



Woodbury Wireless Communications Facility Zoning Regulations

NOTE: These regulations are posted on the Town Website for information purposes only. Consult the entire Woodbury Zoning Regulations, available in the Town Planning Office, for official regulations and application procedures.

Section 5.2.11 Wireless Communications Facilities **(Effective March 1, 2002)**

a. Purpose: The purpose of this section is to permit wireless communication facilities in accordance with applicable Federal and State jurisdictions within the Town of Woodbury while promoting the purposes of the Woodbury Zoning Regulations, including but not limited to protecting the public health and safety, protecting neighborhoods, minimizing the adverse visual and operational effects of wireless communication facilities, and specifically:

1. To encourage creative design measures to minimize adverse visual effects;
2. To provide standards for design, siting and vegetative screening to minimize adverse visual effects;
3. To reduce the number of antennas and towers needed in the future;
4. To accommodate the need for wireless communications towers and antennas while not unreasonably restricting their location and number; and
5. To encourage the joint use of any existing or new towers.

b. Location Preferences: The order of preference for siting the equipment associated with wireless communication facilities shall range from 1 as the most preferred to 6 as the least preferred as noted below.

1. On existing or approved towers.
2. On existing structures such as buildings, water towers, and utility poles.
3. On new towers less than 80 feet in height located in Planned Industrial (PI), Earth Excavation (EE) or Middle Quarter (MQ) districts.

4. On new towers 80 feet or greater in height located in PI, EE, or MQ districts.
5. On new towers less than 80 feet in height located in Main Street Design (MSD), Garden Apartment (GA), R40, OS60, OS80, and OS100 districts.
6. On new towers 80 feet or greater in height located in MSD, GA, OS-60, OS-80, and OS-100 districts.

c. Special Standards: The following standards shall apply to any tower or wireless communications facility proposed in any Use District in the Town of Woodbury for the provision of commercial wireless communications services.

1. No lights shall be mounted on towers unless required by the Federal Aviation Administration (FAA). Strobe lighting shall be avoided where possible.
2. Towers not requiring special FAA painting or marking may be galvanized, painted a non-contrasting blue, gray, or other neutral color, or other such color as needed to blend into its location.
3. Towers may not be used to exhibit any signage or advertising.
4. No tower exceeding 80 feet in height shall be permitted within 500 feet of any Historic District as defined in the Woodbury Historic District Commission Regulations. No dish antenna that is visible from any adjoining property or public property shall be allowed in any Historic District as defined in the Woodbury Historic District Commission Regulations.
5. No tower may be permitted on any residential lot that is less than 200% of the minimum lot size for the use district.
6. Towers shall be designed in all respects to accommodate both the applicant's antennas and comparable antennas for at least two (2) additional users if the proposed tower is over 100 feet in height; if over 50 feet in height, it shall be designed to accommodate at least one (1) additional comparable antenna.
7. Towers and guy wires shall be set back from all property lines a distance equal to their height or length, respectively. The Commission may waive this requirement when there is adequate documentation that the tower structure has been designed to collapse in a manner that will not affect adjacent properties. The Commission may increase this setback requirement if topography or other site conditions warrant.
8. Antennas or equipment buildings/boxes mounted to or on buildings or structures shall to the greatest degree possible blend with the color and/or design of such structure/building.
9. Roof top antennas shall not exceed a height of fifteen feet above the highest part of a structure or building. Additionally, such antennas shall be set back from the roof edge a minimum of ten feet or 10% of the roof depth, whichever is greater.

10. Antennas mounted on the facade of a building shall match the color of the building and shall project no more than three (3) feet horizontally from the wall or facade of the building and project not more than five (5) feet vertically above the cornice line of the building or wall to which attached.

11. Unless waived by the Commission when there is satisfactory documentation that such antennas are screened from view from adjacent lots and from public streets, dish antenna shall comply with the following:

i) Dish antennas shall not exceed 2 feet in diameter in residential zones.

ii) Dish antennas shall not exceed 6 feet in diameter in non-residential zones.

12. Accessory buildings, to be used for housing telecommunications equipment only, are permitted. Such buildings shall not exceed 750 square feet in area and shall be architecturally designed to blend into the neighborhood. Such buildings shall not exceed a height of 12 feet.

13. A fence of appropriate design eight feet in height shall enclose the facility. This requirement may be waived when the design of the facility does not warrant a fence, e.g., a flag pole design or a similar stealth design. Landscape buffers shall be provided around the perimeter of the facility as provided for in Section 9.2.12 or as otherwise specified by the Commission.

14. Access to the tower site must be over a driveway approved by the Woodbury Board of Selectmen or their authorized representative.

15. No proposed wireless communications facility shall be designed, located, or operated so as to interfere with existing or proposed public safety communications.

