

Wireless Communications in Newbury



Current Bylaw: Zoning Bylaw Chapter 97, Article 4-C

Wireless Communications Service Overlay District:

The Purpose of this Zoning Bylaw is to establish regulations for the placement, construction and modification of Wireless Communications Facilities (WCF) through which Wireless Communications Services (WCS) may be provided while preserving and protecting the public health, safety and general welfare.

Regulations:

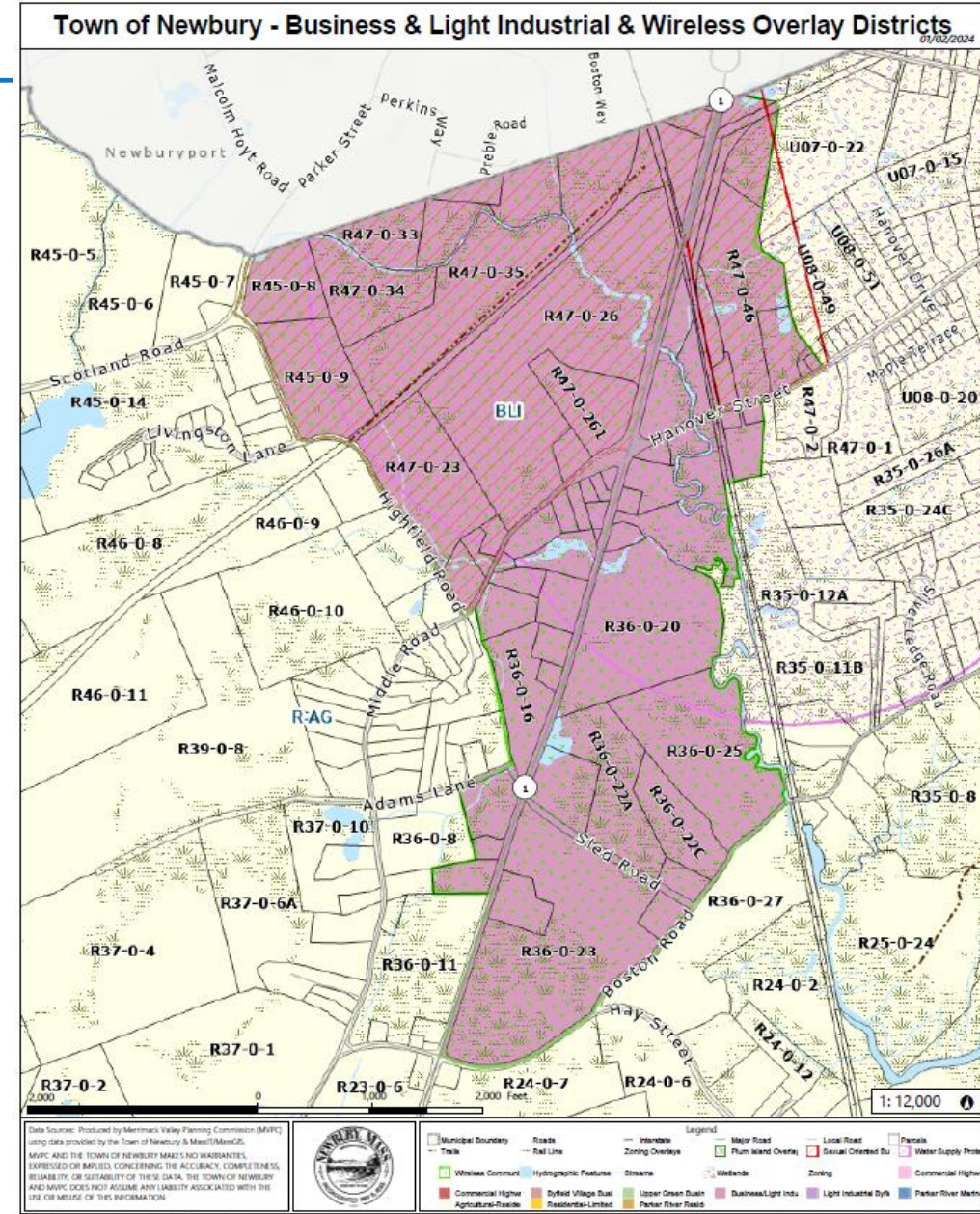
- 1. Protect the general public from any hazards associated with WCFs;*
- 2. Minimize visual impacts from WCFs;*
- 3. Protect the scenic, historic, natural and human-made resources of the Town;*
- 4. Protect property values;*
- 5. Enable the provision of Personal Wireless Services (PWS) in a manner consistent with federal law;*
- 6. Enable the town to enjoy the benefits of an effective wireless communications infrastructure.*



