

Final Draft Fixed Wireless Broadband Facilities Zoning Provision
within the Town of Royalston Bylaw

To be added as an Accessory Use provision under Section IV(E):

E. Accessory Uses

Leave provisions 1. and 2. as is.

Then add a provision 3. “Fixed Wireless Broadband Facilities”

- a. Purpose Section for Fixed Wireless Broadband Facilities–
 - i. The benefits of having reliable broadband internet services can foster rural economic development including small business growth (home-based enterprises – publishing, crafts)
 - ii. Improve the quality of life for residents of the Town of Royalston.
 - iii. Internet broadband services are an important education and public safety tool as well as help increase civic involvement.
- b. Fixed Wireless Transceiver Antenna Array (FWTAA) is any series of antenna or array of antennas that receives and transmits fixed wireless signals to provide subscribers with high-speed (broadband) internet capabilities.

Existing Structure(s) – is (are) defined as residential or commercial buildings, barns, silos, water towers, public utility transmission poles or towers, or other similar structures where fixed wireless broadband technology is to be deployed.

 - i. Criteria for attaching FWTAA to existing structures, as defined above, are as follows:
 - a. Attaching FWTAA technology to any existing public utility transmission towers or poles, or newly installed poles if adjacent to existing public utility transmission poles, shall be allowed by right if the height of the FWTAA is not over 10 feet in height above the utility transmission tower or pole. If the FWTAA installation exceeds 10 feet in height a Site Plan Review Special Permit shall be required in accordance with Section VI.B of the Zoning Bylaw.
 - b. If the FWTAA and associated equipment being installed are concealed inside an existing structure and are not visible from the street, such installation shall be allowed by-right.
 - c. If the exterior installation of a FWTAA exceeds 10 feet in height above the roofline of the existing structure a Site Plan Review Special Permit will be required. If the exterior installation of the FWTAA is below the height as specified above, such installation shall be allowed by right, unless the installation is located within the Royalston Historic District in which a Site Plan Review Special Permit will be required.
 - d. If the FWTAA and associated equipment being installed are mounted on a pre-existing HAM Operator Tower, such installation shall be allowed by-right
- c. Fixed Wireless Transceiver Tower Structure (FWTTS) – a structure that supports an antenna that receives and transmits fixed wireless signals to provide customers with high-speed broadband internet access capability.

- i. All new FWTTSs shall require a Special Permit approval from the Planning Board and follow the application filing requirements in Section VI.B (Site Plan Review Special Permit) and in accordance with MGL 40A Section 9.
- ii. A Special Permit for a FWTTS may be granted by the Planning Board, in accordance with Section VI. A, and provided that the proposed activity complies with the following performance standards:
- iii. Location and Site Performance Standards
 - (a) New FWTTSs shall be considered only upon a finding by the Planning Board that existing structures or towers cannot accommodate the fixed wireless transmitter antenna array and associated equipment for the proposed equipment.
 - (b) The Applicant shall demonstrate to the satisfaction of the Planning Board that the location of the FWTTS is necessary and that the size and height of the tower structure is the minimum necessary for the purpose.
 - (c) Setback considerations.
 - i. The FWTTS shall be setback at least fifty (50) feet from any property line.
 - ii. The FWTTS shall be setback at a minimum from any habitable structure(s) by a distance equal to the height (1x) of the FWTTS.
 - iii. The Planning Board may reduce the minimum setback distance as appropriate based on site-specific considerations, if the project satisfies all other criteria for the granting of a special permit under the provisions of this section.
 - iv. For any waiver requests involving any habitable structure, such waiver shall not be granted by the Planning Board unless the request includes written permission being granted by the entity with care and control over the affected asset.
 - (d) Clearing shall be performed in a manner that will maximize preservation of natural beauty and conservation of natural resources, which will minimize marring and scarring of the landscape. Applicants for new FWTTS shall meet the requirements of Section IV.K.6.p(i)-(iv) related to clearing.
 - (e) Lighting considerations
 - i. Lighting at top of the tower: Night lighting of FWTTS shall be prohibited unless required by law (e.g., FAA).
 - ii. Lighting for equipment/access considerations: Lighting fixtures should be installed to direct light downward so that there is no light bleed beyond 10 feet of the footprint of the pad of the base of the FWTTS, including any accessory structure. In addition, lighting shall be equipped with motion sensors.
 - (f) Accessory Structures shall be limited to one (1) structure per FWTTS. Such structure shall not exceed one hundred (100 sq. ft.) in size and ten (10') in height.
 - (g) Any back-up power generation shall be solar power generated unless a waiver is granted by the Planning Board.
 - (h) Utilities connections shall meet the requirement as specified under Section IV.K.6.m of the Zoning Bylaw
 - (i) There shall be a minimum of one (1) parking space for each FWTTS to be used in connection with the maintenance of the FWTTS and the site, and not to be used for the permanent storage of vehicles.
- iv. Conditions of Use: Any FWTTS that is not operated for a continuous period of twelve (12) months shall be considered abandoned. The owner of such FWTTS shall have it removed within ninety (90) days of receipt of notice from the zoning enforcement officer notifying the owner of such abandonment. An initial cash bond in a reasonable amount determined and approved by the Planning Board shall be in force to cover removal of the FWTTS when abandoned.