

Comparative Summary of Feature Provisions

Ordinance Components	TOS Existing	TOS Draft	Smithtown	Cape Cod Commission	Fairfax	Port Washington	Vermont Model
General Approach	<ul style="list-style-type: none"> ▪ Special exception permit, Applicant must demonstrate need for new tower ▪ Multiple tower plans encouraged with offer of “priority review” ▪ Collocation encouraged via requirement that applicants provide a notarized statement station whether collocation will be accomodated 	<ul style="list-style-type: none"> ▪ Special exception permit ▪ Hierarchy of uses ▪ Requires pre-application community meeting 	<ul style="list-style-type: none"> ▪ Divides applications into three classes: <ol style="list-style-type: none"> 1. Existing or new utility poles 2. on or in buildings 3. new towers ▪ Requires alternative site analysis and Town staff review and report identifying and ranking alternatives ▪ Pre-application staff conference instead of community meetings 	<ul style="list-style-type: none"> ▪ Allowed by right on existing towers ▪ Special permit for new ground and building mounts with height restrictions ▪ overlay district for taller facilities 	<ul style="list-style-type: none"> ▪ detailed by type of use, building, zoning district (see standards table below) 	<ul style="list-style-type: none"> ▪ special exception permit ▪ collocation requirement within one mile ▪ new towers must support at least 6 carriers 	<ul style="list-style-type: none"> ▪ small scale facilities may be approved by the Administrative Officer ▪ all others subject to conditional use permit
Legislative intent	None	Yes, conforms to plan	yes	yes		Minimal	Extensive, plus statement of authority & consistency with federal law
Definitions	Limited	Expanded	Extensive, includes abbreviations	Moderate list		minimal	Extensive, not giiven
Applicability/ Exemptions	<ul style="list-style-type: none"> ▪ No ham radio under 32’ or preexisting towers ▪ additions/alteration/repairs to existing facilities ▪ New structures under 35’ accessory to an existing non residential use also excepted 	<ul style="list-style-type: none"> ▪ Expanded, includes reconstruction, repair or replacement 	<ul style="list-style-type: none"> ▪ No approvals for carriers with preexisting non-compliant facilities ▪ No ham, no limits 	None listed		None listed	None listed
Location/Zones	No provisions	<ul style="list-style-type: none"> ▪ The placement of antennas on existing or replacement structures within street, utility or railroad rights-of-way is the preferred alternative in residential neighborhoods ▪ Calls for placement on existing structures on public property ▪ Preferred hierarchy given in application requirements 	<ul style="list-style-type: none"> ▪ Lists opportunity & avoidance sites ▪ Includes siting standards: <ol style="list-style-type: none"> (a) concealed within existing structures or where camouflaged conditions surround them, or on inconspicuous mounts (b) Placement within trees no higher than 10 feet above average tree height. (c) Placement on existing roofs or nonwireless structures • Collocation discouraged 	<ul style="list-style-type: none"> ▪ Existing structures preferred ▪ Particular recommendation to use of rights of way ▪ Applicant has burden of proof to demonstrate no existing structures are feasible ▪ Overlay district, as noted above ▪ Collocation encouraged, with ordinance section stating requirements; town may deny when applicant fails to make god faith effort to provide for collocation 	<ul style="list-style-type: none"> ▪ Detailed division by type of use, district and antenna (may be overly complex) 	<ul style="list-style-type: none"> ▪ None, collocation requirements, as given below 	<ul style="list-style-type: none"> • Offers potential to have prohibited & permitted zones • Details setbacks for various sensitive areas • Collocation requirement

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Camouflage, stealth requirement		<ul style="list-style-type: none"> ▪ Stealth is top of given hierarchy 	<ul style="list-style-type: none"> ▪ Camouflaged conditions required generally (no stealth) 	<ul style="list-style-type: none"> ▪ Specific camouflage requirement (no stealth) 			Stealth may be required in visually sensitive locations
Bulk Requirements, Setbacks, height etc.	<ul style="list-style-type: none"> ▪ Setback = to 100% of height ▪ Separation distances from res uses and land, and other towers 	<ul style="list-style-type: none"> ▪ Same setbacks (consultant suggests relaxing because towers may be designed to collapse vertically. To be discussed.) ▪ Same separation table ▪ Limits height by zone – table to be filled in 	<ul style="list-style-type: none"> ▪ No higher than highest building height in 300' radius or 10 feet above average tree canopy 	<ul style="list-style-type: none"> ▪ No higher than 10 feet above average building height or average tree canopy in 300' radius ▪ Fall zone setback = to tower height ▪ No setback for installation on existing structures, other than zoning for the district 	<ul style="list-style-type: none"> ▪ Contains different standards by antenna type (see below) 	<ul style="list-style-type: none"> ▪ 50 foot tower height max ▪ ¼ mile separation 	<ul style="list-style-type: none"> ▪ no higher than 20 feet above tree canopy with 100 foot radius ▪ setback = to tower height or district setbacks, whichever is greater
Removal of Abandoned Towers	<ul style="list-style-type: none"> ▪ within 90 days of 12 months ▪ no provision notify Town of cessation of use 	none	<ul style="list-style-type: none"> ▪ within 90 days of 12 months ▪ no provision notify Town of cessation of use 	<ul style="list-style-type: none"> ▪ requirement for notification of cessation of use ▪ removal in 90 days 		<ul style="list-style-type: none"> ▪ 6 months ▪ performance bind for removal, to be renewed every three years 	<ul style="list-style-type: none"> ▪ 180 days ▪ requirement for surety bond
Licensing/Monitoring	No provisions	None	Requires registry Inspections – every 2 years for RF, 5 years for structural	<ul style="list-style-type: none"> ▪ Annual submission of RFR and noise reports ▪ 15 year permit limit for structure higher than 50' 		<ul style="list-style-type: none"> ▪ annual submission of RFR compliance ▪ permit must be renewed every 10 years 	<ul style="list-style-type: none"> ▪ annual demonstration of FCC compliance ▪ maintenance provision
Other		<ul style="list-style-type: none"> ▪ 2-year landscape bond ▪ Construction bond 	<ul style="list-style-type: none"> ▪ Penalties for non-compliance ▪ Health & safety standards include hurricane & tornado design & fall zone 	<ul style="list-style-type: none"> ▪ Includes sections on historic districts, scenic vistas and landscapes, and environmental standards ▪ Section on reconstruction 		<ul style="list-style-type: none"> • guyed towers are expressly prohibited • Charges annual Fees: <ul style="list-style-type: none"> A. Each owner and operator of a tower shall pay to the Village an annual fee of \$2,000 for such tower and an annual fee \$500 for each antenna on such tower. B. Each owner and operator of an antenna not located on a tower shall pay to the Village an annual fee of \$750 for such antenna. • 	<ul style="list-style-type: none"> • has provision for temporary facility • has provision for application fees – different fees for small and large facilities • insurance requirement • enforcing agent (Administrative officer)

Design Standards & Guidelines							
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General/Use			<p>A. Tall mounts discouraged. Tall mounts are discouraged in the Town of Smithtown, and proliferation of short mounts is considered preferable to collocation</p> <p>B. Collocation discouraged. Collocation shall be discouraged for all PWSF applications.</p> <p>C. Worst-case review. The Town of Smithtown shall review applications for collocations on the basis of all positions on the mount, i.e., the cumulative, worst-case condition.</p> <p>D. Collocation review includes entire facility. Applications for collocations on mounts, when they are constructed prior to the effective date of this chapter, require review of the existing mount as well as collocation under the requirements of this chapter.</p> <p>E. Collocations not previously reported. Applications for collocations on mounts constructed after the effective date of this chapter, when they did not previously show the proposed collocation, require review of the existing mount as well as collocation under the requirements of this chapter.</p> <p>F. Public sites. The Town of Smithtown shall work with carriers to facilitate the siting of PWSF's on town-owned or other publicly-owned property, by identifying existing structures, the appropriate contact persons and the appropriate leasing procedures.</p>	<p>03.1.1 A personal wireless service facility may locate on any existing guyed tower, lattice tower, monopole, electric utility transmission tower, fire tower or water tower, provided that the installation of the new facility does not increase the height of the existing structure except as provided in Section 03.3.5 below. Such installations shall not require a Special Permit but shall require site plan approval by the town.</p> <p>03.1.2 A personal wireless service facility involving construction of one or more ground or building (roof or side) mounts shall require a Special Permit. Such facilities may locate by Special Permit in all zoning districts within the Town, provided that the proposed use complies with the height and setback requirements of Section 03.3 and all of the Special Permit Regulations set forth in Section 04.0 of this Bylaw.</p> <p>03.1.3 A personal wireless service facility that exceeds the height restrictions of Sections 03.3.1 - 03.3.5 may be permitted by Special Permit in a designated Wireless Service Overlay District provided that the proposed facility complies with the height restrictions of Section 03.3.6, and all of the setback and Special Permit Regulations set forth in Sections 03.3 and 04.0 of this Bylaw.</p>	<p>1. Structure or rooftop mounted antennas, with related unmanned equipment cabinets and/or structures: A. Shall be permitted:</p> <p>(1) When located on a multiple family dwelling which is thirty-five (35) feet or greater in height.</p> <p>(2) In all C districts, I-1, I-2, I-3, I-4, I-5, and I-6 Districts, and in the commercial areas of PDH, PDC, PRC and PRM Districts.</p> <p>(3) On an existing transmission tower or monopole in any zoning district.</p> <p>(4) In any zoning district on buildings and structures owned or controlled by a public use or Fairfax County governmental unit.</p> <p>(5) In any residential district on nonresidential buildings and structures which area Group 3 special permit use, except home child care facilities and group housekeeping units, Group 4 special permit use or Category 1, 2, 3, or 4 special exception use, and which are thirty-five (35) feet or greater in height.</p> <p>(6) In any zoning district when the antennas and related equipment are totally enclosed within an existing nonresidential building or structure.</p> <p>(7) In any zoning district when the antennas are totally enclosed within a new or replacement flagpole, bell tower, clock tower, steeple or similar structure designed to disguise antennas which is no more than twenty (20) feet taller than the rooftop or original structure on which it is placed.</p>	<p>A. A proposal for a tower shall not be approved unless the Board finds that the antenna planned for the proposed tower cannot be accommodated on an existing or approved tower or building within a one-mile search radius of the proposed tower due to one or more of the following reasons:</p> <p>(1) The antenna would exceed the structural capacity of the existing or approved tower or building, as documented by a qualified professional engineer, and the existing or approved tower cannot be reinforced, modified, or replaced to accommodate the planned or equivalent antenna at a reasonable cost.</p> <p>(2) The antenna would cause interference materially impacting the usability of other existing or planned antenna at the tower or building as documented by a qualified professional engineer and the interference cannot be prevented at a reasonable cost.</p> <p>(3) Existing or approved towers and buildings within the search radius cannot accommodate the antenna at a height necessary to function reasonably as documented by a qualified professional engineer.</p> <p>(4) In order to keep neighboring municipalities</p>	<p>1.6 Permitted and Prohibited Locations Wireless telecommunications towers or facilities may be permitted as conditional uses upon compliance with the provisions of this bylaw in the following zoning districts:</p> <p>(List Districts)</p> <p>[Each municipality must decide if they wish to exclude towers from a particular zoning district(s), bearing in mind that such exclusions may not effectively prohibit the provision of service. Towns may also wish to make a distinction between towers and small scale facilities (see Section 1.7) in this regard. If facilities are excluded in a zoning district of considerable size, it may be necessary to adopt language by which an exception may be granted to an applicant, upon sufficient demonstration that such location is the only reasonable means of providing service. – ED.]</p> <p>Additionally, freestanding telecommunications towers or antennas over 20 feet in elevation may not be located in any of the following locations:</p> <p>A. Within ___ ft. of a State or Federally designated wetland.</p> <p>B. The habitat of any State listed Rare or Endangered Species.</p> <p>C. Within ___ ft.</p>

