



## Woodstock Planning and Zoning Commission

Town Planner/ZEO: Delia P. Fey, AICP

Chairman: Jeffrey A. Gordon, M.D.

Vice-Chairman: David Fortin

Secretary: Dorothy Durst

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CONNECTICUT  
SITING COUNCIL

Robert Stein  
Chair, Connecticut Siting Council  
Ten Franklin Square  
New Britain, CT 06051

September 1<sup>st</sup>, 2011

Dear Chairman Stein:

Woodstock's Planning and Zoning Commission, along with other parts of Woodstock's municipal government (such as its Municipal Telecommunications Task Force), has been actively involved with telecommunications issues. It is thus with interest that the Commission has been made aware of recent matters pertaining to docket #415 (Cellco partnership d/b/a Verizon Wireless, 87 West Quassett Road, Woodstock, CT) regarding American Tower.

Woodstock's Planning and Zoning Commission reminds the Siting Council that current zoning regulations in the Town of Woodstock (Article I, Section 17; attached for reference) state that "A wireless telecommunication facility not in use for 12 consecutive months shall be removed by the facility owner or the property owner at such party's expense. This removal shall occur within 90 days of the end of such 12-month period. The Commission may require a bond or other surety in a form and amount satisfactory to the TOWN OF WOODSTOCK, to guarantee removal, which shall be reviewed and renewed every two years by the Commission."

Woodstock's Planning and Zoning Commission may consider action to have removed the Atlantic Tower wireless telecommunications facility if the Siting Council does not require it to be removed as part of any approval of docket #415 if the American Tower facility were to thus be inactive for at least twelve consecutive months. Although the Commission at this time makes no formal recommendations for or against the cell tower proposal submitted by Cellco partnership d/b/a Verizon Wireless, and the Commission reserves the right to provide such recommendations in the future, the Commission does ask the Siting Council to be mindful of the Town of Woodstock zoning regulations vis-à-vis wireless telecommunications facilities.

Thank you for your consideration.

Sincerely,

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The following standard shall apply to non-residential use signs to be utilized on premises where located permitted and/or legally existing non-residential uses.

1. One (1) free standing sign, per parcel, with a maximum area of thirty-two (32) square feet, plus ten (10) square feet for each non-residential use establishment located thereon, up to a maximum total area of eighty (80) square feet. The height of any such sign shall not exceed twenty (20) feet.
2. Wall signs or hanging signs, on the building on the premises, to identify the non-residential uses therein. Wall signs shall be parallel to the building and shall not project more than twelve (12) inches from the face of the building. Hanging signs shall protrude perpendicularly from the front of the building and shall not exceed eight (8) square feet in area. Wall signs shall not exceed two (2) square feet for every one (1) foot in length of such buildings with a maximum aggregate area not to exceed 80 square feet.
3. Roof-mounted signs shall be allowed, not exceeding thirty-two (32) square feet in total area. The top of such signs shall not be set above the ridge line of the roof of the building on which it is located.
4. Signs which are illuminated by indirect light, with bulbs, tubes or other sources of illumination which will not result in glare or reflection off premises that may constitute a traffic hazard or nuisance and which meet all other standards of these regulations

#### C. Off-Site Directional Signs

Except as provided in this section, no sign shall advertise a product, service or activity other than that which is produced, provided or conducted on the premises. A maximum of two (2) off-premises directional signs may be erected upon issuance of a permit, which signs shall conform with the standards as set forth in Appendix III. Prior to issuance of said permit, the applicant shall provide satisfactory evidence of authorization from the owner of the premises upon which said signs (s) will be located. There shall be no more than two (2) such stand-alone directional signs located on any one off-site contiguous premises, with a maximum total number of grouped or stacked signs on any one posting not to exceed four (4).

#### D. Prohibited Signs

1. No signs with internal illumination or flashing lights shall be permitted.
2. No sign shall be located in or project over any Town Road right of way, except permitted street directional or location signs.
3. No revolving or moving signs shall be permitted.
4. No sign shall be located or maintained in such a way that it poses a hazard to pedestrians or vehicles.

**Article I, Section 17.1 Purpose**

To provide for the location of wireless telecommunication towers, antennas and facilities while protecting neighborhoods and minimizing adverse visual and operational effects through careful design, siting and screening consistent with the provisions of the 1996 Telecommunications Act. This section of the Zoning Regulations is consistent with the Telecommunications Act of 1996 in that it does not discriminate among providers of functionally equivalent services, prohibit or have the effect of prohibiting the provision of personal wireless services, or regulate the placement, construction, and modification of personal wireless service facilities on the basis of environmental effects of radio frequency emissions to the extent that such facilities comply with FCC regulations concerning such emissions. Other specific purposes of these regulations are as follows:

- A. To encourage use of nonresidential buildings and structures, such as water storage tanks.
- B. To encourage joint use of new or existing towers and facilities.
- C. To avoid potential damage to adjacent properties from tower failure through engineering and careful siting of towers.
- D. To accommodate the need for wireless telecommunication towers and antennas while regulating their location and number.
- E. To protect historic and residential areas from potential adverse impacts of wireless telecommunication facilities.
- F. To encourage suitable design measures to minimize adverse visual effects of wireless telecommunication facilities.
- G. To encourage and facilitate reduction of the number of towers and/or antennas needed in the future.

