

2026 Annual Town Meeting
Article 35 – Wireless Communications Facility Zoning Bylaw Amendment
Frequently Asked Questions

1) Why is the Town proposing this zoning change?

The Town is proposing this zoning update to modernize Concord's wireless facilities bylaw, so that it better reflects current technology, complies with federal law, and ensures that the level of review required for wireless facilities is proportional to the size and impact of the facility.

Concord's existing bylaw was adopted in 1998 when wireless technology was new and was designed to significantly limit where facilities could be located. Since that time, wireless technology and federal regulations have evolved. Federal law now requires municipalities to allow certain types of wireless infrastructure and limits the extent to which local regulations can prohibit or effectively prevent wireless service.

As a result, some provisions of Concord's current bylaw are outdated and have contributed to the significant gaps in wireless coverage across town. Updating the bylaw will help ensure that Concord's regulations are consistent with federal law while still allowing the Town to maintain local oversight of the siting and design of wireless facilities.

Improving wireless coverage has also been a priority of the Select Board, as reliable cell service is important for public safety, emergency response, businesses, visitors and residents' daily communication needs. The proposed changes are intended to create clearer rules, streamline review for smaller facilities, and maintain an appropriate level of planning review and public input for larger installations.

2) Why move away from a special permit and waiver-based overlay district approach?

Under the current bylaw, all wireless facilities require a special permit, which is discretionary and not by-right, and are generally limited to a small overlay district unless a waiver is granted. As a result, many proposals must begin by requesting a waiver rather than following a clearly defined permitting pathway. The need to request a special permit and a waiver deters wireless companies from seeking a permit in the first place when the special permit review process is unclear and requires substantial work to meet the basic waiver requirements.

The proposed changes replace this waiver-based system with clearer zoning requirements that specify where facilities may be considered and what level of review is required. The new wireless bylaw creates a more transparent and predictable process for residents, decision-makers, and applicants.

It also allows wireless facilities to be considered in locations where service is actually needed, while still maintaining review standards and design requirements.

3) How will different types of wireless facilities be reviewed under the proposed bylaw?

The proposed bylaw establishes different levels of review depending on the size and type of wireless facility. Smaller or less visible changes follow a simpler review process, while larger projects require more detailed review and public input.

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Building Permit – Minor changes to existing facilities, such as replacing or upgrading equipment on an existing tower or structure. These administrative changes are reviewed by the Building Commissioner.

Site Plan Review – New facilities added to existing buildings or structures, such as antennas on rooftops or inside church steeples. These projects are reviewed by the Planning Board through a public meeting process that considers issues such as site design, visual impacts, screening, and lighting.

Special Permit – New towers will still require a special permit and a public hearing before the Board of Appeals and a more detailed review process.

This tiered approach ensures that the level of review is proportional to the scale and potential impacts of the project.

4) Will historic districts and environmental areas still be protected?

Yes. Projects located in historic districts or within 100 feet of a wetland will still require review and approval from the Historic District Commission and/or Natural Resources Commission. Their decisions can be incorporated into the Planning Board's site plan review or the Board of Appeal's special permit conditions.

5) Why differentiate between antennas and towers?

Adding antennas to existing structures or towers typically has far less visual and site impact than building a new tower. The proposed bylaw encourages co-location and reuse of existing structures so that new towers are only built when necessary.

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6) What are the key differences between the current bylaw and the proposed bylaw?

Topic	Current Bylaw	Proposed Bylaw
Overall Approach	Written when wireless technology was new and focused on limiting the number and location of facilities.	Updates the bylaw to reflect current technology, federal law, and the need for reliable wireless service.
Wireless Overlay District	Wireless facilities are generally expected to be located in a limited overlay district, unless a waiver is granted.	Overlay district removed. Facilities may be considered in more locations through defined review processes.
Permitting Process	Many proposals require waivers or special permits due to strict siting rules.	Establishes clear review pathways: <ul style="list-style-type: none"> • Building Permit – minor upgrades • Site Plan Review – facilities on existing structures • Special Permit – new towers
Use of Existing Structures	Less clearly addressed and often subject to significant restrictions.	Encourages use of existing buildings, towers, and utility poles where feasible.
Location Restrictions	Includes very limited siting preferences in an overlay district for all wireless facilities and various setback requirements that significantly limit potential locations without a waiver.	Removes overlay district and some requirements that may conflict with federal law while maintaining design standards and Planning Board or Board of Appeals review for new facilities.
Town Oversight	Oversight for any new facility through the Special Permit process.	Oversight for new towers continues through Special Permit. Requires Site Plan Review process for new facilities on existing towers or structures, with a public hearing, design standards for buffering, height, lighting, and visual impacts for both processes.

7) How does federal law affect how communities regulate wireless facilities?

Federal law establishes rules that local governments must follow when regulating wireless infrastructure. These laws require municipalities to allow certain wireless facility upgrades and prohibit local regulations that effectively block or prohibit wireless service.

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As a result, communities must ensure their zoning bylaws are consistent with federal requirements while still maintaining appropriate local review of facility siting and design.

Some provisions of Concord’s current wireless bylaw were written before these federal standards were fully established. Updating the bylaw helps ensure that Concord’s regulations align with federal law while preserving the Town’s ability to review proposals and address site impacts.

8) How would the proposed bylaw benefit the community?

The proposed bylaw is intended to create clearer and more modern rules for how wireless facilities are reviewed and located in Concord, while maintaining appropriate local oversight of siting and design for new facilities and towers.

Emergency responders, residents, visitors and businesses have reported persistent gaps in cell service in parts of town. These gaps have led to an inability for residents and visitors to report emergencies on personal cell phones, visitors having difficulty finding key destinations in Town, and general unreliability of communication while outside of cell phone coverage service areas. While the Town cannot require wireless carriers to build new facilities, the proposed changes would create a clearer and more predictable process for carriers to propose infrastructure that could address coverage gaps.

Improving wireless connectivity can support several important community needs, including:

- Reliable emergency communications
- Connectivity for residents working from home and remote learning
- Business activity and economic vitality
- The Town’s visitor-based economy, including tourism and local events
- Everyday communication and access to digital services

The goal of the update is to remove outdated barriers in the current bylaw while maintaining appropriate review of new wireless facilities.

9) Will residents still have a chance to comment on projects?

Projects requiring Site Plan Review or Special Permit will include a public hearing where residents can comment and the reviewing board can require conditions to address concerns.