Wireless Overlay District

Currently, the only area in Newbury that is zoned for the **Wireless Communications Service Overlay District**

is the northern portion of town, south of Newburyport along the Route 1 corridor down to Boston Road



Background



In 2020, the Town engaged consultants from *Isotrope* to:

- Analyze in detail the current wireless coverage in town.
- Review the Town’s existing Wireless Communications Services Overlay District By-Law in relation to changes in technology and communications regulations
- Recommend new and updated provisions regarding wireless communications towers, wireless communications facilities, small wireless facilities, modifications and eligible facilities requests, and permitting processes.

In 2022, at Annual Town Meeting, voters approved replacing the existing Wireless Communications Services Overlay District By-Law with a new updated bylaw entitled “Wireless Communications Facilities” based on these recommendations.



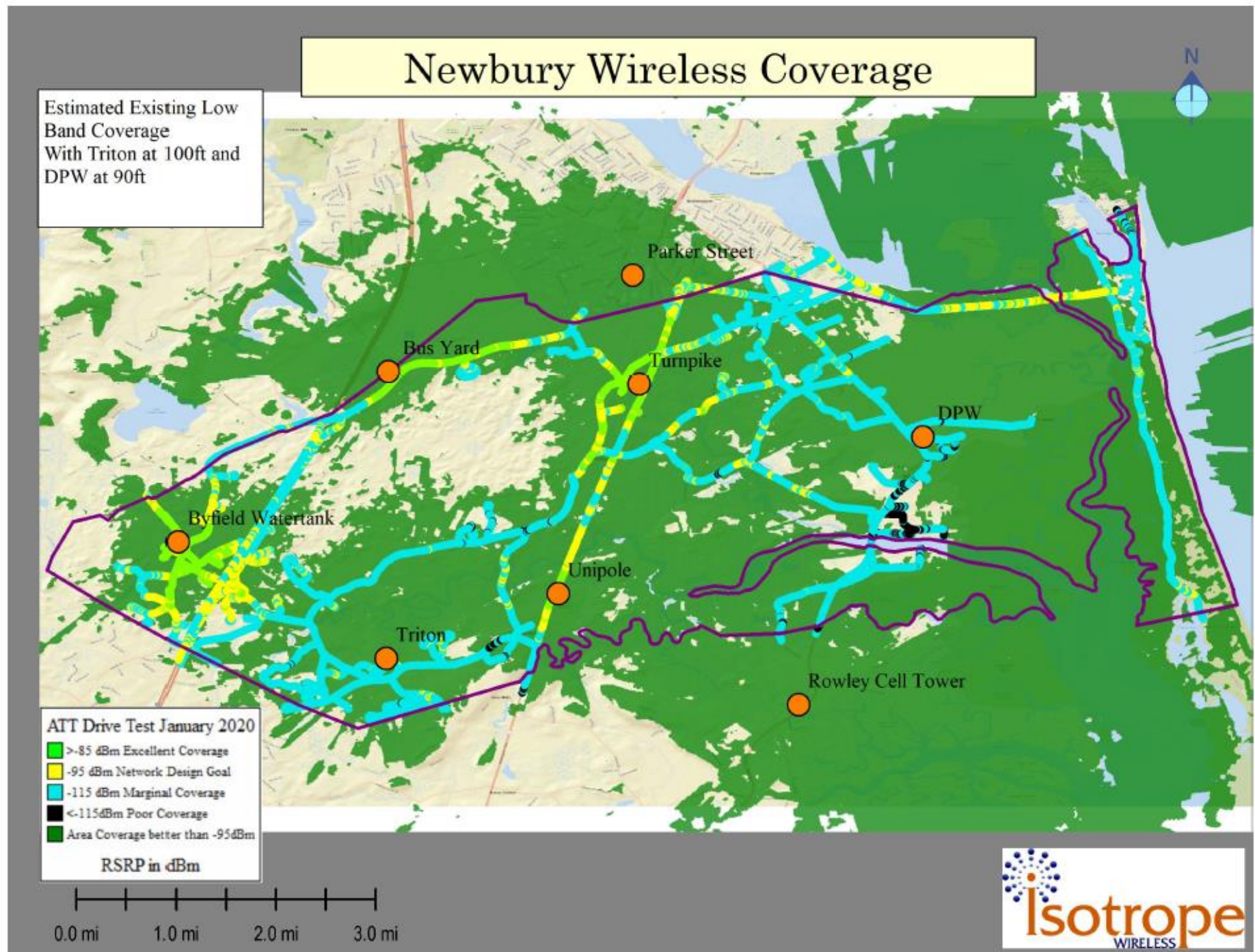
Background

- Isotrope's analysis documented what was already known locally – that there are areas of Newbury that are underserved by wireless service.
- This was and continues to be a concern for public safety.
- Isotrope was engaged further to make recommendations for how to achieve better coverage in underserved portions of town.



Two public properties were identified as suitable locations to address these public safety concerns:

Triton and the DPW Highway Barn



197 High Road (DPW barn)



Triton Middle/High School

TRITON REGIONAL SCHOOL DISTRICT

112 Elm Street, Byfield, MA 01922 • (978) 465-2397 • www.tritonschools.org

Brian L. Forget