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						<p>informed, and to facilitate the possibility of directing that an existing tall structure or existing tower in a neighboring municipality be considered for shared use, an applicant shall submit to the Board an affidavit that it has sent by registered or certified mail, return receipt requested, at least fifteen days prior to the public hearing a notification to all of the village clerks of each village, the fire departments and the water authorities within two miles of the proposed location of the tower. Such notification shall include the exact location of the proposed tower, and a general description of the project including, but not limited to the height of the tower and its capacity for future shared use.</p>	<p>horizontally from any Historic District or property eligible to be listed on the Federal Historic Register. D. Closer than ___ ft. horizontally to the boundary of the property on which the tower is located. E. Closer than ___ ft .horizontally to any structure existing at the time of the application which is used as either a primary or secondary residence, to the property of any school, or to any other building. F. Within ___ ft. horizontally of any river or perennial stream. G. Within ___ ft. horizontally of any known archeological site. H. Within ___ ft .horizontally of a designated scenic road or highway</p>
Antennas (height)		<ul style="list-style-type: none"> ▪ shall not extend vertically above the uppermost portion of the structure to which it is mounted or attached, as follows: (1) Not more than the height of the antenna on the transmission support structure or alternative transmission support structure or [X] feet, whichever is more restrictive. (2) Not more than [20] feet on a nonresidential structure; and (3) Not more than [15] feet on a residential 	<p>(e) Height shall be kept to a minimum [1] Heights of PWSF's shall be no higher than the height of the uppermost height of nearby structures (within 300 horizontal feet when measured along the ground) of the proposed PWSF, regardless of prevailing height limits in the zoning district. [2] In the event that there are no nearby buildings (within 300 horizontal feet when measured on the ground) of the proposed site of the PWSF, the following shall apply:</p>	<p>03.3 Dimensional Requirements Personal wireless service facilities shall comply with the following requirements: 03.3.1 Height, General Regardless of the type of mount, personal wireless service facilities shall be no higher than ten feet above the average height of buildings within 300 feet of the proposed facility. In addition, the height of a personal wireless service facility shall not exceed by more than ten feet the height limits of the zoning district in which the facility is proposed to be located, unless the facility is completely</p>	<p>C. Except for omnidirectional or whip antennas completely enclosed within a structure, ominidirectional or whip antennas shall not exceed twenty (20) feet in height or seven (7) inches in diameter and the antennas and their supporting mounts shall be of a material or color which closely matches and blends with the exterior of the building or structure. D. Except for directional or panel antennas completely enclosed within a structure, directional or panel antennas shall not exceed six (6) feet in height or two (2) feet in width</p>	<p>E. Tower height limitations. The maximum height of a tower is limited to 50 feet above the ground upon which the antenna is placed. The ground elevation may not be raised to increase the height of the tower. The height limitation may be waived by the Board when the antenna is mounted on an existing building or structure or to accommodate collocation. F. Tower building requirements. (1) The use of guyed</p>	<p>B. In order to protect public safety and to preserve the scenic character and appearance of the area, the height limit for towers, antennas and tower-related fixtures shall be not more than 20 feet above the average height of the tree line measured within 100 feet of the highest vertical element of the telecommunications facility. Notwithstanding the above, additional height may be approved</p>

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		<p>structure</p> <ul style="list-style-type: none"> ▪ do not extend the height of the transmission support structure by more than 10 feet or require substantial structural modification to the transmission support structure. ▪ Over-the-air receiving antennas less than 36 inches in diameter shall not require special exception review. ▪ 	<p>[a] All ground-mounted PWSF's (including the security barrier) shall be surrounded by nearby dense tree growth for a radius of 20 horizontal feet (when trunk center lines are measured on the ground) from the PWSF in any direction. These trees can be existing on the subject property or installed to meet the twenty-foot requirement as part of the proposed PWSF or they can be a combination of both.</p> <p>[b] Ground-mounted PWSF's shall not project more than 10 feet above the average tree height</p>	<p>camouflaged such as within a flagpole, steeple, chimney, or similar structure. Personal wireless service facilities may locate on a building that is legally non-conforming with respect to height, provided that the facilities do not project above the existing building height.</p> <p>03.3.2 Height, Ground-Mounted Facilities Ground-mounted personal wireless service facilities shall not project higher than ten feet above the average building height or, if there are no buildings within 300 feet, these facilities shall not project higher than ten feet above the average tree canopy height, measured from ground level (AGL). If there are no buildings within 300 feet of the proposed site of the facility, all ground-mounted personal wireless service facilities shall be surrounded by dense tree growth to screen views of the facility in all directions. These trees may be existing on the subject property or planted on site.</p> <p>03.3.3 Height, Side- and Roof-Mounted Facilities Side- and roof-mounted personal wireless service facilities shall not project more than ten feet above the height of an existing building nor project more than ten feet above the height limit of the zoning district within which the facility is located. Personal wireless service facilities may locate on a building that is legally non-conforming with respect to height, provided that the facilities do not project above the existing building height.</p> <p>03.3.4 Height, Existing Structures New antennas located on any of the following structures existing on the effective date of this bylaw shall be exempt from the height restrictions of this bylaw provided that there is no increase in height of the existing structure as a result of the</p>	<p>and the antennas and their supporting mounts shall be of a material or color which closely matches and blends with the exterior of the building or structure.</p> <p>E. Except for dish antennas completely enclosed within a structure, dish antennas shall not exceed six (6) feet in diameter and when building or rooftop mounted shall be fully screened such that the dish antennas are enclosed on all sides by screening walls which are at least as tall as the dish antennas and the associated supporting mounts; provided, however, that dish antennas up to three (3) feet in diameter with supporting mounts that are of a material or color which closely matches and blends with the exterior of the building or structure shall not be required to be screened.</p> <p>F. Except for cylinder type antennas completely enclosed within a structure, cylinder type antennas shall not exceed six (6) feet in height or twelve (12) inches in diameter and shall be of a material or color which closely matches and blends with the exterior of the building or structure.</p> <p>2. Antennas mounted on existing or replacement utility distribution and transmission poles (poles) and light/camera standards (standards), with related unmanned equipment cabinets and/or structures, shall be permitted in accordance with the following and may exceed the maximum building height limitations, subject to the following paragraphs:</p> <p>A. Omnidirectional/whip antennas not exceeding eight and one-half (8 ½) feet in height or three (3) inches in diameter and panel antennas not exceeding five (5) feet in height or one (1) foot in width shall be permitted on a pole or standard located in</p>	<p>towers is prohibited. Towers must be self-supporting without the use of wires, cables, beams, or other means. The design should utilize an open framework or monopole configuration. Permanent platforms or structures exclusive of antennas that serve to increase off-site visibility are prohibited.</p> <p>(2) The base of the tower shall occupy no more than 500 square feet and no portion of the tower shall be larger than the base.</p>	<p>upon a finding by the [Planning Commission/Zoning Board of Adjustment/Development Review Board] that the additional height is necessary in order to provide adequate coverage in the Town of _____ or to accomplish collocation of facilities and that the additional height will not cause an undue visual impact on the scenic character or appearance of the area.</p> <p>C. Towers, antennas and any necessary support structures shall be designed to avoid having an undue adverse impact aesthetic impact on prominent ridgelines and hilltops. In determining whether a tower's aesthetic impact would be undue and adverse, the Board will consider:</p> <ol style="list-style-type: none"> i. the period of time during which the proposed tower would be viewed by the traveling public on a public highway; ii. the frequency of the view experienced by the traveling public; iii. the degree to which the tower would be screened by existing vegetation, the topography of the land, and existing structures; iv. background features in the line of sight to the proposed tower that obscure the facility or make it more conspicuous; v. the distance of the proposed tower from the view point and the proportion of the facility that is visible above the

