

**Carlisle Planning Board**

**Rules and Regulations**

regarding

**Special Permits for Personal Wireless Service Facilities**

**July 31, 2000**

**Carlisle Planning Board  
Rules and Regulations regarding Special Permits for  
Personal Wireless Service Facilities**

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## **I. Introduction**

Pursuant to Section 5.9 of the Carlisle Zoning Bylaw, a special permit and site plan approval from the Carlisle Planning Board are required before installation of any personal wireless service facility. In the event of conflict between Zoning Bylaw and these Rules and Regulations, the Zoning Bylaw shall control.

Several different types of wireless facilities are permitted under the Zoning Bylaw, including new towers, co-location on an existing tower, and installations in existing buildings. The Zoning Bylaw sets forth a number of restrictions on installations, and potential Applicants are urged to read the Zoning Bylaw, in addition to these Regulations, very carefully to insure that applications are complete, accurate, and appropriate to the particular type of installation contemplated. In the event the Applicant requires a variance, permit or other relief from the Carlisle Zoning Board of Appeals or any other board or committee, such variance, permit or other relief must be obtained before filing an Application with the Planning Board, and the Applicant shall provide evidence of such with its Application.

The Applicant is urged to discuss the Application at a regular Planning Board meeting before the formal filing, and to discuss the Application with any consultant or advisory committee described in Sections 5.9.2.28 and 5.9.4.3 of the Carlisle Zoning Bylaw. In connection with such discussions, the Applicant is encouraged to prepare sufficient preliminary architectural and/or engineering drawings to inform the Planning Board and its consultants of the location of the proposed facility, as well as its scale and overall design. This will help the Planning Board in providing direction to the Applicant, identifying potential issues and finding sources for needed information. Appointments to meet with the Board must be made through the Planning Board office.

The procedures required by Massachusetts General Laws (M.G.L.) Chapter 40A, Section 9 for the issuance of a Special Permit shall apply to the submittal. The Special Permit Granting Authority (S.P.G.A.) for Applications for a personal wireless service facility is the Planning Board.

## **II. The Application**

A. Each Application shall include:

1. Form entitled "Application for Personal Wireless Service Facilities Special Permit and Site Plan Approval" and "Notice of Public Hearing" (available from the Planning Board Office), together with the payment of an Application Fee specified by the Planning Board. At least one personal wireless service provider and the landowner at the proposed site of the personal wireless service facility shall be the Applicant or co-Applicants.
2. As required by Section 5.9.4.2.2.3 of the Zoning Bylaw, a map of the Town of Carlisle, at a scale of 1' = 5,000', including all contiguous towns to a distance of four (4) miles from the Town of Carlisle boundaries, showing the locations of all existing personal wireless service facilities owned by the Applicant and other existing towers and structures that are suitable for siting a wireless facility.
3. Pursuant to Section 5.9.4.1.4 of the Zoning Bylaw, a map showing the locations of all existing and proposed future personal wireless communication facilities in Carlisle and in abutting towns (to the extent determinable through public records), together with the technical parameters of such facilities.
4. A property map at the scale of 1" = 40' (or as may be otherwise specified by the Board) prepared by a Massachusetts registered professional engineer or land surveyor showing:
  - a. The property lines, location and use of all buildings on the subject property and within 1,000 feet of the subject property.

- b. All land uses, and zoning classification(s) of the subject property and within 1,000 feet of the subject property, as well as the location of any zoning boundary lines or overlay districts that lie within such area.
5. A description of the maximum capacity of any proposed Tower in terms of the maximum number of antennas the Tower is capable of supporting.
  6. In addition, the Applicant shall provide the information and statements required in Sections 5.9.4.1.1 through 5.9.4.1.3, 5.9.4.2.1, 5.9.4.2.2.1 and 5.9.4.2.2.5 of the Zoning Bylaw.
  7. Radio frequency Radiation (RFR) Filing Requirements

The Applicant shall provide the following:

- a. A statement signed by a Radio Frequency (RF) engineer with qualifications acceptable to the Planning Board that the proposed or existing transmitting facility does or will comply with FCC radio frequency emission guidelines for both general population/uncontrolled exposures and occupational/controlled exposures as defined in FCC rules (as they may be amended or updated from time to time).
  - b. A statement or explanation as to how the personal wireless service provider determined that the transmitting facility will comply as aforesaid, e.g., by calculation methods, by computer simulations, by actual field measurements, etc. Values for predicted exposure should be provided to further support the statement. An exhaustive record of all possible exposure locations is not necessary, but, for example, the “worst case” exposure value in an accessible area could be provided as showing that no exposures would ever be greater than that level. Reference should be given to the actual FCC exposure limit or limits relevant for the particular transmitting site.
  - c. A description of any existing or proposed restrictions on access to the wireless facility.
  - d. A statement as to whether other significant transmitting sources are, or are proposed to be, located at or near the transmitting site, and, if required by the FCC rules, whether their RF emissions were considered in determining compliance at the transmitting site.
8. A copy of any Environmental Assessment (EA) that may be required by the FCC through its administration of the National Environmental Policy Act (NEPA) via procedures adopted as Subpart 1, Section 1.1301 et seq. (47 CFR Ch. 1). If no such EA needs to be submitted to the FCC, documentation of that fact must be submitted.
  9. No new existing wireless facility shall interfere with public safety telecommunications. All Applications for new wireless facilities shall be accompanied by an intermodulation study which provides a technical evaluation of existing and proposed transmissions and indicates all potential interference problems. Before the introduction of new service or changes in existing service, telecommunication providers shall notify the Planning Board at least 10 days in advance of such changes and allow the Planning Board’s engineer or consultant to monitor interference levels during the testing process.
  10. The Applicant shall provide sufficient information to enable the Planning Board to determine the amount of the bond required in Section VII(B) of these Rules and Regulations.

11. A copy of the signed lease for a wireless facility, which lease, among other things, requires the Applicant and its successors and assigns to remove the tower and associated facilities upon cessation of operations at the subject property.
- B. In addition to the information required by Section II(A) above, Applications for new towers, modifications or co-location on towers must include the following information:
1. A plan, prepared and stamped by a Massachusetts professional engineer at a minimum scale of 1" = 40' showing the following information:
    - a. As required by Sections 5.9.4.2.2.2 and 5.9.4.2.2.3 of the Zoning Bylaw, the heights of all existing buildings and structures on the properties described in II(A)(4)(a) above, the height of any proposed new structures on the site, and the average height of existing tree cover on the properties described in II(A)(4)(a) above, specifying heights and principal species of such tree cover.
    - b. Two-foot contour lines within two hundred feet (200') of the proposed location of the tower.
    - c. The location of all wetlands, wetland buffer areas, conservation lands, conservation easements, streams and other water bodies on the site or within two hundred feet (200') of the proposed location of the tower or the access road to the site and/or tower.
    - d. All proposed changes to the subject property, including grading, vegetation removal and planting, and temporary or permanent roads and driveways.
    - e. Accurate plans of the proposed mount, antennas, equipment shelters, cable runs, parking areas, fencing and any other construction or development attendant to the personal wireless facility.
    - f. The proposed access road at a scale of not less than 1" = 40', beginning at the point where the road leaves the nearest public or private way, and terminating at the proposed location of the tower. See the Planning Board's Rules and Regulations for Common Driveways (Sections II.G.4 and II.F) for the requirements for the presentation and construction of the access road.
    - g. The topographical map required by Section 5.9.4.2.2.4 of the Zoning Bylaw.
  2. A plan, prepared and stamped by a Massachusetts professional engineer including the following:
    - a. Any proposed utility lines and easements proposed to service the facility.
    - b. Drainage calculations for the subject property and properties adjacent to any access roadway, stamped by a Massachusetts registered professional engineer. Requirements for drainage design are found in the Carlisle Subdivision Rules and Regulations, Article III, Section 5.G.
    - c. All existing and proposed cabinets, structures and parking areas on the subject property.
    - d. Proposed location of antenna, mount, equipment shelter(s) and other appurtenant facilities.

