



**TOWN OF BELMONT**  
OFFICE OF THE BOARD OF SELECTMEN  
455 CONCORD AVENUE  
BELMONT, MASSACHUSETTS 02478

**BOARD OF SELECTMEN REGULATIONS FOR GRANTS OF LOCATION IN THE PUBLIC WAY:**

Adopted by vote of the Board of Selectmen on May 13, 2019  
Amended on July 15, 2019

1. These regulations will not apply to Belmont Light Department, consistent with State Law.
2. The Board of Selectmen shall have the sole authority to issue grants of location for the placement of any structures within public rights of way on the Town of Belmont, including but not limited to new poles, the relocation or alteration of existing poles, and for the addition to or subtraction of equipment or other items from or on poles. Examples of such poles covered by these regulations include, but are not limited to, poles which have equipment, wires or other items attached to, or located on, them for electrical, telephone, power, cable, lighting, signage, wireless, cell telephone or data transmission purposes.
3. The Board of Selectmen shall mail written notice to the owners of the properties which are the direct abutters of the property where the structure for which a grant of location is being sought is located. Such notice shall be mailed to said abutters no later than the seventh day prior to the public hearing on said grant of location. The Board of Selectmen may waive the public hearing requirement or may require additional notice of the public hearing, but shall not be required to do so.
4. No grant of location regarding a pole covered by these regulations shall be made without a public hearing being held by the Board of Selectmen, unless such public hearing has been waived pursuant to paragraph 2 above, at which hearing the public shall be allowed to speak, subject to reasonable time restrictions set by the Chair of the Board of Selectmen. Such public hearing shall be held within sixty days of the date on which the application was received by the Town of Belmont's Town Administrator's Office.
5. Structures located pursuant to these regulations shall:
  - a. Be distant no less than ten feet from a structure which contains a residential use;
  - b. Contain no more than one Wireless Facility, cell telephone or data array unless Applicant can demonstrate that there is no other suitable location for such installation (with a "Wireless Facility" being defined herein as an attachment on one pole placed there by one Applicant which may contain more than one antenna);
  - c. Violate any laws, codes, statutes, bylaws, rules or regulations, including but not limited to the Town of Belmont's Zoning Bylaw;

- d. Have any signage related to the use of the pole, other than directional, wayfinding, traffic or message signs erected by the Town of Belmont, or its designee; and
  - e. Be located within 20 feet of a similar, existing structure.
6. The owner of an existing structure for which a grant of location is being sought to make attachments to said structure must consent to the grant of location for the Board of Selectmen to be able to approve said grant of location. In granting such approval, the owner may impose certain restrictions related to the grant of location, including but not limited to reasonable fees and costs associated with the owner's review, requiring the Applicant, its successors and assigns, to pay for the cost of electricity for all equipment or other items placed on the structure by Applicants, to pay for and to install a separate electrical meter regarding the cost of electricity for all equipment or other items placed on the structure by Applicant.
  7. For a grant of location to install a new structure, the Board of Selectmen may reject or appropriately condition said grant of location for a new structure, in the sole discretion of the Board of Selectmen, if the proposed structure: (a) is in or near an historic district or historic asset as determined by the Belmont Historic District Commission and the proposed pole does not comply with the prevailing historical standards for said historic district or historic asset as determined by the Belmont Historic District Commission; (b) interferes in any manner with access and use of a public way; (c) violates any law, including but not limited to the Americans With Disabilities Act; (d) presents a danger to the public or to other property; (e) the proposed structure is not consistent with the color scheme, methods of concealment, and bulk and location of similar facilities existing in the area; or (f) is not certified pursuant to a written report from a licensed Massachusetts structural engineer, which report has been stamped and signed by said structural engineer, that (i) the proposed structure and its supporting structure, if any, can be constructed and maintained for its intended purpose, and can accommodate the proposed alteration, relocation or addition or removal of required equipment or other items, without any damage to existing structures and without any risk of danger to the public or to other property; and (ii) that the alteration, relocation or addition or removal of equipment or other items will not void any warranties regarding the structure, will not violate the manufacturer's instructions or recommendations, and will not cause the structure and its supporting structure, if any, to be used for purposes other than for which said structure was designed; and (iii) the proposed structure with the alteration, relocation or addition or removal of equipment or other items will withstand any and all extreme weather conditions, such as high winds, heavy snow and ice, and the like. The purchase, installation and maintenance of any new structure shall be at the sole expense, and shall be the sole responsibility, of the Applicant or its successors or assigns. The Board of Selectmen may require that a new structure visually match any other similar structures in the area where it is to be located.
  8. The Applicant shall include with any application for a grant of location an insurance certificate with a commercially acceptable amount of coverage for general liability, property damage and personal injury coverage listing the Town of Belmont as an insured. If the grant of location is allowed by the Board of Selectmen, then Applicant or its successors or assigns shall maintain said insurance for the duration of the time that the structure exists within a public way in the Town of Belmont.

9. The filing fee for each grant of location application shall be \$275.00, but shall be \$1,000.00 to erect a new pole or other significant support structure. A single filing fee of \$500.00 shall be required for one grant of location application seeking to locate up to five small wireless facilities on one or more existing structures, with an additional \$100.00 for each additional Wireless Facility beyond five. The applicable fee must be paid before any public hearing and approval can occur regarding said application. In addition, an Applicant for a grant of location shall provide a detailed description and specifications of the structures, equipment, and other items involved, a schematic plan of the existing and proposed condition, a photograph of the existing condition, a photo-realistic rendering of the proposed condition, a map showing the location of the structures at issue, and whatever other documentation the Town of Belmont reasonably requests. No hearing, shall be held, or approval granted, unless and until the entire application for a grant of location for a structure is complete, including but not limited to all documentation required under these regulations. In addition, an annual inspection fee of \$270.00 shall be paid by Applicant, or successor or assign, per structure, unless waived in whole or in part by the Board of Selectmen for good cause.
10. The facilities do not result in human exposure to radio frequency radiation in excess of the applicable safety standards specified in 47 CFR 1.1307(b).
11. No public hearing or approval for a grant of location application shall occur if Applicant has any outstanding payments due to the Town of Belmont, including but not limited to any taxes, fees, fines, or electricity charges.
12. No grant of location shall be transferrable without the approval of the Board of Selectmen on such a transfer application in conformance with these regulations.