**Article I, Section 17.2 Siting Preferences**

The general order of preference for alternative facility locations shall range from A as the most preferred to E, the least preferred:

- A. On existing structures such as nonresidential buildings/facades, water towers/tanks, utility poles, steeples, clock or bell towers, chimneys, grain elevators, and silos.
- B. On existing or approved towers.
- C. On new towers located on property occupied by one or more existing towers.
- D. On new towers located in commercial or industrial areas.
- E. On new towers located in residential areas.

**Article I, 17.3 General Standards**

The wireless telecommunication facility standards enumerated below shall be followed:

- A. The tower and/or antenna shall be erected to the minimum height necessary to satisfy the technical requirements of the wireless telecommunications facility.
- B. A tower must be separated from all boundary lines by the greater of (i) the applicable front yard, side yard, and rear yard set back requirements set forth elsewhere in these regulations, or (ii) to the height of the tower.
- C. A wireless telecommunications facility may be considered as either a principal or accessory use. The minimum lot area for the construction of a new tower shall be two acres. More than one tower per lot may be permitted if all setbacks, design, and landscape requirements are met for each tower. A wireless telecommunications facility may be located on leased land as long as there is adequate ingress and egress to the site for service vehicles, and such access is documented in a recorded easement presented to the Commission for approval in advance of recording.
- D. All towers in residential areas shall be a monopole design unless otherwise modified and approved by the Commission. The Commission may require that a monopole be designed and treated with architectural materials so that it is camouflaged to resemble a woody tree with a single trunk and branches on its upper part, or other suitable art form/sculpture as determined by the Commission.
- E. Towers not requiring FAA paintings or markings shall be painted a non-contrasting blue, gray, or other neutral color.
- F. No lights or illumination shall be permitted unless required by the FAA.
- G. No signs or advertising shall be permitted on any tower or antenna, except that "no trespassing", "warning", and ownership signs are permitted up to (7) feet above ground level.
- H. The proposed support structure shall be designed and constructed in a manner adequate to accommodate a minimum of three users unless it is determined to be technically unfeasible based upon information submitted by the applicant and verified by the Commission. These users shall include other wireless telecommunications companies, and local police, fire, and ambulance companies.
- I. The proposed tower shall be designed and constructed to all applicable standards of the American National Standards Institutes, as amended.
- J. The Commission may require the use of Section 16-50aa of the Connecticut General Statutes to promote tower sharing.
- K. The tower shall be designed with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness.

#### 17.4 Permitted and Special Permit Uses

The uses generally set forth in subsections A. B., below, pose a minimum adverse visual effect and shall be deemed permitted uses subject to the standards and requirements set forth elsewhere in these Regulations.

- A. Wireless telecommunication facilities where the antennas are mounted on the rooftop or facade of a non-residential building, provided the following standards are met:
  1. No change is made to the height of the building.
  2. Panel antennas shall not exceed sixty inches in height by twenty-four inches in width; whip antennas shall not exceed forty-eight inches in height; and dish antennas shall not exceed thirty-six inches in diameter.
  3. Equipment cabinets and sheds shall meet the requirements of these regulations.
  4. Facilities shall be of a material or color that matches the exterior of the building, and shall blend into the existing architecture to the extent possible.
  5. Facade mounted antennas shall not protrude above the building structure and shall not project more than three feet beyond the wall or facade.
  6. Roof mounted antennas shall not exceed the highest point of the rooftop by more than ten feet.
  7. Roof mounted antennas shall be set back from the roof edge a minimum of ten feet or ten percent of the roof width, whichever is greater.
  8. Roof mounted antennas shall not occupy more than 25 percent of the roof area of the building.
- B. Wireless telecommunication facilities where the antennas are mounted on existing towers, water towers/tanks, utility poles, steeples, clock or bell towers, chimneys, grain elevators, and silos, provided the following standards are met:
  1. No change is made to the height of the structure.
  2. Panel antennas shall not exceed sixty inches in height by twenty-four inches in width; whip antennas (with the exception of municipal affiliated emergency service antennas) shall not exceed forty-eight inches in height; and dish antennas shall not exceed thirty-six inches in diameter.
  3. Equipment cabinets and sheds shall meet the requirements of these regulations.
  4. Facilities shall be of a material or color that matches the exterior of the structure and shall blend into the existing architecture of the structure to the extent possible.
- C. All other placement of wireless communication facilities shall require a special permit and the applicant shall submit the following additional information with its application:
  1. All of the plans and information required for a permitted use wireless telecommunications facility site plan required in Subsection 17.5 of the regulations.