- e. Proposed security barrier around the tower and/or equipment shelter, indicating type and extent as well as point of controlled entry.
3. All applications for new tower locations shall be accompanied by a narrative statement endorsed by an RF engineer with qualifications acceptable to the Planning Board explaining why the proposed location (or locations) was (were) selected. Such statement shall include supporting documentation demonstrating that any other feasible alternative location(s) within the Town of Carlisle and in abutting towns were either not available or were not suitable for the facility. Such statement shall include additional supporting documentation demonstrating that at least two alternative scenarios to provide comparable service utilizing existing structures and/or camouflaged facilities were considered and rejected.
4. Design Filing Requirements
- a. Materials and colors for all elements of the proposed personal wireless facility.
  - b. Landscape plan including existing trees and shrubs and those proposed to be added, identified by size of specimen at installation and species.
  - c. During the application process the Applicant shall schedule with the Planning Board a balloon test at the proposed site, at the expense of the Applicant, as provided in Section 5.9.3.26 of the Zoning Bylaws.
  - d. The viewshed analysis required by Section 5.9.3.27 of the Zoning Bylaw. The viewshed analysis shall provide, among other things, a realistic color photo simulation of the proposed facility from up to twenty locations to be determined by the Planning Board. The photo simulation shall show the before and after appearance from the selected locations. The viewshed report shall include a map indicating the locations from which the proposed facility will be visible.
  - e. If lighting of the site is proposed, the Applicant shall submit documentation from an engineer that the foot-candle level at the subject property lines satisfies the requirements of Section X(A) of these Rules and Regulations.
  - f. A construction control affidavit submitted to the building inspector pursuant to Section 116 of the building code, committing the Applicant to preparing a construction control certification by a Massachusetts registered professional engineer demonstrating that the final project has been built in accordance with the plans and specifications, and meets Massachusetts building code requirements.
  - g. After the construction of any tower, Applicant shall provide the Planning Board with an as-built plan showing the facility, all appurtenant equipment and any access road(s).
- C. In addition to the information required by Section II(A) above, Applications for wireless facility installations inside or as part of an existing building must include the following information:
- 1. A construction control affidavit submitted to the building inspector pursuant to Section 116 of the building code, committing the Applicant to preparing a construction control certification by a Massachusetts registered professional engineer demonstrating that the final project has been built in accordance with the plans and specifications, and meets Massachusetts building code requirements.

2. A photo simulation of the building comparing the proposed final appearance to the existing appearance of the building. The Applicant is reminded that only existing buildings may be used for wireless facilities, and the final external appearance of the building after construction must match the prior external appearance of the building.
3. The Applicant must provide evidence that the requirements of Section 5.9.3.3 of the Zoning Bylaws have been satisfied.
4. Applicant shall provide complete plans prepared and stamped by a registered professional engineer, along with satisfactory design calculations, of the intended installation. These plans shall include the power supply, coaxial cable runs, antenna installations, all support structures, and any modifications to the building required for the wireless facility.
5. After the construction of any Personal Wireless Service Facility, Applicant shall provide the Planning Board with an as-built plan showing the facility, all appurtenant equipment and any access road(s).

### **III. Co-Location**

- A. In accordance with Sections 5.9.1 and 5.9.3.1 of the Zoning Bylaw, and without limiting Section 5.9.3.15 of the Zoning Bylaw, licensed carriers shall share personal wireless facilities and sites where feasible and appropriate. All Applicants for a special permit for a personal wireless facility shall demonstrate a good faith effort to co-locate with other carriers. Such good faith effort includes:
  - a. A survey of all existing structures that may be feasible sites for co-locating personal wireless facilities;
  - b. Contact with all other carriers for wireless communications operating or licensed to operate in the Town of Carlisle or abutting towns; and
1. In the event that co-location is demonstrated to be infeasible, a written statement of the reasons for the infeasibility shall be submitted to the Planning Board. The Planning Board may retain a technical expert in the field of RF engineering to verify whether co-location at the site is or is not feasible. The cost for such a technical expert will be at the expense of the Applicant. The Planning Board may deny a special permit to an Applicant who has not demonstrated a good faith effort to provide for co-location.
2. If the Applicant does intend to co-locate, the Planning Board shall request drawings and studies which show the ultimate appearance and operation of the personal wireless facility at full build-out.
3. If the Planning Board approves co-location for a personal wireless facility site, the special permit shall indicate how many facilities of what type shall be permitted on that site. Facilities specified in the special permit approval shall require no further zoning approval. However, the addition of any facilities not specified in the approved special permit shall require a new special permit.
4. When technologically feasible and without limiting Section 5.9.3.15 of the Zoning Bylaw, the owner/operator of a tower must provide a letter to the Planning Board committing the tower owner/operator and its successors and assigns to allow co-location on and access to said tower until the tower has reached its maximum antenna capacity, but in no event fewer than two additional antennas from two additional providers.