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				<p>installation of a personal wireless service facility: Water towers, guyed towers, lattice towers, fire towers and monopoles.</p> <p>03.3.5 Height, Existing Structures, (Utility) New antennas located on any of the following existing structures shall be exempt from the height restrictions of this bylaw provided that there is no more than a twenty foot (20') increase in the height of the existing structure as a result of the installation of a personal wireless service facility: electric transmission and distribution towers, telephone poles and similar existing utility structures. This exemption shall not apply in Historic Districts, within 150 feet of the right-of-way of any scenic roadway, or in designated scenic viewsheds.</p>	<p>any street right-of-way or any utility easement subject to the following and Paragraphs 2D through 2I below:</p> <p>(1) There shall be a maximum of three (3) omnidirectional /whip antennas or four (4) panel antennas.</p> <p>(2) Antennas shall be flush mounted so that the antenna with supporting mount does not extend more than eight and one-half (8 ½) feet above the height of the pole or standard or one (1) foot from the pole or standard.</p> <p>(3) An equipment cabinet or structure not exceeding twenty (20) cubic feet in volume or five (5) feet in height shall be located on or adjacent to the same pole or standard.</p> <p>(4) The height or diameter of a replacement pole or standard shall not exceed the height or diameter of the existing pole or standard</p> <p>B. The following antenna types shall be permitted subject to Paragraphs 2C through 2I below:</p> <p>(1) Omnidirectional/whip antennas, not exceeding eight and one-half (8 ½) feet in height or three (3) inches in diameter.</p> <p>(2) Directional or panel antennas, not exceeding six (6) feet in height or two (2) feet in width.</p> <p>(3) Cylinder type antennas, not exceeding six (6) feet in height or twelve (12) inches in diameter.</p> <p>(4) Dish antennas, not exceeding two (2) feet in diameter.</p>		<p>skyline;</p> <p>vi. the sensitivity or unique value of a particular view affected by the proposed tower;</p> <p>vii. significant disruption of a viewshed that provides context to a historic or scenic resource.</p> <p>The Board shall have the authority to impose conditions consistent with the purpose of this section in approving a proposed facility. Furthermore, the Board may designate an alternative location for the tower to be evaluated by the applicant if it is determined that the proposed location would result in undue adverse aesthetic impacts. In consideration of this, the applicant may revise its application to include such a site, assuming it is available to the applicant and reasonably technically feasible to meet the applicant's communication objectives.</p> <p>Towers must be designed to allow for future placement of antennas upon the tower and to accept antennas mounted at varying heights when overall permitted height allows. Towers shall be designed structurally and in all other respects to accommodate both the applicant's antennas and additional antennas when overall permitted height allows.</p>
Building and support equipment		<ul style="list-style-type: none"> ▪ Shall comply with setbacks (no specific mention of equipment shelters) 	Personal wireless service facilities near or within view of residences shall either:	04.1.2 Equipment Shelters Equipment shelters for personal wireless service facilities shall be	I. The related unmanned equipment cabinet or structure for each provider shall not	Accessory structures will be designed to be architecturally compatible	

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			<p>[1] Provide underground vaults for equipment shelters; or</p> <p>[2] Place equipment shelters within enclosed structures approved by the Town of Smithtown</p>	<p>designed consistent with one of the following design standards:</p> <p>a. Equipment shelters shall be located in underground vaults; or</p> <p>b. Equipment shelters shall be designed consistent with traditional Cape Cod architectural styles and materials, with a roof pitch of at least 10/12 and wood clapboard or shingle siding; or</p> <p>c. Equipment shelters shall be camouflaged behind an effective year-round landscape buffer, equal to the height of the proposed building, and/or wooden fence. The SPGA shall determine the style of fencing and/or landscape buffer that is compatible with the neighborhood</p>	<p>exceed 14 feet in height or a total of 500 square feet of gross floor area when located on the roof of a building, or shall not exceed 12 feet in height or a total of 750 square feet of gross floor area when located on the ground. For multiple family dwellings which are less than sixty-five (65) feet in height, or nonresidential buildings and structures which are less than sixty-five (65) feet in height and which are a Group 3 special permit use, except home child care facilities and group housekeeping units, Group 4 special permit use or Category 1, 2, 3, or 4 special exception use, the related unmanned equipment cabinet or structure, if over seventy (70) cubic feet in volume or four (4) feet in height, shall be located on the ground and shall not be located on the roof of the structure.</p> <p>J. If the equipment cabinet or structure is located on the roof of a building, the area of the equipment cabinet or structure and other equipment and structures shall not occupy more than twenty-five (25) percent of the roof area in accordance with the provisions of Par. 1A of Sect. 506 above.</p> <p>K. Equipment cabinets or structures located on the ground shall meet the minimum yard requirements of the zoning district in which located, except that equipment cabinets or structures associated with antennas mounted on existing monopoles and transmission towers located in a utility transmission easement or street right-of- way shall be located a minimum of twenty (20) feet from the utility transmission easement or street right-of-way line.</p> <p>M. Associated equipment that is located within an existing principal or accessory structure shall not be subject to the above provisions.</p>	<p>with principal structures on the site and the aesthetics of the neighboring structures.</p>	

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Camouflage				<p>04.1.1 Visibility/Camouflage Personal wireless service facilities shall be camouflaged as follows:</p> <p>04.1.1.1 Camouflage by Existing Buildings or Structures:</p> <p>a. When a personal wireless service facility extends above the roof height of a building on which it is mounted, every effort shall be made to conceal the facility within or behind existing architectural features to limit its visibility from public ways. Facilities mounted on a roof shall be stepped back from the front facade in order to limit their impact on the building's silhouette.</p> <p>b. Personal wireless service facilities which are side mounted shall blend with the existing building's architecture and, if over 5 square feet, shall be painted or shielded with material which is consistent with the design features and materials of the building.</p> <p>04.1.1.2 Camouflage by Vegetation:</p> <p>If personal wireless service facilities are not camouflaged from public viewing areas by existing buildings or structures, they shall be surrounded by buffers of dense tree growth and understory vegetation in all directions to create an effective year-round visual buffer. Ground-mounted personal wireless service facilities shall provide a vegetated buffer of sufficient height and depth to effectively screen the facility. Trees and vegetation may be existing on the subject property or installed as part of the proposed facility or a combination of both. The SPGA shall determine the types of trees and plant materials and depth of the needed buffer based on site conditions.</p>			<p>A. Towers, antennas and any necessary support structures shall be designed to blend into the surrounding environment through the use of color camouflaging and architectural treatment, except in cases in which the Federal Aviation Authority (FAA), state or federal authorities have dictated color. Use of stealth design, including those which imitate natural features, may be required in visually sensitive locations.</p>
Color		A. Use non-reflective colors such as grey, blue or green which reduce their visual impacts; provided, wooden	(a) Color. All PWSF's shall be painted or complemented with natural tones (including trees and sky).	04.1.1.3 Color: a. Personal wireless service facilities which are side-mounted on buildings shall be painted or		Towers and antennas shall be designed to blend into the surrounding environment through the	

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		poles do not have to be painted; and		constructed of materials to match the color of the building material directly behind them. b. To the extent that any personal wireless service facilities extend above the height of the vegetation immediately surrounding it, they shall be painted in a light grey or light blue hue which blends with sky and clouds.		use of color and camouflaging architectural treatment, except in instances where the color is dictated by federal or state authorities such as the Federal Aviation Administration. Every antenna and tower shall be of neutral colors that are harmonious with, and that blend with, the natural features, buildings and structures surrounding such antenna and structure, provided however, that directional or panel antenna and omni-directional or whip antennas located on the exterior of a building that will also serve as an antenna tower shall be of colors that match, and cause the antenna to blend with, the exterior of the building	
Health & Safety		330.312. NIER exposure standards. A. A communication facility, by itself or in combination with others, shall not expose the public to NIER that exceeds the electric or magnetic field strength, or the power density, for the frequency ranges and durations described in 47 C.F.R. § 1.1310 or any other applicable federal law or regulation. A statement signed by a licensed professional electrical engineer shall be submitted that states that the proposed communications facilities meet all federal NIER rules and regulations. 330.313. Shock and burn standard. All communication facilities shall comply with 47 C.F.R. § 1.1310.	(1) Hurricane and tornado design standards shall be those of the local building codes used in the Town of Smithtown or EIA-TIA 22 (latest version), whichever is stricter (2) Roof mounts on buildings shall have railings to protect workers. Notices shall be posted, as directed by the Chief Building Director to warn of radio frequency radiation. [Amended 5-8-2007 by L.L. No. 5-2007] Tier Three applications shall meet the following standards A. Fall zone (1) No habitable structure or outdoor area where people congregate shall be within a fall zone of two times the height of the PWFS or its mount (2) No adjoining property line shall be within the fall zone of a radius equal to the height of the	04.3.1 Radiofrequency Radiation (RFR) Standards All equipment proposed for a personal wireless service facility shall be authorized per the FCC Guidelines for Evaluating the Environmental Effects of Radiofrequency Radiation (FCC Guidelines).I	N. If any additions, changes or modifications are to be made to monopoles or towers, the Director shall have the authority to require proof, through the submission of engineering and structural data, that the addition, change, or modification conforms to structural wind load and all other requirements of the Virginia Uniform Statewide Building Code.	Proof of noninterference from antenna. Each application for installation of an antenna shall include either a preliminary or a certified statement that the installation of the antenna, including reception and transmission functions, will not interfere with the radio or television service enjoyed by adjacent residential and nonresidential properties or with public safety telecommunications. In the event only a preliminary statement is submitted with the application, a final certified statement of noninterference shall be provided, subject to the approval of the Village, prior to the issuance of a permit. The statement shall be prepared and certified by a professional engineer. Antenna safety. Antennas shall be subject to state	

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Standard	TOS Existing	TOS Draft	Smithtown	Cape Cod Commission	Fairfax	Port Washington	Vermont Model
			PWSF.			and federal regulations pertaining to nonionizing radiation and other health hazards related to such facilities. The owner shall submit evidence of compliance with the Federal Communication Commission's standards on a yearly basis. If new, more restrictive, standards are adopted, the antennas shall be made to comply or continued operations may be restricted by the Board. The cost of verification of compliance shall be borne by the owner and operator of the tower.	
Setbacks	See table below	Existing table applies, plus: B. When two or more communication facilities share a common boundary, the setback from such boundary shall comply with the requirements of the zone in which the facilities are located, unless easements are provided: (1) On the adjoining sites which limit development to communication facilities; (2) Of sufficient depth to provide the setbacks required in subsections (A) and (B) of this section; and (3) Which provide for the Town of Southampton as a third party signatory to the agreement. C. Transmitter buildings shall be subject to the setback requirements of the zone in which they are located.	1) All PWSF's, including mounts and equipment shelters, shall comply with the minimum setback requirements of the applicable zoning district as set forth in the Town of Smithtown Building Zone Ordinance, depending upon whether any structure is considered a principal use or an accessory use. 2) The antenna array for an attached PWSF, with the exception of a side-mounted PWSF, is exempt from the setback requirements of this chapter and from the setback for the zoning district in which it is located, provided that no such antenna array shall project more than five feet horizontally from the attachment structure at the point of attachment. 3) No portion of any PWSF shall project into a required setback more than the maximum projection permitted in the zoning district in which the facilities are located, except as otherwise provided in this chapter. 4) On parcels with a principal building housing a principal use, all components of the PWSF shall be located behind the	03.3.7 Setbacks All personal wireless service facilities and their equipment shelters shall comply with the building setback provisions of the zoning district in which the facility is located. In addition, the following setbacks shall be observed: 03.3.7.1 In order to ensure public safety, the minimum distance from the base of any ground-mounted personal wireless service facility to any property line, road, habitable dwelling, business or institutional use, or public recreational area shall be the height of the facility/mount, including any antennas or other appurtenances. This setback is considered a "fall zone". 03.3.7.2 In the event that an existing structure is proposed as a mount for a personal wireless service facility, a fall zone shall not be required, but the setback provisions of the zoning district shall apply. In the case of pre-existing non-conforming structures, personal wireless service facilities and their equipment shelters shall not increase any non-conformities, except as provided in Section 03.3.8 below.		H. Setbacks for towers and accessory structures. (1) The tower and accessory structures shall comply with all minimum setbacks of the zoning district. (2) A tower's setback may be reduced by the Board to allow the integration of a tower into an existing or proposed structure such as a church steeple, light pole, power line, or similar structure.	D. All buildings and structures accessory to a tower (except for electric power poles where specifically exempted by the Board) shall meet the minimum setback requirements of the underlying zoning district or setback requirements specified in this bylaw. If the minimum setbacks of the underlying zoning district are less than the height of the tower, including antennas or other vertical appurtenances, the minimum distance from the tower to any property line shall be no less than the height of the tower, including antennas and other vertical appurtenances.

