

ADDENDUM - DECEMBER 10, 1997

Article VII
SECTION 12.

Communications Facilities

Purpose and Goals - The purpose of this section is to establish special conditions and performance standards for the use of communications antenna arrays and communications towers, as defined below. The goals of this section include encouraging the co-location of antennae on existing structures, and the joint use of new and existing towers in order to minimize or mitigate any adverse impact on the Town that may result from the location or configuration of communications antenna arrays and communications towers.

2. Definitions

- A. "Communications antenna array: shall mean the antenna or antennae from which wireless radio signals are sent and received by a personal wireless service facility as defined by the Telecommunications Act of 1996. It may include up to twelve (12) antennae in one array and one microwave antenna for the exclusive use of the carrier in transmitting its own signals. It may also include an equipment shelter as an accessory use.
- B. "Communications tower" shall mean a free-standing structure used for the location of one or more communications antenna arrays. It may also include an equipment shelter as an accessory use.
- C. "Equipment Shelter" shall mean an enclosed structure, cabinet, shed or box used in conjunction with a communications array to house electrical equipment batteries and emergency electrical generators.

Applicability - No communications antenna array or communications tower shall be erected, constructed, altered or maintained on any lot within the Town without complying with the terms of this section. Nothing herein shall be deemed to prohibit or regulate any communications antenna and/or tower if used solely in the exercise of a governmental function.

- A. A communications antenna array shall be allowed as of right on any structure existing on December 10, 1997, (the date of passage of this amendment), within the zones specified in the Zoning Use Matrix, provided, that the height of such communications antenna array shall not exceed the height of such existing structure by more than twelve (12) feet.
- B. A communications antenna array located on any structure, including a tower, constructed after December 10, 1997, (the date of passage of this amendment), shall be permitted as a special permit use within the zones specified in the Zoning Use Matrix, and provided that the height of such new tower or structure shall not exceed two hundred feet (200') in height.
- C. A communications tower shall be permitted as a special use or permitted use within the zones so specified in the Zoning Use Matrix, and provided that the height of such new tower shall not exceed two hundred feet (200') in height.
- D. This section shall not apply to any tower or antenna installation which is owned and operated by a federally-licensed amateur radio station operator, which such tower or antenna does not exceed seventy (70) feet in height.

General Requirements

- A. All antennae shall comply with applicable Federal Communication Commission and Federal Aviation Administration regulations. The Town shall not regulate the placement, construction, and modification of communications antenna arrays on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Federal Communication Commission's regulations concerning such emissions.
- B. A communications tower shall be set back from all property lines a minimum of one (1) foot for each one (1) foot of tower height.
- C. All tower supports, accessory equipment, equipment shelters, and peripheral anchors, including guy wire anchors, shall be set back from all property boundaries the minimum distance for the zoning district in which a communications tower is located, and shall comply with all other applicable zoning requirements and building codes.
- D. Communications towers not exceeding two hundred (200) feet shall not require a height variance. If the tower exceeds two hundred (200) feet in height then a height variance shall also be required.
- E. Towers shall be designed to accommodate a minimum of four carriers based on viability of transmission.
- F. All communications antenna arrays and all communications towers shall be subject to Site Plan Approval as set forth in Article IX herein and in the Land Development & Subdivision Regulations (the "Regulations"), and appropriate disguising, landscaping, and screening shall be provided, pursuant to the design standards set forth in this Section.
 - 1. For such uses permitted as of right, Site Plan Approval shall be conducted by the Planning Board, and the decision of such authority shall be appealable to the Zoning Board in accordance with the applicable provisions of Article I, Section 7 of this ordinance.
 - 2. For such uses permitted by special use permit, Site Plan Approval shall be conducted by the Planning Board, and the decision of such authority shall be advisory only to the Zoning Board in accordance with the R.I.G.L. Section 45-24-49.
 - 3. Any expansion or modification to a tower existing prior to the enactment of this amendment is subject to the terms of this amendment.
- G. A bond adequate to cover the cost of dismantling and removal of a tower no longer in use shall be required to be posted by the owner and lessor.
- H. Towers must be structurally inspected by a registered engineer every 10 years and a certificate of such inspection shall be filed with the Building Inspector.