#### **IV. Modifications**

A modification of a personal wireless facility may be considered equivalent to an application for a new personal wireless facility. Applicants for such modifications shall appear before the Planning Board to present its proposed modifications in order that the Planning Board may determine whether the modifications require the submission of a new Application.

#### **V. Monitoring and Maintenance**

- A. Monitoring of personal wireless service facilities shall consist of periodic radio frequency peak-power measurements on the feedline to every transmitting antenna. Such measurements shall be made before the start up of any facility and shall be observed by the Planning Board's designated engineer or another representative designated by the Planning Board. After the personal wireless facility is operational, the Applicant and any co-locators shall submit to the Planning Board within 90 days of the beginning of operations and at annual intervals from the date of the issuance of the special permit, copies of all documents required by the FCC to demonstrate compliance with its RF emission standards and all other federal, state or local laws and regulations affecting the facility, and any testing of the facility in connection with such compliance measurements shall be observed by the Planning Board's designated engineer or another representative designated by the Planning Board.

Failure to obtain information required in Sections V(A) shall result in a fine of \$300 for each offense. Each day that such violation continues shall constitute a separate offense.

- B. The carrier(s) operating the wireless facility and/or its owner shall maintain the personal wireless facility in accordance with all applicable law, the Town of Carlisle's Zoning Bylaw and these Rules and Regulations. Such maintenance shall include, but shall not be limited to, painting, structural integrity and landscaping.
- C. Annual certification as to continuing operations and compliance with applicable standards of the Federal Communications Commission, Federal Aviation Administration and the American National Standards Institute shall be filed with the Planning Board by the Special Permit holder, no later than January 31 of each year.
- D. Before the issuance of a building permit for a tower, a copy of the FAA's response to the submitted "Notice of Proposed Construction or Alteration" (FAA Form 7460-1) shall be submitted to the Planning Board.

#### **VI. Abandonment or Discontinuation of Use**

- A. At such time that a licensed carrier plans to abandon or discontinue operation of a personal wireless facility, such carrier will notify the Planning Board by certified mail of the proposed date of abandonment or discontinuation of operations. Such notice shall be given no less than 30 days prior to abandonment or discontinuation of operations.

The owner of a wireless facility shall file annually a declaration as to the continuing operation of its wireless facility as provided in V(C) above and failure to do so shall be deemed to mean that the facility is abandoned. In addition, if the Planning Board suspects that a facility is abandoned, it may request a confirmation of continued operations at any time, and a facility shall be considered abandoned if no such confirmation is received within 30 days of the request or if the facility ceases to operate as described in Section 5.9.6 of the Carlisle Zoning Bylaw.

- B. Upon abandonment or discontinuation of use, the carrier, at the carrier's expense, shall physically remove the personal wireless facility within six months from the date of abandonment or discontinuation of use. "Physically remove" shall include, but not be limited to:
  - 1. Removal of antennas, mount, equipment shelters and security barriers from the subject property.
  - 2. Proper disposal of the waste materials from the site in accordance with local and state solid waste disposal regulations.
  - 3. Restoring the location of the personal wireless facility to a condition approved by the Planning Board, which may require restoring the site to its original condition, except that any landscaping and grading shall remain.
- C. If a carrier fails to remove a personal wireless facility in accordance with this section of the Rules and Regulations and Section 5.9.6 of the Carlisle Zoning Bylaw, the Town, upon prior notice to the Applicant, shall have the authority to enter the subject property and physically remove the facility at Applicant's cost. As provided for in Article VII below and Section 5.9.6 of the Zoning Bylaw, the Planning Board will require the Applicant to provide security, in an amount set by the Planning Board, prior to issuance of the Special Permit to cover costs for the removal of the personal wireless facility in the event the Town must remove the facility.