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Security		<p>A. All wireless telecommunications facilities shall comply with all federal guidelines regarding fencing and NIER warning signs.</p> <p>B. Security fences. Transmission support structures shall be enclosed by security fencing not less than six feet in height and shall also be equipped with an appropriate anticlimbing device; provided however, that the Planning Board may waive such requirements, as it deems appropriate.</p>	<p>building line.</p> <p>Security barriers. A security barrier, conforming to the Town of Smithtown Building Zone Ordinance, shall be required around the perimeter of mounts(s) or equipment structure, and any anchor points. In the case of a roof-mounted PWSF, the security barrier need only be around the antenna. The security barrier shall be maintained by the operator of the PWSF or mount for the life of the installation. No security barrier is needed around side-mounted PWSF's, but distances from windows and balconies should conform to § 242-17C(2) below.</p> <p>C. Security barriers for certain populations. The security barriers around all PWSF's shall be reviewed by the Town Board and found to be acceptable for: (1) Controlled population: those persons who are trained in procedures for working near or around radio frequency radiation. (2) General population: All other persons, some of whom have no concept of what radio frequency radiation is or how it can cause harm. Members of the general population should not be allowed within 10 meters of any antenna.</p>	<p>c. All ground mounted personal wireless service facilities shall be surrounded by a security barrier.</p>		<p>(2) Towers and accessory structures shall be provided with security fencing to prevent unauthorized entry. Such fencing shall be no less than six feet and no greater than eight feet in height and shall be constructed of either masonry, wrought iron or wire (not wood) and shall meet the requirements for fences set forth in § 176-140 of this chapter.</p>	
Lighting		<p>B. Not be illuminated, except transmitter buildings may use lighting for security reasons which is compatible with the surrounding neighborhood.</p>	<p>§ 242-17. Lighting and security.</p> <p>A. A PWSF shall not be artificially lighted, except for: (1) Security and safety lighting of equipment buildings if such lighting is shielded and directed downward to keep light within the boundaries of the site; and (2) Such lighting of the PWSF as may be required by the Federal Communications Commission, Federal Aviation Administration</p>	<p>a. Personal wireless service facilities shall be lighted only if required by the Federal Aviation Administration (FAA). Lighting of equipment structures and any other facilities on site shall be shielded from abutting properties. There shall be total cutoff of all light at the property lines of the parcel to be developed, and footcandle measurements at the property line shall be 0.0 initial footcandles when measured at</p>	<p>H. No signals, lights or illumination shall be permitted on an antenna unless required by the Federal Communications Commission, the Federal Aviation Administration, or the County, provided, however, that on all antenna structures which exceed 100 feet in height, a steady red marker light shall be installed and operated at all times, unless the Zoning Administrator waives the red marker light requirement upon a</p>	<p>C. Tower lighting. Towers shall not be illuminated by artificial means and shall not display strobe lights unless such lighting is specifically required by the Federal Aviation Administration or other federal or state authority for a particular tower. When incorporated into the approved design of the tower, and approved by the Board, light fixtures used to</p>	<p>Unless required by the Federal Aviation Administration ("FAA"), no lighting of towers is permitted. In any case where a tower is determined to need obstruction marking or lighting, the applicant must demonstrate that it has or will request the least visually obtrusive marking and/or lighting scheme in FAA</p>

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			(FAA) or other applicable authority installed in a manner to minimize impacts on adjacent residences. Only red lighting shall be utilized unless otherwise recommended by FAA guidelines.	grade.	determination by the Police Department that such marker light is not necessary for flight safety requirements for police and emergency helicopter operations. All such lights shall be shielded to prevent the downward transmission of light.	illuminate ball fields, parking lots, or similar areas may be attached to the tower.	applications. Copies of required FAA applications shall be submitted by the applicant. Heights may be reduced to eliminate the need for lighting or another location selected.
Signage			<p>§ 242-18. Signs/identification plaques</p> <p>No signage shall be permitted on any PWSF other than that required for public safety purposes or by the FCC or FAA, except that each PWSF shall have a weatherproof plaque mounted at eye level identifying the carrier, frequency and date of permit approval.</p>	b. Signs shall be limited to those needed to identify the property and the owner and warn of any danger. All signs shall comply with the requirements of the Town's sign regulations.	G. Except for a flag mounted on a flagpole as permitted under the provisions of Par. 2 of Sect. 12-103, no commercial advertising shall be allowed on any antenna, antenna support structure, or related equipment cabinet or structure.	D. Uses, signs and advertising on towers. (1) Towers shall not be used for any purposes other than for the mounting of antennae, meteorological devices, or similar apparatus above grade. (2) The use of any portion of a tower for signs other than warning or equipment information signs is prohibited.	No commercial signs or lettering shall be placed on a tower or facility. Signage shall be limited to that required by federal or state regulation.
Landscaping		<p>B. When a security fence is used: (1) In the [INSERT ZONES] zones, wood slats shall be woven into the security fence if made of chain-link material. (2) In the [INSERT ZONES] zone, climbing evergreen shrubs or vines capable of growing on the fence shall supplement any landscaping required pursuant to subsection (A) of this section. C. The following requirements shall govern the landscaping surrounding transmission support structures for which special exception permission is required: (1) Transmission support structure facilities shall be landscaped with a buffer of plant materials that effectively screens the view of the transmission support structure compound from property used for residences. The standard buffer shall consist of a landscape strip at least 25 feet wide outside the perimeter of the compound. (2) Existing mature tree growth and natural land forms on the site shall be preserved to the</p>	<p>A. Natural vegetation. Existing natural vegetation shall be undisturbed to the greatest extent practicable B. Landscaping. Landscaping of disturbed areas of the PWSF site and security barriers shall be required as follows (1) At least one row of evergreen shrubs capable of forming a continuous hedge at least five feet in height within two years of planting shall be spaced not more than five feet apart within 15 feet of the site boundary; and (2) At least one row of evergreen trees or shrubs, at least four feet in height when planted and spaced not more than 15 feet apart, shall be located interior to the perimeter of the shrubs required in Subsection B(1) above; and (3) For ground mounts greater than 200 feet tall, at least one row of deciduous trees, not less than 1 1/2 inches' diameter measured three feet above grade and spaced not more than 20 feet apart, shall be located within the perimeter of</p>	No specific requirements	L. Equipment cabinets or structures located on the ground, and notwithstanding the fence/wall height limitations of Sect. 10-104, shall be screened by a solid fence, wall or berm eight (8) feet in height, an evergreen hedge with an ultimate height of at least eight (8) feet and a planted height of at least forty-eight (48) inches, or an eight (8) foot tall fence, wall, berm and/or landscaping combination, except that equipment cabinets or structures associated with antennas mounted on existing monopoles or towers located outside of a utility transmission easement shall be subject to the transitional screening provisions of Article 13 for a light public utility use. If a new equipment cabinet or structure is added to an existing fenced or screened enclosure that contains telecommunications equipment structures, the screening requirement for the new equipment cabinet or structure may be satisfied with the existing screening, provided that such screening meets the	(3) The base of the tower and any accessory structures shall be landscaped to the extent feasible to minimize the impact of the tower, the accessory structures and the security fencing from the adjacent residential community and the public streets.	E. Ground mounted equipment or antennas as well as buildings and structures accessory to a tower shall be screened from view by suitable vegetation, except where a design of non-vegetative screening better complements the architectural character of the surrounding neighborhood. A planted or vegetative screen shall be a minimum of ten feet in depth with a minimum height of six feet and shall have the potential to grow to a height of at least 15 feet at maturity. Existing on-site vegetation outside the immediate site for the wireless facility shall be preserved or improved. Disturbance to existing topography shall be minimized unless the disturbance is demonstrated to result in less visual impact on

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		maximum extent possible. In some cases, such as transmission support structures sited on large, wooded lots, natural growth around the property perimeter may form a sufficient buffer.	<p>the evergreen trees or shrubs required in Subsection B(2) above.</p> <p>(4) All security barriers for guy wire anchor points shall be screened from view by at least one row of evergreen shrubs spaced not more than five feet apart and capable of forming a continuous hedge at least five feet in height within two years of planting.</p> <p>(5) Existing vegetation, topography, walls and fences combined with shrubs or other features may be substituted for the required buffers if the Town Board finds they:</p> <p>(a) Achieve the same degree of screening as the required buffer; or</p> <p>(b) Affect the stability, security or maintenance of guy wires.</p> <p>(6) Landscaping materials shall consist of xeric or drought-resistant native species and shall be maintained by the operator of the PWSF for the life of the installation.</p>		requirements listed above.		the facility from surrounding properties and other vantage points.
Access & Parking		none	<p>§ 242-20. Access and parking</p> <p>A. Parking. Areas sufficient for the temporary off-street parking of at least two vehicles shall be provided for mounts. The type and configuration of parking shall be subject to approval by the Town Board.</p> <p>B. Private access. A copy shall be provided to the Town of Smithtown Department of Planning and Community Development of any road maintenance agreement for any site accessed by private easement.</p>			G. Access to towers. A road and parking shall be provided to assure adequate emergency and service access. Maximum uses of existing roads, public or private, shall be made.	<p>1.11 Access Roads and Above Ground Facilities</p> <p>Where the construction of new wireless telecommunications towers and facilities requires construction of or improvement to access roads, to the extent practicable, roads shall follow the contour of the land, and be constructed or improved within forest or forest fringe areas, and not in open fields. Utility or service lines shall be designed and located so as to minimize or prevent disruption to the scenic character or beauty of the area. The Town may require closure of access roads to vehicles following facility construction where it is</p>