Superintendent of Schools
Shannon Nolan
Director of Student Services

Kyle M. Warne
Director of Finance & Operations
Dr. Anna Bates
Director of Curriculum & Instruction

December 18, 2023

Re: Notice of Confirmation for Triton Properties Inclusion in the Wireless Overlay District

Martha Taylor
Newbury Town Hall
12 Kent Way
Newbury, MA 01922

Dear Ms. Taylor,

This letter is being written to follow up on our discussion on Monday, November 6, 2023, where you shared the information with me about your plans to update Newbury's Wireless Overlay District, and the opportunity to have Triton considered in that process. You shared that the consultant who assessed the town for wireless coverage identified Triton's campus as a desirable location for additional cell towers to address dead spots in the Byfield area.

I am writing to confirm Triton's participation in the Wireless Overlay District update that you plan to bring to the April 2024 Annual Town Meeting. This includes both the property at 112 Elm Street that houses the main campus building, grounds, and fields, as well as the additional property off of Elm Street that holds our leaching field for our onsite wastewater treatment plant.

I understand that being included in the Wireless Overlay District does not guarantee any interest from cell phone providers to enter into a contract for the placement of a tower, nor does it require the School Committee to enter into such a contract if the interest does indeed materialize. This approval simply allows Triton's properties to be considered as potential locations for an additional tower.

Please let me know if there is anything further that you need from me at this time.

