

**Town of Burlington Policy
Applications for Small Cell Wireless Installations**

The Town of Burlington (“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 Burlington. 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 the abutters list for each pole location within the application.
- c. 12 (12) hard copies of the application and 1 (one) electronic copy of the application must be submitted to the Office of the Town Administrator. 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 Town Administrator 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 tolled until such time as a complete application has been submitted.
- e. The Office of the Town Administrator shall also circulate a copy of the application to the following departments for comment and review: Building; Engineering; Planning; 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 Town Administrator within 20 days of circulation of the application.
- g. Once the application is deemed complete, and all comments have been received, the Board of Selectmen 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 Board of Selectmen may grant, grant with conditions, or deny the application, 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 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. 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.
- h. Affidavit from a Radio Frequency Engineer outlining the network/network service requirements in Burlington and how the installations address that need in Burlington. 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, as set forth in section 8.4.5 of the Burlington Wireless Communication and Facilities provisions of the Burlington Zoning Bylaw.
- i. Insurance certificate.
- 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.
- l. An Affidavit from the applicant which certifies that it will maintain the installations in good repair and according to FCC standards, and will remove any installation 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 Burlington 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. Prohibitions.

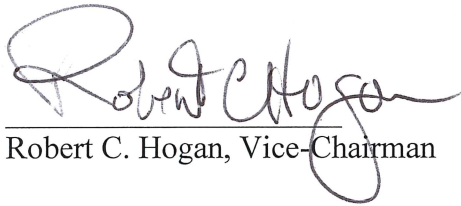
- a. No small cell wireless installations shall be installed on double poles.
- b. No small cell wireless installation shall be installed on poles which are not ADA compliant.
- c. No small cell wireless installations shall remain within the Town right of way or on Town property which has not been certified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

Approved:

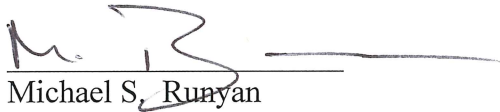
Board of Selectmen of the Town of Burlington



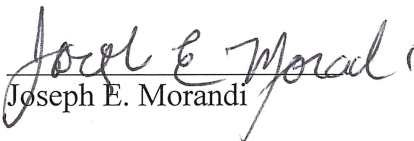
Christopher E. Hartling, Chairman



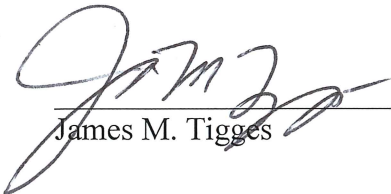
Robert C. Hogan, Vice-Chairman



Michael S. Runyan



Joseph E. Morandi



James M. Tigges

Dated: October 22, 2018