Additional Application Requirements for Use by Special Permit - An application for special use permit for a communications antenna array or communications tower shall include the following information:

- A. The applicant shall supply a definition of the area of service and indicate the current coverage capacity.

- B. The applicant shall supply information showing that the proposed facility would provide the needed coverage and/or capacity.
- C. The applicant shall provide a map or maps, covering the entire Town and showing all existing, proposed or planned sites of such carrier, including alternative sites from which the needed coverage could also be provided, and indicating the zoning for all such sites.
- D. Should an existing structure not be utilized, the applicant shall provide evidence as to why such structure has not been utilized.
- E. The applicant shall indicate how the site will be designed to accommodate future multiple users, and how many of such users.

6. Additional Standards For A Special Use Permit - In addition to the standards set forth in Article I, Section 7 of this Ordinance, the Zoning Board of Review shall consider the following factors in determining whether to issue a special use permit, and make positive findings of fact thereupon.

- A. Have all available co-location options on existing towers been exhausted?
- B. The height of any proposed tower and its proximity to residential structures.
- C. The nature of the uses of the neighboring properties.
- D. The surrounding topography, tree coverage and other natural elements of the landscape of the proposed site and adjacent properties.
- E. Those design characteristics that reduce or eliminate adverse impacts on the community including type (guyed tower, lattice tower or monopole) or tower or antenna array, color or tower or antenna array, and overall visual obtrusiveness.

7. Design Standards For Site Plan Approval - All applications for a communications antenna array or communications tower shall be subject to Site Plan Approval. The following design standards shall apply to all communications antennae arrays and communications towers:

- A. For the erection of a communications antenna array on an existing structure, the proposed facility shall preserve the preexisting character of the building or structure on which it is located, as well as the surrounding buildings and land uses. All components of the proposed facility shall be integrated through location and design to be compatible with the existing characteristics of the site to the extent practical. Existing on-site vegetation shall be preserved or improved and the disturbance of the existing topography shall be minimized, unless such disturbance would result in less visual impact of the facility on the surrounding areas.
- B. For the erection of a communications tower, the proposed facility shall preserve the preexisting character of the surrounding buildings and land uses as much as possible. All components of the proposed facility shall be integrated through location and design to be compatible with the existing characteristics of the site to the extent practical. Existing on-site vegetation shall be preserved or improved and the disturbance of the existing topography shall be minimized, unless such disturbance would result in less visual impact of the facility on the surrounding areas.

- C. Towers shall have an ASTM specification A123 hot dip galvanized finish, and subject to any applicable Federal Aviation Administration standards, may be top coated in a neutral color so as to reduce visual obtrusiveness.
- D. At a tower site, the design of the buildings and related structures shall use materials, colors, textures, screening and landscaping that will blend the tower facilities to the natural setting and built environment.
- E. If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a neutral color identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.
- F. Towers shall not be artificially lighted, unless required by the Federal Aviation Administration or other applicable authority. If lighting is required, the reviewing authority may review the available lighting alternatives and approve the design that would cause the least disturbance to the surrounding views.
- G. The Town reserves the right to verify the suitability of all towers and arrays through use of an independent consultant to be paid for by the applicant.

8. Personal Wireless Services Facility Inventory

In order to encourage co-location of communication antenna arrays and to encourage the location of such arrays on existing structures, the Town Planner shall maintain an inventory of all active, approved and proposed personal wireless services facilities, together with copies of all coverage maps submitted in accordance with the application requirements herein. The Town Planner shall be available to meet with any wireless services carrier or group of carriers in an effort to develop a comprehensive scheme of location of such facilities within the Town.

USE CATEGORY	RF	RF	OSP	NH	HI	IN	IN
	R-2	R-1	L	BD BUS	WY BUS	DU S A	DU S B
481 Communication not incl towers & antenna	X	X	S	S	S	S	S
481A Antenna Array on Existing Structure	X	X	S	S	S	S	S
481 B Communications Tower	X	X	S	S	S	S	S
481 C Other Communications Tower, incl broadcast TV or Radio	X	X	S	S	S	S	S