## **VII. Performance Guarantees**

- A. Insurance in a reasonable amount determined and approved by the Planning Board after consultation at the expense of the Applicant with one (1) or more insurance companies licensed to do business in Massachusetts shall be in force to cover damage from the structure, damage from transmissions and other site liabilities. Annual proof of said insurance shall be filed with the Town Clerk.
- B. An initial bond to cover annual maintenance for the access road, the wireless facility, site tower(s), antennas, and related equipment will be posted in an amount and for a term approved by the Planning Board.
- C. Security shall be established prior to the issuance of a special permit to ensure that funds are available for the removal of the wireless facility and restoration of the subject property to as close to its original condition as is feasible. Such security shall consist of a cash escrow account, held by the Town, and dedicated to the specific purpose of removing and disposing of the wireless facility and restoring subject property. The account shall be established by the Town upon receipt of the funds from the Applicant in an amount determined by the Planning Board after consultation with an appropriate consultant (at the expense of the Applicant). At the discretion of the Planning Board, a comparable security such as a letter of credit or bond may be substituted for the cash account.

## **VIII. Environmental Standards**

- 1. All regulations and procedures of the Carlisle Conservation Commission must be followed.
- 2. The Applicant shall list the location, type and amount (including trace elements) of any materials proposed for use within the personal wireless facility that are considered hazardous by the federal, state, or local government. No hazardous waste shall be discharged on the site of any personal wireless service facility. If any hazardous materials are to be used on site, there shall be provisions for full containment of such materials. An enclosed containment area shall be provided with a sealed floor designed to contain at least 125% of the volume of the

hazardous materials stored or used on site. The Applicant must comply with all federal, state and local regulations governing hazardous materials.

3. With respect to towers, all stormwater runoff shall be contained on the subject property.
4. Safety standards; Radio Frequency Radiation (RFR) standards. All equipment proposed for a personal wireless service facility shall be authorized per the FCC Guidelines for Evaluating the Environmental Effects of Radio Frequency Radiation (FCC Guidelines) or any other applicable FCC guidelines and regulations.

## **IX. Equipment Shelters**

Equipment shelters for personal wireless facilities shall be designed consistent with one of the following design standards:

1. Equipment shelters must be designed consistent with traditional materials, color and design of the structures in the area; and
2. Equipment shelters must be camouflaged behind an effective year-round landscape buffer, equal to the height of the proposed building, and/or an opaque fence acceptable to the Planning Board.

## **X. Lighting and Signage**

- A. Personal wireless service facilities shall be lighted only if required by the Federal Aviation Administration (FAA), and then in strict accordance with FAA regulations. No other outdoor lighting is permitted.
- B. Signs shall be limited to those needed to identify the subject property and the owner and warn of any danger and shall be acceptable to the Planning Board.
- C. All Towers shall be surrounded by a security barrier.

## **XI. Historic Buildings**

In addition to the requirements of Section 5.9.3.3 of the Bylaw, any personal wireless facilities located within a historic structure (a structure listed or eligible for listing on the State or National Register of Historic Places) shall not alter the character-defining features, distinctive construction methods, or original historic materials of the building and shall comply with all applicable laws and regulations.

## **XII. Conditions Prior to Construction**

Conditions necessary before any construction may occur are as follows:

- A. The Appeal Period has elapsed without appeal, or, if appealed, the court has dismissed or denied the appeal; and
- B. The Special Permit, including all plans as specified in the decision, must be recorded in the Middlesex North County Registry of Deeds (“Registry”). The copy of the Special Permit to be recorded must bear the certification of the Town Clerk that the Appeal Period has elapsed (Massachusetts General Laws, Chapter 40A, Section 11). A copy of the recorded decision shall be filed with the Town Clerk, the Building Inspector and the Planning Board.

