

**Town of Lincoln**  
**Policy of the Board of Selectmen**  
**Applications for Small Cell Wireless Installations**

The Town of Lincoln (“Town”) by and through its Board of Selectmen 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 Board of Selectmen through the Office of the Town Administrator accompanied by the application fee of \$500 per application, payable to the Town of Lincoln. The \$500 fee will cover up to five locations. Each application for more than five installations is subject to an additional fee of \$100 per installation.
- b. Three hard copies and one electronic copy of the application must be submitted. Applications may be hand-delivered during normal Town Offices hours or mailed. If mailed, the date of receipt shall be the date from which any deadlines are counted.
- c. The applicant must also pay for and publish and mail legal notices of the public hearing to local newspapers and abutters, as applicable. The applicant is responsible for obtaining the abutters list for each pole location within the application. The applicant must provide proof of mailing and publication to the Town Administrator.
- d. No application will be accepted for review until all items listed in 2 below have been submitted and all fees paid.
- e. Upon receipt, the Office of the Town Administrator shall date and time stamp the application as received.
- f. The Town Engineer, or another designee of the Town Administrator, shall make a determination as to the completeness of the application and notify the Applicant, in writing within ten days, if the application is incomplete. If the Applicant is notified that the application is incomplete, the application is deemed rejected and must be resubmitted.
- g. The Office of the Town Administrator shall also circulate a copy of the application to other town departments or boards who, in the Town Administrator’s discretion, are determined to have input or insights that would be helpful to the review process.
- h. Written comments from departments and boards shall be submitted to the Office of the Town Administrator as soon as possible, but not later than twenty days from the date the application was circulated.
- i. Once the application is deemed complete, and all comments have been received, the Board of Selectmen shall schedule a public hearing to consider the application, so that a determination may be made on any application for an installation on an existing structure within the time period required by law.
- j. 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. Whenever an application is amended or new application submitted, the original application shall be deemed withdrawn.

- k. Upon completion of the hearing, the Board of Selectmen may either grant, grant with conditions, or deny the application based on such factors as pole capacity, mounting structures, safety concerns, reliability concerns, or failure to meet applicable engineering or design standards.
- l. Any approval granted to an applicant shall be only for the specific applicant and application. Any change in the name, carrier or sistered service provided by another carrier or small cell wireless location will require a new application and approval from the Town.

2. Application Content

- a. Applicant's name, address, phone number and email address.
- b. Names, addresses, phone numbers, and e-mail addresses of anyone acting on behalf of the Applicant with respect to the application.
- c. Detailed drawings, with wet stamp/wet signature, 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 of each piece of equipment and of all equipment)
  - iii. Dimensions of each piece of equipment and total dimensions of all equipment
  - iv. Cost of all equipment and installations
  - v. Equipment mount type and materials
  - vi. Power source or sources for equipment, including necessary wires, cables, and conduits
  - vii. Expected life of equipment
  - viii. Coverage are of equipment, including: number, model, length and height, remote radio units (RRU) count and power, and typical coverage area radius
  - ix. Call capacity of equipment, including: Total RRUs, max bandwidth per RRU, multiple input, multiple output (MIMO) per RRU, and backhaul rate per RRU
  - x. Hardening, including: if there is battery backup, or generator, and whether there are multiple fiber paths to switch.
  - xi. Frequency of equipment proposed to be installed.
- d. Photos, renderings, and elevation of equipment proposed to be installed.
- e. Detailed map with locations of the poles or other structures on which equipment is to be located, including specific pole identification number, if applicable.
- f. Detailed map illustrating existing and proposed small cell installations within 500' of the Application site or sites.
- g. Certification by a registered professional engineer that the pole or location will safely support the proposed equipment.
- h. Written consent from the pole/structure owner confirming permission to attach/install.
- i. Affidavit from a radio frequency engineer outlining the network/network service requirements in Lincoln and how the installation/s address Lincoln's needs. Said Affidavit should characterize the current level of coverage and how the desired installation/s will change the current level of

coverage, using coverage maps, as set forth in Section 12.6 of the Lincoln Wireless Communication Facilities provisions of the Lincoln Zoning Bylaw.

- j. Insurance certificate evidencing workers compensation and comprehensive general liability coverage for the installation/s.
- k. Description as to why the desired location is superior to other similar locations, from a community perspective, including visual aspects and proximity to residences.
- l. Description of efforts to co-locate the equipment on structures, poles, or towers which currently exist or are under construction. A good faith effort to co-locate is required and evidence of said efforts must be included within the application.
- m. An affidavit from the applicant that it will maintain the installation in id good repair and in accordance with FCC standards, and will remove any installation/s not in good repair, or not in use, win 60 days of being taken out of service.
- n. Completed cover sheet on Town form, using extra sheets as necessary, to provide all necessary information.
- o. Surety bond with Town named as obligee, in an amount equal to the cost of the installation, to ensure removal of equipment in a timely manner when equipment is no longer in service.

### 3. Annual Re-certification and Affidavit

- a. Each year, not later than by July 1<sup>st</sup>, the party responsible for equipment maintenance shall submit an affidavit that will list, by location, all small cell wireless installations it maintains within the Town of Lincoln, and certify: 1) that all installations remain in use, 2) that all installations remain covered by insurance, as required by Mass DOT, and 3) that identifies any equipment or installation no longer in service.
- b. The party responsible for equipment maintenance shall pay an annual re-certification fee of \$270 for each installation that remains in use/service.
- c. Any small cell wireless installation/s which is/are no longer in use/service shall be removed, at the expense of the responsible party, within sixty days of receipt of the annual re-certification affidavit.
- d. Any small cell wireless installation/s that re not removed within the above sixty day deadline shall be subject to a fine of \$100 per day, per installation/site, until said installation/s are removed.
- e. Whenever said annual re-certification has not been timely submitted, or equipment no longer in use timely removed, no further application/s for small cell wireless installations will be accepted by the Town until such time as the annual re-certification has been submitted and all relevant fees and/or fines have been paid.

### 4. Prohibitions

- a. No small cell wireless installations shall be installed on double poles.
- b. No installation shall be permitted on any pole that is not ADA compliant.
- c. No installation shall remain within the Town right of way or on any Town property that has not, during the course of re-certification, been confirmed to be in ongoing use.
- d. No installation equipment shall be replaced or altered without first having been approved by the Board of Selectmen, after a proper hearing during which the Selectmen shall require evidence that

the equipment is no longer functioning properly. The Selectmen shall generally require that the equipment be replaced by the same or substantially the same equipment.

- e. No applicant shall be able to seek approval of more than five proposed facilities/sites at one time.
- f. No applicant, or closely held partner of an applicant, may seek approval of more than two applications within sixty days of one another.
- g. No application submittals shall be accepted by e-mail.
- h. No equipment may be used that is manufactured by any company whose equipment is banned from use by any branch or department of the United States government.

Approved by the Board:

Date: 09-10-20



\_\_\_\_\_

Jennifer Glass, Chair



\_\_\_\_\_

James Craig



\_\_\_\_\_

Jonathan Dwyer  
Board of Selectmen