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							determined that site conditions warrant the same and where maintenance personnel can reasonably access the facility site on foot.
Collocation			<p>§ 242-13. Collocations/public sites.</p> <p>A. Tall mounts discouraged. Tall mounts are discouraged in the Town of Smithtown, and proliferation of short mounts is considered preferable to collocation</p> <p>B. Collocation discouraged. Collocation shall be discouraged for all PWSF applications.</p> <p>C. Worst-case review. The Town of Smithtown shall review applications for collocations on the basis of all positions on the mount, i.e., the cumulative, worst-case condition.</p> <p>D. Collocation review includes entire facility. Applications for collocations on mounts, when they are constructed prior to the effective date of this chapter, require review of the existing mount as well as collocation under the requirements of this chapter.</p> <p>E. Collocations not previously reported. Applications for collocations on mounts constructed after the effective date of this chapter, when they did not previously show the proposed collocation, require review of the existing mount as well as collocation under the requirements of this chapter.</p> <p>F. Public sites. The Town of Smithtown shall work with carriers to facilitate the siting of PWSF's on town-owned or other publicly-owned property, by identifying existing structures, the appropriate contact persons and the appropriate leasing procedures.</p>			<p>§ 176-198. Collocation requirements.</p> <p>All towers erected, constructed, or located within the Village shall comply with the following requirements:</p> <p>A. A proposal for a tower shall not be approved unless the Board finds that the antenna planned for the proposed tower cannot be accommodated on an existing or approved tower or building within a one-mile search radius of the proposed tower due to one or more of the following reasons:</p> <p>(1) The antenna would exceed the structural capacity of the existing or approved tower or building, as documented by a qualified professional engineer, and the existing or approved tower cannot be reinforced, modified, or replaced to accommodate the planned or equivalent antenna at a reasonable cost.</p> <p>(2) The antenna would cause interference materially impacting the usability of other existing or planned antenna at the tower or building as documented by a qualified professional engineer and the interference cannot be prevented at a reasonable cost.</p> <p>(3) Existing or approved towers and buildings within the search radius cannot accommodate the antenna at a height</p>	<p>1.10. Collocation Requirements</p> <p>An application for a new wireless telecommunications facility shall not be approved unless the [Planning Commission/Zoning Board of Adjustment/Development Review Board] finds that the facilities planned for the proposed structure cannot be accommodated on an existing or approved tower or structure due to one of the following reasons:</p> <p>A. The proposed antennas and equipment would exceed the structural or spatial capacity of the existing or approved tower or facility, as documented by a qualified engineer licensed to practice in the State of Vermont. Additionally, the existing or approved tower cannot be reinforced, modified or replaced to accommodate planned or equivalent equipment, at a reasonable cost, to provide coverage and capacity comparable to that of the proposed facility.</p> <p>B. The proposed antennas and equipment would cause interference materially impacting the usefulness of other existing or permitted equipment at the existing or approved tower or</p>

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						<p>necessary to function reasonably as documented by a qualified professional engineer.</p> <p>(4) Other foreseen reasons that make it unfeasible to locate the antenna upon an existing or approved tower or building.</p> <p>B. Any proposed tower shall be designed, structurally, electrically, and in all respects, to accommodate both the applicant's antennas and comparable antennas for at least five additional users. Towers must be designed to allow for future rearrangement of antennas upon the tower and to accept antennas mounted at varying heights.</p> <p>C. The applicant shall submit to the Board a letter of intent committing the applicant, and its successors in interest, to negotiate in good faith for shared use of the proposed tower by other PWS providers in the future. The issuance of a permit (assuming the tower is approved according to this article), shall commit the new tower owner and its successors in interest to:</p> <p>(1) Respond in a timely comprehensive manner to a request for information from a potential shared-use applicant.</p> <p>(2) Negotiate in good faith concerning future requests for shared use of the new tower by other PWS providers.</p> <p>(3) Allow shared use of the new tower if another PWS provider agrees in writing to pay charges.</p> <p>(4) Make no more than a reasonable charge for</p>	<p>facility as documented by a qualified engineer and such interference cannot be mitigated at a reasonable cost.</p> <p>C. [This repeats the previous section.]</p> <p>D. The proposed antennas and equipment, either alone or together with existing facilities, equipment or antennas, would create excessive radiofrequency exposure.</p> <p>E. Existing or approved towers and structures cannot accommodate the planned equipment at a height necessary to function reasonably or are too far from the area of needed coverage to function reasonably as documented by a qualified engineer.</p> <p>F. Aesthetic reasons make it unreasonable to locate the planned telecommunications equipment upon an existing or approved tower or building.</p> <p>G. There is no existing or approved tower in the area in which coverage is sought.</p> <p>H. Other unforeseen specific reasons make it unreasonable to locate the planned telecommunications equipment upon an existing or approved tower or building.</p> <p>Towers must be designed to allow for future placement of antennas upon the tower and to accept antennas mounted at varying heights when overall permitted height allows. Towers shall be designed structurally and</p>

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						<p>shared use, based on generally accepted accounting principles. The charge may include, but is not limited to, a pro rata share of the cost of site selection, planning, project administration, land costs, site design, Village fees, construction and maintenance financing, return on equity, and depreciation, and all of the costs of adapting the tower or equipment to accommodate a shared user without causing electromagnetic interference.</p> <p>D. In order to keep neighboring municipalities informed, and to facilitate the possibility of directing that an existing tall structure or existing tower in a neighboring municipality be considered for shared use, an applicant shall submit to the Board an affidavit that it has sent by registered or certified mail, return receipt requested, at least fifteen days prior to the public hearing a notification to all of the village clerks of each village, the fire departments and the water authorities within two miles of the proposed location of the tower. Such notification shall include the exact location of the proposed tower, and a general description of the project including, but not limited to the height of the tower and its capacity for future shared use.</p>	<p>in all other respects to accommodate both the applicant's antennas and additional antennas when overall permitted height allows.</p>

Off-Site Use/Designated Area

Single-family or duplex residential units

Vacant single-family or duplex residentially zoned land which has received final subdivision approval or has preliminary subdivision plan approval which is not expired

Vacant unplatted residentially zoned lands

Existing multifamily residential units greater than duplex units

Nonresidentially zoned lands or nonresidential uses

Separation Distance

200 feet or 300% height of transmission support structure, whichever is greater

200 feet or 300% height of transmission support structure, whichever is greater

100 feet or 100% height of transmission support structure, whichever is greater

100 feet or 100% height of transmission support structure, whichever is greater

None; only setbacks apply

Submittal Requirements

TOS Draft	Smithtown	Cape Cod Commission	Port Washington	Vermont model
<p>A. In addition to any other required site plan, a permit application for any communication facility shall also include:</p> <p>(1) A site plan which shows existing and proposed transmission support structures; guy wire anchors; warning signs; fencing and access restrictions;</p> <p>(2) A statement, and any necessary documentation, demonstrating why none of the options on the list below which precede the option the operator is proposing will meet the applicant's needs:</p> <p>(a) Stealth installations on existing non-tower structures in commercial or light industrial districts which do not increase the total height of the structure more than 10 feet.</p> <p>(b) Co-location on existing stealth towers in non-residential districts with no associated height increase.</p> <p>(c) Co-location on existing non-stealth structures (e.g., high tension power stanchions) in non-residential districts with no associated height increase.</p>	<p>A. Application information</p> <p>(1) Name, address and telephone number of applicant and all coapplicants as well as any agents for the applicant or coapplicants.</p> <p>(a) Coapplicants shall include the landowner(s) of the subject property, licensed carrier(s) and tenant(s) for the PWSF.</p> <p>(b) A licensed carrier shall either be an applicant or a coapplicant</p> <p>(2) The applicant shall provide a copy of the lease between the applicant and coapplicant(s) and shall provide a description which shall include the following:</p> <p>(a) Whether the landowner can enter into leases with other carriers for collocation and that the landowner is aware that any future collocation will be subject to a new application.</p> <p>(b) How the landowner will remove the PWSF in the event that the licensed carrier fails to remove it upon abandonment</p>	<p>a) Name, address and telephone number of applicant and any co-applicants as well as any agents for the applicant or co-applicants.</p> <p>b) Co-applicants may include the landowner of the subject property, licensed carriers and tenants for the personal wireless service facility.</p> <p>c) A licensed carrier shall either be an applicant or a co-applicant.</p> <p>d) Original signatures for the applicant and all co-applicants applying for the Special Permit. If the applicant or co-applicant will be represented by an agent, original signature authorizing the agent to represent the applicant and/or co-applicant. Photoreproductions of signatures will not be accepted.</p> <p>05.4.2 Location Filing Requirements</p> <p>a) Identify the subject property by including the Town as well as the name of the locality, name of the nearest road or roads, and street address, if any.</p> <p>b) Tax map and parcel number of subject property.</p>	<p>The applicant shall submit to the Board a letter of intent committing the applicant, and its successors in interest, to negotiate in good faith for shared use of the proposed tower by other PWS providers in the future. The issuance of a permit (assuming the tower is approved according to this article), shall commit the new tower owner and its successors in interest to:</p> <p>(1) Respond in a timely comprehensive manner to a request for information from a potential shared-use applicant.</p> <p>(2) Negotiate in good faith concerning future requests for shared use of the new tower by other PWS providers.</p> <p>(3) Allow shared use of the new tower if another PWS provider agrees in writing to pay charges.</p> <p>(4) Make no more than a reasonable charge for shared use, based on generally accepted accounting principles. The charge may include, but is not limited to, a pro rata share of the cost of site selection, planning, project administration, land costs, site design,</p>	<p>In addition to information otherwise required in the Town of _____'s [Zoning Bylaws/Subdivision Regulations/Master Plan], applicants for wireless telecommunications towers or facilities shall include the following supplemental information:</p> <p>A. The name and address of the applicant, the record landowners and any agents of the landowners or applicants as well as an applicant's registered agent and registered office. If the applicant is not a natural person, the name and address of the business and the state in which it is incorporated and has its principal office shall be provided.</p> <p>B. The name, address and telephone number of the person to be contacted and who is authorized to act in the event of an emergency regarding the structure or safety of the facility.</p> <p>C. The names and addresses of the record owners of all abutting property.</p> <p>D. A report from qualified engineers that:</p> <p>i. Describes the facility height, design and elevation. [It may be best to specify a</p>