### **XIII. Filing the Application**

- A. The Applicant must file the Application with:
  - 1. The Town Clerk;
  - 2. A copy with the Conservation Commission; and
  - 3. Three (3) copies (showing the date and time of filing as certified by the Town Clerk and including a receipt from the Carlisle Conservation Commission) with the Planning Board through the Planning Board office.

### **XIV. Fees and Charges**

- A. The Application Fees for a Personal Wireless Service facility are listed on the Application for Special Permit, attached to these Regulations.
- B. Review of a wireless facility application is expected to require the services of outside consultants and independent professionals. Specifically (but without limitation), the Planning Board may hire an independent professional radio frequency expert to review the need for the wireless facility, and to confirm that the wireless facility meets all applicable radio emission standards. The Planning Board also expects to hire an independent engineer to review the design of the site to ensure that the project complies with all applicable building codes and standards, and all applicable Town regulations. The Board requires that Applicants pay a Project Review Fee in an amount specified by the Planning Board consisting of the anticipated costs to be incurred for the employment of outside consultants engaged by the Board to assist in the review of a proposed project.
  - 1. In hiring outside consultants, the Planning Board may engage engineers, planners, lawyers, or other appropriate professionals who can assist the Board in analyzing a project. Such assistance may include, but not be limited to, application analysis, design review, monitoring, inspecting a project, or construction observation and post construction verification of performance.
  - 2. Funds received by the Planning Board pursuant to this section shall be deposited with the municipal treasurer who shall establish a special account for this purpose. Expenditures from this special account may be made at the direction of Board without further appropriation. Expenditures from this special account shall be made only for services rendered in connection with a specific project. Accrued interest may also be spent for this purpose. Failure of an Applicant to pay a review fee shall be grounds for disapproving a project or rescission of an approval of a project.
  - 3. Upon completion of the construction of the facility, and the Applicant's request, any excess amount in the account, including interest, attributable to a specific project shall be repaid to the Applicant or the Applicant's successor in interest. Any deficit in the account shall be billed to the Applicant. A final report of said account shall be made available to the Applicant or the Applicant's successor in interest. For the purpose of this regulation, any person or entity claiming to be an Applicant's successor in interest shall provide the Board with documentation establishing such succession in interest.
  - 4. The Applicant shall reimburse the Town for all expenses incurred by the Board for services in excess of the initial Review Fee paid, including any professional review fees and independent consultant fees.

## **XV. The Public Hearing Notice**

- A. Content: The notice of the hearing is the Applicant's responsibility and must, at a minimum, contain the information presented in the sample legal notice that is attached to these Regulations. The Board requires that the Applicant review the content of the notice with the Board's designee before the Applicant mails or publishes it as required below.
- B. Service of notice: The Applicant must publish the notice in a newspaper of general circulation in Carlisle, file it with the Town Clerk, and mail it by certified mail to all Parties in Interest. A Party in Interest is all abutters, owners of land directly opposite on any private or public street or way; and abutters to the abutters within three hundred feet (300') of the property line of the property subject to an Application submitted to the Board as they appear on the most recent applicable tax list, notwithstanding that the land of any such owner is located in another city or town, unless the Applicant has knowledge of any subsequent changes.
- C. Deadlines for publication and service of notice: The Applicant must publish the notice in a newspaper of general circulation in Carlisle once in each of two consecutive weeks, with the first publication occurring no fewer than fourteen (14) days before the date of the hearing, calculated by excluding the date set for the hearing. The Applicant must also file the notice with the Town Clerk, and mail it by certified mail to all Parties in Interest no fewer than fourteen (14) days before the hearing, calculated by excluding the date set for the hearing. The Applicant shall present to the Board's designee, at least one business day before the date of the public hearing, the certified mail return receipts as evidence that all Parties in Interest have been notified as required by law, a copy of the notice date stamped by the Town Clerk, and one set of newspaper tear sheets containing the published notice.
- D. To the extent there is a conflict between this Section and Massachusetts General Laws Chapter 40A, such General Laws shall control.