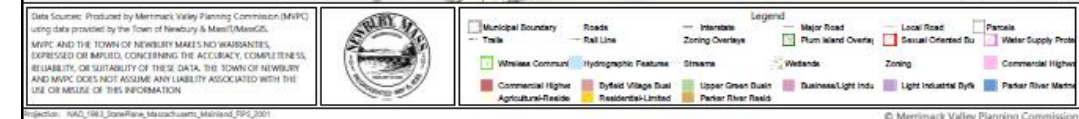
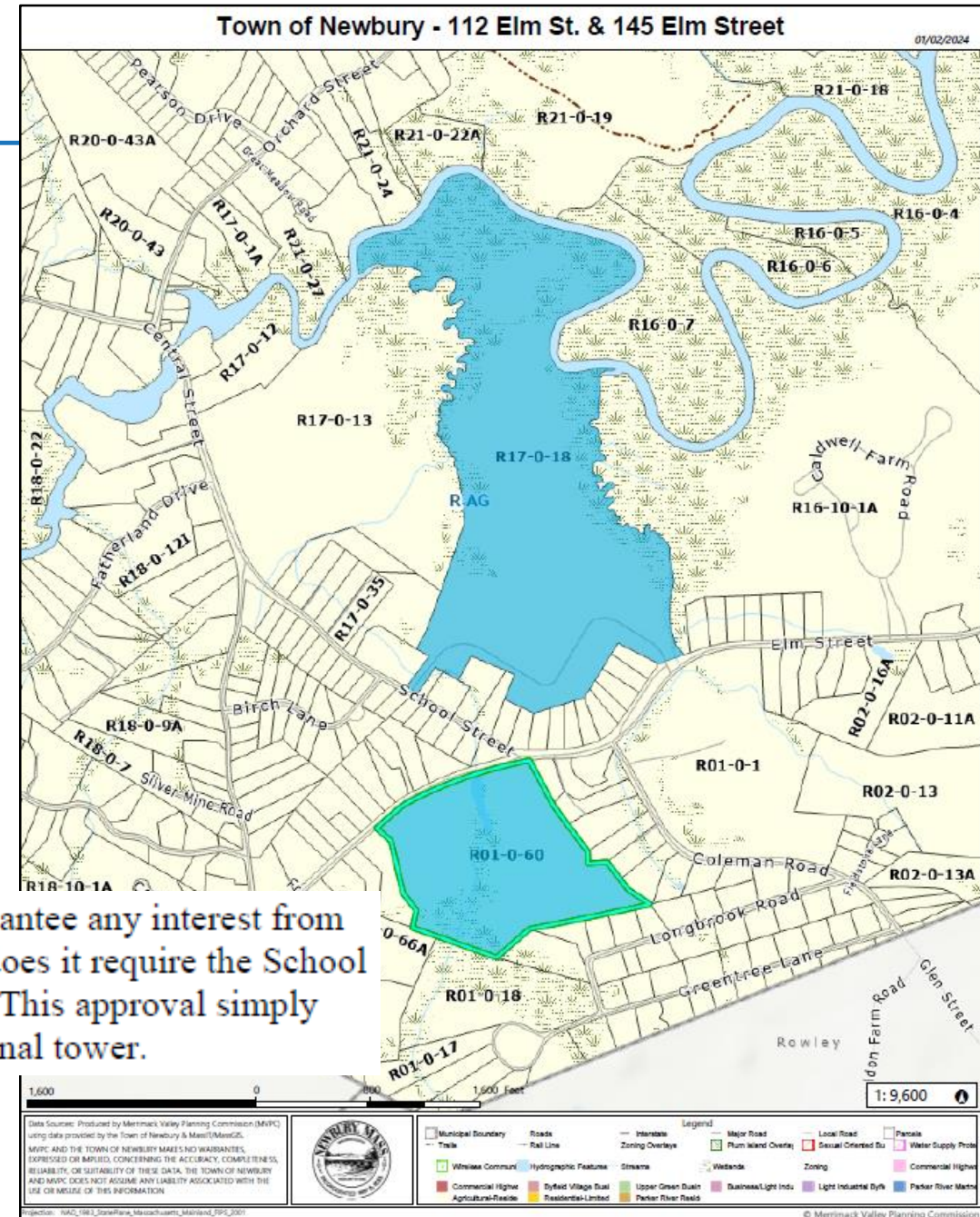
Sincerely,



Brian L. Forget
Superintendent of Schools

Cc: Linda Litcofsky, Chair, Triton Regional School Committee
Kyle Warne, Director of Finance and Operations
Jonathan Skonecki, Manager of Facilities and Grounds

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Zoning Amendment for Annual Town Meeting – April 30, 2024

ARTICLE XX: To see if the Town will vote to amend the Code of the Town of Newbury, Chapter 97, Zoning, Article IV, REGULATIONS OF OVERLAY DISTRICTS, § 97-4.C. Wireless Communications Facilities, and Attachment 1 – Zoning Overlay and Resource Districts Map to modify the boundaries of the Wireless Communications Tower District.

- Add 197 High Road and 145 & 112 Elm Street parcels to the Wireless Tower District



Zoning Amendment for Annual Town Meeting – April 30, 2024

Important notes:

- The parcels are being added to the overlay district. None of the currently allowed uses are changing.
- Any proposal by any company to construct a Wireless Tower will require a **Special Permit**, with a thorough review and approval process, including consideration of all environmental conditions
- All of Purposes and Regulations of the original current bylaw remain:
 1. *Protect the general public from any hazards associated with WCFs;*
 2. *Minimize visual impacts from WCFs;*
 3. *Protect the scenic, historic, natural and human-made resources of the Town;*
 4. *Protect property values;*
 5. *Enable the provision of Personal Wireless Services (PWS) in a manner consistent with federal law;*
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Questions and Comments?

