

Personal Wireless Communication Facilities

Section 1 General

1.01 Authority

These Rules and Regulations for Personal Wireless Communication Facilities shall supplement and be used in conjunction with the Rules and Regulations for Site Plan Approval, November 18, 1991 (pink book) and with Section V.J. of the Weston Zoning Bylaw, Personal Wireless Service Facility Regulations, as amended through 1999.

1.02 Purpose

The purpose of these Rules and Regulations is to establish procedures for the issuance of a Special Permit for Personal Wireless Communication Facilities, in conjunction with Section X of the Weston Zoning By-law.

1.03 Applicability

Any entity applying for a Special Permit under Section V.J. and Section X of the Weston Zoning By-law.

Section 2 Filing Procedure

2.01 Who May File a Submission

If the Applicant is a party other than the record owner of the land to be leased, the Application must be co-signed by all of the record owners.

2.02 Fees

Every submission shall be accompanied by a filing fee of \$800 payable by check to the Town of Weston.

Every Submission shall be accompanied by a review fee payable by check to the Town of Weston. The procedure for review fees shall be subject to MGL.C.44 Section 593 Project Review Fee Regulations as adopted by the Planning Board on March 22, 1995. The initial deposit shall be \$7500, with the Planning Board determining any additional funding during the process, should the Applicant's 593 account approach depletion. A Special Permit shall not issue if the Applicant owes the Planning Board any additional Review Fees.

A \$1400 advertising fee shall be required for any application requiring public notice under Massachusetts General Law, the Bylaws of the Town of Weston, or any rules adopted by the Weston Planning Board.

2.03 Special Permit Submission

To initiate the Special Permit process the applicant shall file an application with the Town Planner on a form attached to this document. This application, along with the Filing and Review Fees, supporting

documentation required under Section V.J. of the Weston Zoning By-law, a Certified Abutters List, and documentation required under the Planning Board Rules and Regulations for Site Plan Approval, along with any additional data required by the Planning Board, constitutes the submission.

The Applicant shall file one copy of the submission with the Town Planner and send one copy to the Planning Board's designated consultant(s).

The Applicant shall file a copy of the complete submission (minus the fees) with the Select Board, Board of Health, Fire and Police chiefs, Building Inspector, Department of Public Works, Conservation Commission, and Town Engineer. The Applicant shall furnish Proof of Transmittal along with the application.

2.04 Certified Abutters List

A list of abutters, as defined by Chapter 40A, Section 11, which includes the petitioner, abutters, owners of land directly opposite on any public or private street or way, and abutters to the abutters within three hundred feet of the property line of the petitioner as they appear on the most recent applicable tax list shall be certified by the Assessor's office and provided as part of the submission.

2.05 Co-Location Statement

Co-location is encouraged, wherever possible. If it is not proposed, the Applicant shall provide a statement as to why it is not appropriate for this Application.

If co-location is proposed, state the number of positions anticipated and show on all drawings.

2.06 RFR Report

The Applicant shall submit ambient measurements of "existing " RFR at the site.

The Applicant shall submit all data documented for the Massachusetts Department of Public Health under the requirements of 105 CMR 122 for a fixed facility. The Applicant shall also provide a copy of the approval letter from the Massachusetts Department of Public Health.