## **XVI. Decision**

- A. The Planning Board must make its decision on the special permit within 90 days of the close of the Public Hearing or within such extension of time as may have been agreed in writing between the Applicant and the Board. A decision to grant a special permit requires five (5) votes in favor of the grant.
- B. The Planning Board must:
  - 1. file with the Town Clerk a copy of its decision including a detailed record of its proceedings,
  - 2. promptly mail a certified copy of its decision to the Applicant, and
  - 3. promptly mail notices of decision to the Parties in Interest and to the Carlisle Conservation Commission and the Board of Selectmen.
- C. The Date of Filing of the Decision is the date when the decision of the Planning Board has been filed with the Town Clerk.
- D. If the Planning Board fails to make a decision within 90 days of the close of the Public Hearing or within such extension of time as may have been agreed upon in writing between the Applicant and the Board, the Special Permit shall be deemed to have been granted (Massachusetts General Laws Chapter 40A, Section 17).

## **XVII. Appeal Period**

The Appeal Period lasts 20 days from the Date of Filing of the Decision. Notices of any appeal made to the Superior Court or Land Court must be received by the Town Clerk within those 20 days (Massachusetts General Laws Chapter 40A, Section 17).

## **XVIII. Lapse of Special Permit**

- A. Failure to record the Special Permit as stated in XII(B) and all documents associated with the approval within 60 days of the completion of the appeal period shall cause the Special Permit to lapse unless approval has been extended by the Board and said extension filed in the Town Clerk's office.
- B. The rights granted by the Special Permit shall lapse if they are not exercised (a) within one (1) year of the expiration of the Appeal Period, or (b) if appeal has been taken from the decision to grant the Special Permit, within one (1) year from the date on which the court has dismissed or denied such appeal.

## **XIX. Amendments to Special Permit**

- A. Submission requirements for requests to amend a Special Permit are the same as for the original Application for a Special Permit.
- B. Where the Planning Board finds insignificant changes to the Special Permit granted under this section are necessary (such as, but not limited to, the correction of typographical errors), such corrections may be made without the requirement of filing an amended Special Permit Application.

## **XX. Extension of Special Permits**

Any and all extensions of special permits shall be at the Board's discretion, and granted only when in the best interest of the Town.

**Carlisle Planning Board**  
66 Westford Street, Carlisle, MA 01741  
Tel: 978-369-9702 Fax: 978-369-4521

**Application for Personal Wireless Service Facilities**  
**Special Permit and Site Plan Approval**

(Adopted July 31, 2000)

Applicant: Name \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone number \_\_\_\_\_

Service Provider: Name \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone number \_\_\_\_\_

Owner (if the Applicant is not the Owner): Name \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone number \_\_\_\_\_

Location of property \_\_\_\_\_  
Total area \_\_\_\_\_ Total Frontage \_\_\_\_\_  
Assessor's Map: Sheet(s) # \_\_\_\_\_ Lot(s) # \_\_\_\_\_  
# \_\_\_\_\_ # \_\_\_\_\_  
# \_\_\_\_\_ # \_\_\_\_\_

Recorded at North Middlesex Registry of Deeds in Book # \_\_\_\_\_ and Page # \_\_\_\_\_  
# \_\_\_\_\_ and Page # \_\_\_\_\_  
# \_\_\_\_\_ and Page # \_\_\_\_\_

**Fee for a Personal Wireless Service Facility Special Permit and Site Plan Approval Application: \$3,000.00**

**Signature of Service Provider** \_\_\_\_\_ **Date** \_\_\_\_\_

**Signature of Owner** \_\_\_\_\_ **Date** \_\_\_\_\_

**Signature of Applicant** \_\_\_\_\_ **Date** \_\_\_\_\_

**Signature of Town Clerk** \_\_\_\_\_ **Date** \_\_\_\_\_

Received from \_\_\_\_\_ a copy of this form with the Town Clerk's signature, dated, with application fee of \$ \_\_\_\_\_ and Project Review Fee of \$ \_\_\_\_\_ on (date) \_\_\_\_\_.

