antennas mounted on such structures as light standards should be placed on the structure in a way to minimize visibility, and be painted to blend into the structure.
- iv. For new poles, incorporate any cabling and conduits into the pole itself. On existing poles, use shrouds, risers or conduit, installation practices such as using equipment enclosures with specific port locations, or crossing wires below a down-facing port on an equipment enclosure, can reduce the likelihood cabling will appear cluttered or bend outward from the pole and further away from the enclosure.

c. Small Cells in the Public Right-of-Way:

- i. All antennas shall be concealed inside the antenna enclosures with a diameter similar to the pole itself, but in no case should the antenna enclosures be more than three cubic feet.
- ii. When mounted on street lights, the antennas enclosures should be mounted above the light source, but should extend no higher than four (4) feet above the height of the existing pole.
- iii. All cables shall be concealed within a sleeve between the bottom of the antenna and the mounting bracket. All cables and conduit to and from the light standard is expected to be routed from underneath the caisson.
- iv. Stack equipment close together and on the same side of the pole. If a long rectangular disconnect switch is used, rotate the enclosure so the elements can be stacked closer together on the pole.
- v. No small cell wireless installations shall be installed on double poles or shall be installed on poles which are not ADA compliant.

- vi. No small cell wireless installations shall obstruct the operation of traffic control equipment, street lights or interfere with driver or pedestrian sightlines for transportation or pedestrians and must comply with federal and state standards regarding pedestrian access and movement.
 - vii. An electric meter, if required, will be pole mounted where feasible to the extent authorized by the pole owner and electric provider.
- d. All replacement or new poles must comply with all applicable town regulations and policies. The new or replacement poles must match design, height, color and material of the original or adjacent poles. Decorative/historic-themed light poles in Stoneham should be avoided. The Select Board may approve requests for siting near or on a decorative light poles on a case-by-case basis but the standard is to avoid introduction in such areas.
 - e. New poles shall not be located directly in front of storefront windows, primary walkways, primary windows, driveways or primary egress points to buildings.
 - f. All disturbed landscape shall be replaced in-kind and areas of bare or disturbed soil must be revegetated to as close to pre-construction level or better.

5. Prohibitions.

- a. No small cell wireless installations shall remain within the Town right of way or on Town property which has not been certified as in use in the annual re-certification affidavit.
- b. No small cell wireless installation equipment shall be replaced or altered without a re-application, hearing, and approval from the Select Board unless the equipment is no longer properly functioning, and it is being replaced with the same or substantially similar equipment.