

To see if the Town will vote to amend Article IX (the Zoning Bylaw), Section 4300 (Wireless Services Overlay District) as follows:

1. Section 4330. Location, by deleting the words “owned by the Town of Sudbury, which is held in the care, custody, management and control of the Board of Selectmen, Park & Recreation Commission, and parcels of land owned by the Sudbury Water District, as of the effective date of this Bylaw,” and by adding the following parcels of land to be included in the overlay district:
 4336. Lincoln Sudbury Regional High School, Assessor’s Map No. F11, Parcel 0014 (within 200 feet of a developed recreation field only)
 4337. Town of Sudbury Land located behind Ti-Sales, Assessor’s Map No. G09, Parcel 0200
 4338. Sudbury Water District land off East Street, West Street, Center Street and Hollow Oak Drive, Assessor’s Map No. Map H07, Parcel 240; Map H06, Parcel 0800; and Map G06, Parcel 0001
2. Section 4334 to exclude parcels identified as Assessor’s Map No. L08, Parcels 008 and 009, and Assessor’s Map No. M08, Parcel 021, located in the Raymond Road well field/Feeley Park area.
3. Section 4345 to delete the word “or” between the words “cells or panels, and add the words “equipment buildings or cabinets” after the word “panels”, so that section reads as follows:

“Changes in the capacity or operation of a wireless service facility which has previously received a special permit under this Bylaw, limited to an increase or decrease in the number of antennae, cells, panels, equipment buildings or cabinets, or the number of service providers (co-locators), shall be permitted, subject to Site Plan review under section 6300 of the Zoning Bylaw and authorization from the lessor of the property.”
4. Section 4371 to add the word “and adjacent public roadways” at the end of that section so it reads as follows:

“A color rendition of the proposed facility with its antenna and/or panels at the proposed location is required. One or more renditions shall also be prepared illustrating the visual effects of the facility from prominent areas and adjacent public roadways.”;

Or act on anything relative thereto.

Submitted by the Planning Board.

PLANNING BOARD REPORT: These amendments are proposed in order to protect the Town against undesirable cell tower sitings in inappropriate locations. Cellular service providers are still scouring the Town for new sites. As the industry evolves, customers are demanding robust coverage, particularly at their residences. Customers also are becoming accustomed to wireless services that require new infrastructure that can carry large amounts of data. The properties contained in the original 1998 overlay district have been almost completely developed, and the cellular companies are looking elsewhere in Sudbury for additional sites to improve their networks. We are again trying to proactively locate new sites that meet the purposes of the bylaw – minimize the visual impacts of cell towers, avoid potential damage to adjacent properties, and promote shared use of equipment in order to reduce the overall number of facilities in Sudbury – and satisfy the needs of the industry and its subscribers. The parcels proposed for new tower locations are all on municipal property that belongs to either the Town, the Sudbury Water District, or Lincoln-Sudbury Regional School District. They are located in areas that experience subpar service, as identified by a town-wide study by the Town. These sites were selected because they are large enough or secluded enough to mitigate disturbance to neighboring residential properties. Enabling carriers to apply for permits to use these new sites enhances the Town’s control over the placement of wireless facilities. Further, adding these sites to the overlay district will give town Boards a stronger legal defense if they choose to deny applications on properties outside the overlay district. Given the nearly full utilization of the original parcels in the overlay district, we will be vulnerable to legal challenges if we do not judiciously expand the district.