<p>(d) Co-locations on existing stealth towers in non-residential districts with a height increase of ten feet or less.</p> <p>(e) New stealth towers in Light Industrial zones or on Town-owned general municipal lands (including, for example, fire stations, police stations, traffic islands in residential districts).</p> <p>(f) Installations making use of new technologies such as DAS or microcells that utilize existing structures, such as light poles or utility poles, in the public rights-of-way and are smaller and have less visual impact than traditional wireless installations.</p> <p>(g) Co-locations on existing non-stealth towers in non-residential districts with a height increase of ten feet or less.</p> <p>(h) New stealth towers on publicly-owned lands in non-residential districts other than those specified in item (e).</p> <p>(i) New stealth towers on privately-owned land in non-residential districts that are not specifically excluded below.</p> <p>(j) New stealth towers located in close proximity to existing stealth towers (e.g., a second tree or flagpole near an existing similar one) in non-residential districts.</p> <p>(k) Co-location on existing stealth cell towers in non-residential districts with a height increase greater than ten feet.</p> <p>(l) Co-locations on existing non-stealth towers in non-residential districts with a height increase greater than 10’.</p> <p>(m) Any installation in an area designated as Historic in the National Registry of Historic Places or pursuant to Town Code section _____, except stealth installations as listed in (a), above.</p> <p>(n) Any installation in an area designated as Scenic by the Town, except stealth installations as listed in (a), above.</p> <p>(o) Any installation in an area designated as Critical Environmental Areas (including agricultural lands, wetlands, pine barrens, and ocean fronts), except stealth installations as listed in (a), above.</p> <p>(p) New installations in a quasi-public location (such as a fire department, school, church) in a residential zone, except stealth installations as listed in #0, above.</p> <p>(q) New stealth installations on vacant properties in a residential zone.</p> <p>(r) Any installation on a property where the primary use is Single Family Residential.</p>	<p>(3) Original signatures for the applicant and all coapplicants applying for a special exception permit and/or site plan review; if the applicant or coapplicant will be represented by an agent, original signature authorizing the agent to represent the applicant and/or coapplicant. Photo reproductions of signatures will not be accepted.</p> <p>B. Location information. The following information is required for all applications</p> <p>(1) Identification of the subject property by including the name of the nearest road or roads, and street address, if any.</p> <p>(2) Tax parcel number of subject property</p> <p>(3) Zoning district designation for the subject parcel and for all parcels within 1,000 feet of the property lines of the subject parcel.</p> <p>4) A line map to scale showing the subject property and all properties within 1,000 feet and the location of all buildings, including accessory structures, on all properties shown.</p> <p>(5) A town-wide map showing the other existing PWVSF's in the town and outside the town within one mile of its corporate limits.</p> <p>(6) The specific locations for this carrier of all existing and future PWVSF's in the town on a town-wide map.</p> <p>C. Siting information</p> <p>(1) A one-inch-equals-two-hundred-feet vicinity plan showing the following:</p> <p>(a) Property lines for the subject property</p> <p>(b) Property lines of all properties adjacent to the subject property</p> <p>(c) Tree cover on the subject property and all properties adjacent to the subject property, by species and average height, as measured by or available from a verifiable source.</p> <p>(d) Outline of all existing buildings, including purpose (e.g., residential buildings, garages, accessory structures, etc.), on subject property and all properties adjacent to the subject property.</p> <p>(e) Proposed location of antenna, mount and equipment shelter(s)</p> <p>(f) Location of all roads, public and private, on the subject property and on all properties adjacent to the subject property, including driveways proposed</p>	<p>c) Zoning district designation for the subject parcel (Submit copy of Town zoning map with parcel identified).</p> <p>d) A line map to scale showing the lot lines of the subject property and all properties within 300 feet and the location of all buildings, including accessory structures, on all properties shown.</p> <p>e) A town-wide map showing the other existing personal wireless service facilities in the Town and outside the Town within one mile of its corporate limits.</p> <p>f) The proposed locations of all existing and future personal wireless service facilities in the Town on a Town-wide map for this carrier.</p> <p>05.4.3 Siting Filing Requirements</p> <p>a) A one-inch-equals-40 feet vicinity plan showing the following:</p> <ol style="list-style-type: none"> Property lines for the subject property. Property lines of all properties adjacent to the subject property within 300 feet. Tree cover on the subject property and adjacent properties within 300 feet, by dominant species and average height, as measured by or available from a verifiable source. Outline of all existing buildings, including purpose (e.g. residential buildings, garages, accessory structures, etc.) on subject property and all adjacent properties within 300 feet. Proposed location of antenna, mount and equipment shelter(s). Proposed security barrier, indicating type and extent as well as point of controlled entry. Location of all roads, public and private, on the subject property and on all adjacent properties within 300 feet including driveways proposed to serve the personal wireless service facility. Distances, at grade, from the proposed personal wireless service facility to each building on the vicinity plan. Contours at each two feet AMSL for the subject property and adjacent properties within 300 feet. All proposed changes to the existing property, including grading, vegetation removal and temporary or permanent roads and driveways. 	<p>Village fees, construction and maintenance financing, return on equity, and depreciation, and all of the costs of adapting the tower or equipment to accommodate a shared user without causing electromagnetic interference.</p>	<p>structural engineer for this section. -ED]</p> <p>ii. Documents the height above grade for all proposed mounting positions for antennas to be collocated on a telecommunications tower or facility and the minimum separation distances between antennas. [It may be best to specify a radiofrequency (RF) engineer for this section.- ED]</p> <p>iii. Describes the tower's proposed capacity, including the number, height and type(s) of antennas that the applicant expects the tower to accommodate. [It may be best to specify a structural engineer for this section.- ED]</p> <p>iv. In the case of new tower proposals, demonstrates that existing telecommunications sites and other existing structures, or other structures proposed by the applicant within 5miles of the proposed site cannot reasonably provide adequate coverage and adequate capacity to the Town of _____. The documentation shall include, for each facility site or proposed site within such radius, the exact location, ground elevation, height of tower or structure, and sufficient additional data to allow the independent reviewer to verify that other locations will not be suitable.</p> <p>v. Demonstrates that the applicant has analyzed the feasibility of using “repeaters” or micro-cells in conjunction with all facility sites listed in compliance with Section 1.9 . D. v (above) to provide coverage to the intended service area _____-</p> <p>vi. Describes potential changes to those existing facilities or sites in their current state that would enable them to provide adequate coverage.</p> <p>vii. Describes the output frequency, number of channels, sector orientation and power output per channel, as appropriate for each proposed antenna.</p> <p>viii. Includes a written explanation for use of the proposed facility, including reasons for seeking capacity in excess of immediate needs if applicable, as well as plans for additional development and coverage within the Town.</p> <p>ix. Demonstrates the tower's compliance with the municipality's structural standards and setbacks for towers and support structures. [Where applicable-ED]</p> <p>x. Provides assurance that at the proposed site the applicant will establish and maintain compliance with all FCC rules and regulations, particularly with respect to radiofrequency exposure. The [Planning Commission/Zoning Board of Adjustment/Development Review Board] may hire independent engineers to perform</p>
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<p>(s) Any situation, zone or condition not specifically listed above.</p> <p>(t) Expansion of a pre-existing nonconforming use that increases or perpetuates the nonconformity.</p> <p>(3) A report by a registered professional civil or structural engineer licensed in the state of New York demonstrating compliance with applicable structural standards and describing the general structural capacity of any proposed transmission support structure(s), including:</p> <p>(a) The number and type of antennas that can be accommodated; and</p> <p>(b) The basis for the calculation of capacity;</p> <p>(4) A report by a registered professional civil or structural engineer licensed in the state of New York that includes the following:</p> <p>(a) A description of any proposed transmission support structure(s), including height above grade, materials, color and lighting; and</p> <p>(b) Statement related to interference and exposure as required by Sections 330.311 and 330.312.</p> <p>(5) A completed FCC "Checklist to Determine Whether a Facility is Categorically Excluded," which will be provided by the Town.</p> <p>B. Additional Requirements for Special Exception. In addition to any required site plan and the information listed in A. above, a permit application for any wireless communication facility which is subject to the special exception procedure, shall also include:</p> <p>(1) The name and address of the operator(s) of proposed and existing antennas on the site;</p> <p>(2) The height of any proposed antennas;</p> <p>(3) A statement from a registered professional electrical engineer accredited by the state of New York who holds a federal communications general radio telephone operator license which includes: The calculated NIER levels attributable to the proposed antennas at points along the property line and other areas off-site which are higher than the property line points, as well as calculated power density (NIER levels) in areas that are expected to be unfenced on-site;</p>	<p>to serve the PWSF.</p> <p>(g) Distances, at grade, from the proposed PWSF to each building on the vicinity plan</p> <p>(h) Contour lines</p> <p>(i) Lines representing the sight line showing viewpoint (point from which view is taken) and visible point (point being viewed) from "Sight lines" subsection below.</p> <p>(2) Sight lines and photographs as described below</p> <p>(a) Sight line representation. A sight-line representation shall be drawn from the closest facade of each residential building (viewpoint) included on the vicinity plan to the highest point (visible point) of the PWSF. Each sight line shall be depicted in profile, drawn at one-inch-equals-forty-feet. The profiles shall show all intervening trees and buildings. In the event that there is only one(or more) residential building on the vicinity plan, there shall be at least two sight lines from the closest habitable structures, if any.</p> <p>(b) Existing (before condition) photographs. Each sight line shall be illustrated by one four-inch-by-six-inch color photograph of what can currently be seen from the residential building.</p> <p>(c) Proposed (after condition). Each of the existing-condition photographs shall have the proposed PWSF superimposed on it to show what will be seen from residential buildings if the proposed PWSF is built.</p> <p>(3) A one-inch-equals-forty-foot site plan showing the following:</p> <p>(a) The entire subject property, including all lands held in effective common ownership, property lines and roads (public and private) adjacent to the subject property.</p> <p>(b) All existing buildings, including accessory structures</p> <p>(c) All existing vegetation, by mass or individually by diameter (four feet from the ground) of each stand-alone tree or shrub. Tree masses or individual stand-alone trees shall be identified by specie(s).