**Planning Board Signature** \_\_\_\_\_  
**Title** \_\_\_\_\_ **Date** \_\_\_\_\_

**If special permit is granted, please return a copy of the recorded decision to the above address within 60 days.**

**Town of Carlisle  
Planning Board**

**Legal Notice of Public Hearing**

In accordance with the provisions of Massachusetts General Laws, Chapter 40A, Section 9, the Carlisle Planning Board will hold a public hearing on (date) \_\_\_\_\_ at \_\_\_\_\_ p.m.

at the Carlisle Town Hall, 66 Westford Street, Carlisle, MA on the petition of

\_\_\_\_\_

for approval of a SPECIAL PERMIT and a SITE PLAN under Section 5.9 of the Carlisle Zoning Bylaw

for the parcel located at \_\_\_\_\_

and shown on Town Atlas Map(s) \_\_\_\_\_, Parcel(s) \_\_\_\_\_.

Plans may be reviewed at the Town Clerk's office, 66 Westford St., Carlisle, MA, from 9:00 a.m. to 3:00 p.m., Monday through Friday.

## WIRELESS APPLICATION CHECKLIST

All wireless applications must include the following:

- “Application for Personal Wireless Service Facilities Special Permit and Site Plan Approval” form
- Application fee of \$3,000
- Project review fee of \$7,500
- “Legal Notice of Public Hearing” form
- Certified list of Parties in Interest
- Map showing locations of existing wireless facilities (II.A.2. of Wireless Rules and Regs.)
- Map showing proposed future wireless facilities i.e. “Build-out Analysis” (II.A. 3. of Wireless Rules and Regs.)
- Property map (II.A.4. of Wireless Rules and Regs.)
- Description of maximum antenna capacity (II.A.5. of Wireless Rules and Regs.)
- Written documentation demonstrating existing coverage, capacity and justification of need (Sec. 5.9.4.1.1 through 5.9.4.1.3. of the Zoning Bylaw)
- Description of tower capacity and accessory structures (Sec. 5.9.4.2.1. of the Zoning Bylaw)
- Signed statement attesting to the accuracy of the submittal (Sec. 5.9.4.2.2.1. of the Zoning Bylaw)
- True copies of all documentation submitted to the FCC (Sec. 5.9.4.2.2.5 of the Zoning Bylaw)
- FCC compliance statement signed by qualified Radio Frequency engineer (II.A.7.a of Wireless Rules and Regs.)
- Explanation of how compliance was determined (II.A.7.b. of the Wireless Rules and Regs.)
- Description of existing or proposed restrictions on access (II.A.7.c. of the Wireless Rules and Regs.)
- Statement of other transmitting sources at or near the site (II.A.7.d of the Wireless Rules and Regs.)
- Statement of Environmental Assessment submitted to FCC (II.A.8 of the Wireless Rules and Regs.)
- Intermodulation study (II.A.9 of the Wireless Rules and Regs.)
- Information to determine the amount of bond required (II.A.10. of the Wireless Rules and Regs.)
- Copy of signed lease (II.A.11 of the Wireless Rules and Regs.)

In addition to the above, applications for new Towers, modifications or co-location on Towers must include the following:

- Plan as specified in the Wireless Rules and Regs. II.B.1.a-g
- Plan as specified in the Wireless Rules and Regs. II.B.2.a-e
- Statement endorsed by qualified RF engineer explaining choice of location (II.B.3. of the Wireless Rules and Regs.)
- Landscape plan (II.B.4.b. of the Wireless Rules and Regs.)
- Viewshed analysis and photo simulation of building (II.B.4.d. of the Wireless Rules and Regs.)
- Lighting documentation if applicable (II.B.4.e. of the Wireless Rules and Regs.)
- Construction control affidavit submitted to building inspector (II.B.4.f. of the Wireless Rules and Regs.)

In addition to the application requirements for all wireless applications, interior installations in existing structures must include the following:

- Construction control affidavit submitted to building inspector (II.B.4.f. of the Wireless Rules and Regs.)
- Photo Simulation (II.C.2 of the Wireless Rules and Regs.)
- Complete Plans (II.C.4 of the Wireless Rules and Regs.)