16. The design and operation of the wireless communication facility shall comply with the FCC standards regulating non-ionizing electromagnetic emissions.

17. All utilities to serve the facility shall be installed underground unless otherwise approved by the Commission.

18. Towers and accessory structures shall comply with all applicable regulations pertaining to Woodbury Zoning, Flood Plain and Aquifer Protection; Woodbury Inland Wetlands and Watercourses; and Woodbury Historic Districts.

19. Generators, if utilized, shall comply with all state and local noise regulations.

d. Permits: Wireless Communication Facilities shall be permitted in all use districts subject to the following.

1. Permitted Use: Subject to the issuance of a Zoning Certificate of Compliance, a wireless communications facility mounted on a structure not exceeding a height of 45 feet above grade and otherwise meeting all applicable zoning requirements for structures may be located in any use district for the purpose of

- i. receiving wireless signals solely for non-commercial use, or
 - ii. providing communications solely for Police, Fire, Ambulance, and other Emergency Dispatch.
2. Certificate of Zoning Compliance: Where the Zoning Enforcement Officer determines that an antenna proposed on an existing tower, structure or building meets one or more of the following criteria and all associated equipment is to be enclosed in an existing structure, the Zoning Enforcement Officer may issue a Certificate of Zoning Compliance for such antenna and wireless communication facilities subject to payment of a fee in accordance with Section 11 of the Woodbury Zoning Regulations.
- i. An omni-directional or whip antenna and support structure with a total length of 20 feet or less and 7 inches or less in diameter, provided its material and/or color blends with the exterior of the structure.
 - ii. A directional or panel antenna or array of antennas each of which is six (6) feet or less in height and two (2) feet or less in width provided its location and appearance blends with the exterior of the structure or is similar to existing antennas on the same structure.
 - iii. A satellite or microwave dish antenna six (6) feet or less in diameter provided the building or rooftop mount is located or screened so it is not visible from abutting public streets.
3. Special Exceptions: Wireless Communication Facilities which do not qualify for Certificate of Zoning Compliance approval as provided above may be permitted only after the approval of a Special Exception as provided for in Section 10. Such use may be approved only after a finding that the use will comply with the standards of Section 10 and the special standards of this Section 5.2.12.

e. Application Requirements: In addition to complying with other application requirements of these regulations, an application for a Wireless Communication Facility shall include the following:

1. A Site Development Plan meeting the standards of Section 9.
2. A map showing the extent of planned coverage within the town and adjacent communities, and the location and service area of the proposed facility. This map shall be accompanied by a complete description of the radio frequency propagation analysis used to determine coverage and all supporting documentation.
3. A report that documents the need for the wireless communications facility to provide acceptable coverage and/or capacity for wireless communication as part of a regional system design. This report shall include, but not necessarily be limited to,
 - i. the location of all existing or approved tower sites within 10 miles of the proposed facility, as well as the service coverage area for those sites associated with the proposed facility, and
 - ii. a demonstration that necessary coverage cannot be obtained for the prospective coverage area by the use of any existing or approved towers within reasonable proximity of the proposed site.

4. Documentation, if applicable, of any Federal Communications Commission license for provision of wireless communications service.
 5. A statement containing a description of the siting criteria and the process by which other possible sites were considered.
 6. A visibility evaluation report including architectural rendering and/or photo simulations of views of the tower from nearby properties; maps indicating tower visibility above forest and terrain within 2 miles of the proposed site; and architectural renderings of the proposed tower and all associated facilities and equipment at the proposed location.
 7. A report from a qualified radio frequency engineer that the proposed facility will meet the Federal Communication Commission requirements for radio frequency radiation at the time that the facility will be operating at maximum capacity.
 8. A report from a qualified radio frequency engineer that the proposed facility will not interfere with existing or proposed public safety communications.
 9. When a tower is proposed, a statement from the applicant indicating that the applicant will raise a balloon, with a diameter of at least three feet, at the proposed ground mounted tower site and to the proposed tower height. Such balloon shall be raised at least three days prior to the date of the public hearing scheduled on the application. A legal notice of the scheduled balloon raising shall be published in a local newspaper by the applicant. Proof of such publication shall be submitted at the public hearing.
 10. A fee in accordance with Section 11 of these Regulations. Additionally, in all cases in which the Commission determines that an expert review of the applicant's service area, tower sharing, alternative location or other technical issues is reasonably warranted, the applicant shall be required to reimburse the Town for the cost of performing such review.
- f. Removal:** A wireless communication facility not in use for twelve consecutive months shall be removed by the service facility owner. This removal shall occur within 90 days of the end of such twelve-month period. Upon removal, the site shall be restored to its previous appearance and, where appropriate, re-vegetated to blend with the surrounding area. The Commission may require that a bond be submitted as surety.