</p> <p>(d) Proposed security barrier, indicating type and extent as well as point of controlled entry.</p>	<p>11. Representations, dimensioned and to scale, of the proposed mount, antennas, equipment shelters, cable runs, parking areas and any other construction or development attendant to the personal wireless service facility.</p> <p>12. Lines representing the sight line showing viewpoint (point from which view is taken) and visible point (point being viewed) from "Sight Lines" sub-section below.</p> <p>b) Sight lines and photographs as described below:</p> <p>1. Sight line representation. A sight line representation shall be drawn from any public road within 300 feet and the closest facade of each residential building (viewpoint) within 300 feet to the highest point (visible point) of the personal wireless service facility. Each sight line shall be depicted in profile, drawn at one inch equals 40 feet. The profiles shall show all intervening trees and buildings. In the event there is only one (or more) residential building within 300 feet there shall be at least two sight lines from the closest habitable structures or public roads, if any.</p> <p>2. Existing (before condition) photographs. Each sight line shall be illustrated by one four-inch by six-inch color photograph of what can currently be seen from any public road within 300 feet.</p> <p>3. Proposed (after condition). Each of the existing condition photographs shall have the proposed personal wireless service facility superimposed on it to show what will be seen from public roads if the proposed personal wireless service facility is built.</p> <p>c) Siting elevations, or views at-grade from the north, south, east and west for a 50-foot radius around the proposed personal wireless service facility plus from all existing public and private roads that serve the subject property. Elevations shall be at either one-quarter inch equals one foot or one-eighth inch equals one foot scale and show the following:</p> <p>1. Antennas, mounts and equipment shelter(s), with total elevation dimensions and AGL of the highest point.</p> <p>2. Security barrier. If the security barrier will block views of the personal wireless service facility, the barrier drawing shall be cut away to show the view behind the barrier.</p> <p>3. Any and all structures on the subject property.</p> <p>4. Existing trees and shrubs at current</p>		<p>evaluations of compliance with the FCC regulations, standards and requirements on an annual basis at unannounced times.</p> <p>xi. Includes other information required by the Board that is necessary to evaluate the request.</p> <p>Includes an engineer's stamp and registration number, where appropriate.</p> <p>xii. A letter of intent committing the facility owner and his or her successors to permit shared use of the facility if the additional user agrees to meet reasonable terms and conditions for shared use.</p> <p>E. For a facility to be installed on an existing structure, a copy of the applicant's executed contract with the owner of the existing structure (to be provided to the Administrative Officer at the time an application is submitted).</p> <p>F. To the extent required by the National Environmental Policy Act (NEPA) as administered by the FCC, a complete Environmental Assessment (EA) draft or final report describing the probable impacts of the proposed facility.</p> <p>G. A copy of the application or draft application for an Act 250 permit, if applicable.</p> <p>The permit application shall be signed under the pains and penalties of perjury.</p> <p>1.9 Site Plan Requirements for Wireless Telecommunications Facilities not Covered under Section 1.7</p> <p>In addition to site plan requirements found elsewhere in the Town of _____'s [Zoning Bylaws/Subdivision Regulations/Master Plan], site plans for wireless telecommunications facilities shall include the following supplemental information:</p> <p>A. Location Map: a copy of a portion of the most recent USGS Quadrangle map showing the area within at least a two-mile radius of the proposed facility site.</p> <p>B. Vicinity Map showing the entire vicinity within a 2500-foot radius of the facility site, including the facility or tower, topography, public and private roads and driveways, buildings and structures, water bodies, wetlands, landscape features, historic sites and habitats for endangered species. It shall indicate the property lines of the proposed facility site parcel and all easements or rights of way needed for access from a public way to the facility.</p> <p>C. Proposed site plans of the entire</p>
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<p>(4) A site plan drawn to a minimum scale of one inch equals 50 feet, indicating the location, type and height of the proposed transmission support structure, on-site land uses and zoning, adjacent land uses and zoning (including when adjacent to other municipalities), Comprehensive Plan classification of the site and all properties within the applicable separation distances set forth in § 330-304B(5), adjacent roadways, proposed means of access, setbacks from property lines, elevation drawings of the proposed transmission support structure and any other structures, topography, parking and other information deemed by the Planning Board to be necessary to assess compliance with this article.</p> <p>(5) The legal description of the parent tract and leased parcel (if applicable).</p> <p>(6) The setback distance between the proposed transmission support structure and the nearest residential unit, platted residentially zoned properties in an approved plot plan and unplatted residentially zoned properties.</p> <p>(7) The separation distance from other transmission support structures described in the inventory of existing sites submitted pursuant to § 330-302C shall be shown on an updated site plan or map. The applicant shall also identify the type of construction of the existing transmission support structures and the owner/operator of the existing transmission support structures, if known.</p> <p>(8) A landscape plan showing specific landscape materials.</p> <p>(9) Method of fencing, finished color and, if applicable, the method of camouflage and illumination.</p> <p>(10) A description of compliance with all applicable sections of this article and all applicable federal, state or local laws.</p> <p>(11) A notarized statement by the applicant as to whether construction of the transmission support structure will structurally accommodate collocation of additional antennas for future users.</p> <p>(12) Identification of the entities providing the backhaul network for the transmission support structure(s) described in the application and other sites owned or operated by the applicant in the municipality.</p> <p>(13) A description of the suitability</p>	<p>(e) All proposed changes to the existing property, including grading, vegetation removal and temporary or permanent roads and driveways.</p> <p>(f) Representations, dimensioned and to scale, of the proposed mount, antennas, equipment shelters, cable runs, parking areas and any other construction or development attendant to the PWSF.</p> <p>(4) Siting elevations, or views at-grade from the north, south, east and west for a fifty-foot radius around the proposed PWSF plus from all existing public and private roads that serve the subject property. Elevations shall be at either one-quarter-inch-equals-one-foot or one-eighth-inch-equals-one-foot scale and show the following:</p> <p>(a) Antennas, mounts and equipment shelter(s), with total elevation dimensions and AGL of the highest point.</p> <p>(b) Security barrier. If the security barrier will block the views of the PWSF, the barrier drawing shall be cut away to show the view behind the barrier</p> <p>(c) Any and all structures on the subject property</p> <p>(d) Existing trees and shrubs at current height and proposed trees and shrubs at proposed height at time of installation, with approximate elevations dimensioned.</p> <p>(e) Grade changes, or cuts and fills, to be shown as original grade and new grade line, with two-foot contours AMSL.</p> <p>D. Design information</p> <p>(1) Equipment brochures for the proposed PWSF, such as manufacturer's specifications or trade journal reprints. These shall be provided for the antennas, mounts, equipment shelters, cables, as well as cable runs, and security barrier, if any.</p> <p>(2) Materials of the proposed PWSF specified by generic type and specific treatment (e.g., anodized aluminum, stained wood, painted fiberglass, etc.). These shall be provided for the antennas, mounts, equipment shelters, cables, as well as cable runs, and security barrier, if any.</p> <p>(3) Colors of the proposed PWSF represented by a color board showing actual colors proposed. Colors shall be provided for the antennas, mounts, equipment (shelters, cables, as well as cable runs, and security barrier, if any.</p> <p>(4) Dimensions of the PWSF specified for all three directions: height, width and breadth. These shall be provided for the antennas, mounts,</p>	<p>height and proposed trees and shrubs at proposed height at time of installation, with approximate elevations dimensioned.</p> <p>5. Grade changes, or cuts and fills, to be shown as original grade and new grade line, with two-foot contours above mean sea level.</p> <p>05.4.4 Design Filing Requirements</p> <p>a) Equipment brochures for the proposed personal wireless service facility such as manufacturer's specifications or trade journal reprints shall be provided for the antennas, mounts, equipment shelters, cables as well as cable runs, and security barrier, if any.</p> <p>b) Materials of the proposed personal wireless service facility specified by generic type and specific treatment (e.g., anodized aluminum, stained wood, painted fiberglass, etc.). These shall be provided for the antennas, mounts, equipment shelters, cables as well as cable runs, and security barrier, if any.</p> <p>c) Colors of the proposed personal wireless service facility represented by a color board showing actual colors proposed. Colors shall be provided for the antennas, mounts, equipment shelters, cables as well as cable runs, and security barrier, if any.</p> <p>d) Dimensions of the personal wireless service facility specified for all three directions: height, width and breadth. These shall be provided for the antennas, mounts, equipment shelters and security barrier, if any.</p> <p>e) Appearance shown by at least two photographic superimpositions of the personal wireless service facility within the subject property. The photographic superimpositions shall be provided for the antennas, mounts, equipment shelters, cables as well as cable runs, and security barrier, if any, for the total height, width and breadth.</p> <p>f) Landscape plan including existing trees and shrubs and those proposed to be added, identified by size of specimen at installation and species.</p> <p>g) Within 30 days of the pre-application conference, or within 21 days of filing an application for a Special Permit, the applicant shall arrange for a balloon or crane test at the proposed site to illustrate the height of the proposed facility. The date, time and location of such test shall be advertised in a newspaper of general circulation in the Town at least 14 days, but not more than 21 days prior to the test.</p>		<p>development indicating all improvements including landscaping, utility lines, guy wires, screening and roads.</p> <p>D. Elevations showing all facades and indicating all exterior materials and color of towers, buildings and associated facilities.</p> <p>E. Computer generated photo simulations of the proposed facility showing the facility from all public rights-of-way and any adjacent property from which it may be visible. Each photo must be labeled with the line of sight, elevation and with the date taken imprinted on the photograph. The photos must show the color of the facility and method of screening.</p> <p>F. In the case of a proposed site that is forested, the approximate average height of the existing vegetation within 200 feet of the tower base.</p> <p>G. Construction sequence and time schedule for completion of each phase of the entire project.</p> <p>Plans shall be drawn at a minimum at the scale of one (1) inch equals fifty (50) feet.</p>
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<p>of the use of existing transmission support structures, other structures or alternative technology not requiring the use of transmission support structures or structures to provide the services to be provided through the use of the proposed new transmission support structure.</p> <p>(14) A description of the feasible locations of future transmission support structures or antennas within the Town based upon existing physical, engineering, technological or geographical limitations in the event that the proposed transmission support structure is erected.</p> <p>C. Each applicant for a building permit for construction of a communication facility shall post cash, an irrevocable bond, or an irrevocable letter of credit an amount to be computed in the following manner: 20 percent of the cost of construction for the proposed facility, provided that if the applicant can demonstrate that the cost of removal of those facilities is less than this amount, the applicant need only provide a bond in the amount of the cost of removal, to remain in effect throughout the operation and use of the facility as security for removal of the communications facility or any part thereof.</p> <p>D. Application fees shall be set according to fee schedules issued from time to time by [to be discussed].</p> <p>330.323. Notification requirements. An applicant shall comply with all requirements for notification of a permit application set out in _____. The standards of published notice and posting of property required by _____.</p> <p>330.324. Pre-application community meetings.</p> <p>A. When a new transmission support structure is proposed in any zone within the Town of Southampton, a community meeting shall be convened by the applicant prior to submittal of an application.</p> <p>B.. At least two weeks in advance, notice of the meeting shall be provided by the applicant as follows:</p> <p>(1) Published in the local paper and mailed to the department and to the Town council; and</p> <p>(2) Mailed notice shall be provided to all property owners within 500 feet (or at least 20 of the nearest property owners, whichever</p>	<p>equipment shelters and security barrier, if any.</p> <p>(5) Appearance shown by at least two scaled cross sections of the PWSF within the subject property. The cross sections shall be provided for the antennas, mounts, equipment shelters, cables, as well as cable runs, and security barrier, if any, for the total height, width and breadth.</p> <p>(6) Landscape plan, including existing trees and shrubs and those proposed to be added, identified by size of specimen at installation and species.</p> <p>E. Narrative information</p> <p>(1) Carrier shall provide a:</p> <p>(a) Certified copy of Form 6000 on file with the FCC</p> <p>(b) Certified copy of an FCC license (radio authorization form)</p> <p>(2) Carrier shall identify:</p> <p>(a) Site latitude</p> <p>(b) Site longitude</p> <p>(c) AGL to the radiation center and the top of highest projection (e.g., lightning rod).</p> <p>(3) Applicants should provide two alternatives to the proposed PWSF</p> <p>(a) Alternatives should comply with criteria in § 242-8 of this chapter for differences between the proposed PWSF and the alternatives.</p> <p>(b) Failure of the applicant to provide two alternatives shall constitute an incomplete application.</p> <p>F. Geographic information</p> <p>(1) Area to be served by the proposed PWSF</p> <p>(a) Within the Town of Smithtown</p> <p>(b) Outside the Town of Smithtown</p> <p>(2) Tax Map showing adjoining (abutting) properties</p> <p>(3) Land use map showing existing land use</p> <p>(4) Zoning Map showing existing zoning</p> <p>(5) Relationship to other PWSF's</p> <p>(a) Existing and/or proposed by the carrier</p> <p>(b) Existing for other carriers</p> <p>(c) Proposed by other carriers</p> <p>G. Fees. The town shall have the right to properly plan for and evaluate applications for PWSF's and to charge reasonable fees for such services to the applicant. The town has retained</p>	<p>h) If lighting of the site is proposed, the applicant shall submit a manufacturers computer-generated point-to-point printout, indicating the horizontal footcandle levels at grade, within the property to be developed and twenty-five (25) feet beyond the property lines. The printout shall indicate the locations and types of luminaires proposed.</p> <p>05.4.5 Noise Filing Requirements</p> <p>The applicant shall provide a statement listing the existing and maximum future projected measurements of noise from the proposed personal wireless service facilities, measured in decibels Ldn (logarithmic scale, accounting for greater sensitivity at night), for the following:</p> <p>1. Existing, or ambient: the measurements of existing noise.</p> <p>2. Existing plus proposed personal wireless service facilities: maximum estimate of noise from the proposed personal wireless service facility plus the existing noise environment.</p> <p>Such statement shall be certified and signed by an acoustical engineer, stating that noise measurements are accurate and meet the Noise Standards of this Bylaw.</p> <p>05.4.6 Radiofrequency Radiation (RFR) Filing Requirements</p> <p>The applicant shall provide a statement listing the existing and maximum future projected measurements of RFR from the proposed personal wireless service facility, for the following situations:</p> <p>1. Existing, or ambient: the measurements of existing RFR.</p> <p>2. Existing plus proposed personal wireless service facilities: maximum estimate of RFR from the proposed personal wireless service facility plus the existing RFR environment.</p> <p>3. Certification, signed by a RF engineer, stating that RFR measurements are accurate and meet FCC Guidelines as specified in the Radiofrequency Radiation Standards subsection of this Bylaw.</p> <p>05.4.7 Federal Environmental Filing Requirements</p> <p>a) The National Environmental Policy Act (NEPA) applies to all applications for personal wireless service facilities. NEPA is administered by the FCC via procedures adopted as Subpart 1, Section 1.1301 et seq. (47 CRF Ch. 1). The FCC requires that an</p>		
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<p>is greater) as required by Section 330.323 of any potential sites, identified by the applicant for possible development, to be discussed at the community meeting. The mailed notice shall at a minimum contain a brief description and purpose of the project, the estimated height, approximate location noted on an assessor map with address and parcel number, photo or sketch of proposed facility, a statement that alternative sites proposed by citizens can be presented at the meeting which will be considered by the applicant, a contact name and telephone number to obtain additional information, and such other information as the Town of Southampton shall reasonably deem necessary and require of the applicant in writing. Because the purpose of the community meeting is to promote early discussion, applicants are encouraged to note any changes to the conceptual information presented in the mailed notice when they submit applications.</p> <p>C. At the community meeting, at which at least one employee of the department of community development, assigned by the director of the department, shall be in attendance, the applicant shall provide information relative to existing transmission support structures and other nonresidential structures, such as water towers and electrical transmission lines, within one-quarter mile of potential sites, and shall discuss reasons why those existing structures are unfeasible. Furthermore, any alternative sites within one-quarter mile, identified by community members and provided to the applicant in writing at least five days in advance of the meeting, shall be evaluated by the applicant to the extent possible given the timeframe, and discussed at the meeting. A listing of the sites, identified in writing and provided to the applicant at or before the community meetings, shall be submitted to the department with the proposed application. Applicants shall also provide a list of meeting attendees and those receiving mailed notice and a record of the published meeting notice at the time of application submittal.</p>	<p>independent consultants and experts on wireless planning and may retain future independent consultants and experts to assist town staff with proper planning for PWSF's. The fee for applications shall include, but shall not be limited to, the prorated share for each applicant of such costs for the independent consultants and experts and for town staff. The fee shall be prorated among all applications on an equal basis. Such fees shall include, but shall not be limited to, the following:</p> <ul style="list-style-type: none"> (1) Site plan or site plan exemption applications (2) Special exception applications (3) Building permit applications (4) Other review fees. The town shall have the right to retain independent technical consultants and experts that it deems necessary to properly evaluate applications for PWSF's. This fee will be assigned to the applicant and shall not exceed \$10,000. <p>§ 242-8. Alternatives analysis and comparison</p> <p>Each application for a PWSF should also contain at least two alternatives that differ from the PWSF proposed in the application.</p> <p>A. Differences. The alternatives need not be totally different from the proposed PWSF; however, the alternatives should contain measurable differences, such as:</p> <ul style="list-style-type: none"> (1) Height. An alternative can be identical to the proposed PWSF except to be a shorter height. (2) Number. An alternative could be for two or more PWSF's that are shorter than the proposed PWSF. (3) Location. An alternative could be located on a different property than the proposed PWSF (4) Siting. An alternative could be in a different place on the same property as the proposed PWSF. (5) Design. An alternative could be of the same height, location and siting as the proposed PWSF, but be designed to appear differently. <p>B. Submittal requirements for alternatives. The materials submitted for each alternative should show only the differences between each of the alternatives and the proposed PWSF</p> <ul style="list-style-type: none"> (1) If the applicant has not submitted two alternatives, the Town of Smithtown Department of Planning and Community Development staff shall prepare at least two alternatives. (2) If the applicant has submitted two or more alternatives, the Town of Smithtown Department of Planning and Community Development staff shall prepare at least one 	<p>environmental assessment (EA) be filed with the FCC prior to beginning operations for any personal wireless service facility proposed in or involving any of the following:</p> <ul style="list-style-type: none"> A. Wilderness areas. B. Wildlife preserves. C. Endangered species habitat. D. Historical site. E. Indian religious site. F. Flood plain. G. Wetlands. H. High intensity white lights in residential neighborhoods. I. Excessive radiofrequency radiation exposure. <p>b) At the time of application filing, an EA that meets FCC requirements shall be submitted to the Town for each personal wireless service facility site that requires such an EA to be submitted to the FCC.</p> <p>c) The applicant shall list location, type and amount (including trace elements) of any materials proposed for use within the personal wireless service facility that are considered hazardous by the federal, state or local government.</p> <p>05.4.8 The Special Permit Granting Authority may waive one or more of the application filing requirements of this section if it finds that such information is not needed for a thorough review of a proposed personal wireless service facility.</p>		
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	<p>alternative.</p> <p>C. Comparison of proposed personal wireless service facility and alternatives. The Town of Smithtown Department of Planning and Community Development staff shall compare the proposed PWSF to the alternatives on the basis of the following:</p> <ul style="list-style-type: none">(1) Change in community scale, as exhibited in relative height, mass or proportion of the PWSF within its proposed surroundings.(2) New visible elements proposed on a contrasting background(3) Different colors and textures proposed against a contrasting background(4) Use of materials that are foreign to the existing built environment(5) Conservation of opportunities to maintain community scale, not compromising buffering areas and low-lying buildings so as to start a trend away from the existing community scale.(6) Amount and diversity of landscaping and/or natural vegetation(7) Preservation of view corridors, vistas and view sheds(8) Continuation of existing colors, textures and materials <p>D. Ranking of proposed personal wireless service facility and alternatives. The Town of Smithtown Department of Planning and Community Development staff shall rank the proposed PWSF and each alternative based on the above criteria. The ranking of the proposed PWSF and each alternative shall be submitted to the appropriate board along with each application. The reviewing board shall consider the alternatives along with the proposed PWSF.</p>			
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