2. A view shed analysis showing all areas from which the tower would be visible, and if requested by the Commission, a simulation of the proposed site in order to help the Commission determine the visual impacts associated with the proposal.
3. Documentation prepared by a licensed telecommunications systems engineer that no existing or planned tower or other structure can accommodate the applicant's antenna. For tall structures located within one-quarter mile radius of the proposed site, documentation that the owners of these locations have been contacted and have denied permission to install the antenna on these structures for other than economic reasons.
4. Information concerning the proximity of the tower to residential structures.
5. Information concerning the nature of uses on adjacent and nearby properties within 1,000 feet.
6. Information concerning surrounding topography within 1,000 feet at contour intervals not exceeding ten feet.

#### **Article I, Section 17.5 Site Plan Requirements**

All applications to develop a wireless telecommunications facility as a permitted use or special permit shall meet the requirements listed in Article IV of these regulations. In addition, the following information shall be submitted for each application where applicable, together with any other information deemed necessary by the Zoning Enforcement Officer/Planning & Zoning Commission for a determination that the proposed use conforms with these regulations.

- A. A map indicating the service area of the proposed wireless telecommunications site. A map indicating the extent of the providers existing and planned coverage within the Town of Woodstock, and a map indicating the search radius for the proposed wireless telecommunications site, including the location of tall structures within one quarter mile of the proposed site.
- B. A report from a licensed telecommunication systems engineer indicating why the proposed site location is necessary to satisfy its function in the applicant's proposed wireless telecommunications system.
- C. A plan showing where and how the proposed antenna will be affixed to a particular building or structure.
- D. Details of all proposed antenna and mounting equipment including size and color.
- E. Elevations of all proposed shielding and details of material including color.
- F. An elevation of all proposed equipment buildings, boxes or cabinets. Details of all proposed fencing, including color.
- G. Tower base elevation and height of tower.

- H. A design drawing, including cross section and elevation, of the proposed tower. A description of the tower's capacity, including the number and type of antennas it can accommodate as well as the proposed location of all mounting positions for co-located antennas and the minimum separating distances between antennas. The design shall indicate how the tower has been designed so as to collapse without encroaching upon any adjoining property if failure occurs.
- I. A report from a licensed telecommunication systems engineer indicating that the proposed wireless telecommunication facility will comply with FCC radio frequency emission standards and that the installation will not interfere with public safety communications.
- J. A description of all proposed landscaping, if appropriate, with a list of plant materials.
- K. A description and explanation of proposed access to the site.
- L. Detailed analysis of alternative sites, structures, access, and antennas as provided by the applicant. Particular attention will be placed upon the siting preferences found in Subsection 17.2 of these regulations.
- M. Detailed propagation and antenna separation analysis relative to tower height.
- N. Information concerning tower sharing or co-location to facilitate the telecommunication needs of municipalities and other entities in order to reduce the need to construct additional towers. The Commission reserves the right to require the applicant to utilize the provisions of Section 16-50aa of the Connecticut General Statutes to achieve tower sharing.
- O. Assessment of tower structure type.
- P. Assessment of design characteristics/architectural treatments that mitigate, reduce or eliminate visual impacts on adjacent areas.
- Q. If located on a property listed on the National Register of Historic Places, information concerning preservation of the historic and /or architectural character of the landscape or any structure.
- R. Information concerning future use or re-use of the site, with provisions for facility removal and site restoration.
- S. Documentation of the minimum height needed, prepared by a licensed telecommunication systems engineer, shall accompany an application. The Commission may require the submission of propagation modeling results to facilitate its review of tower height.

#### **Article 1, Section 17.6 Ancillary Buildings**

All ancillary buildings associated with wireless telecommunication facilities shall comply with the following:

- A. Each building shall not contain more than one hundred and fifty (150) square feet of gross floor area or be more than eight feet in height.
- B. Each building shall comply with the setback requirements for accessory buildings for the zoning district in which it is located.
- C. If located on the roof of a building, the ancillary building shall be designed to blend with the color and design of the main building to the extent possible.
- D. All ground level buildings, boxes, or cabinets shall be surrounded by a chain link or comparable fence and shall be appropriately landscaped.

#### **Article 1, Section 17.7 Abandonment**

A wireless telecommunication facility not in use for 12 consecutive months shall be removed by the facility owner or the property owner at such party's expense. This removal shall occur within 90 days of the end of such 12-month period. The Commission may require a bond or other surety in a form and amount satisfactory to the TOWN OF WOODSTOCK, to guarantee removal, which shall be reviewed and renewed every two years by the Commission. If there are two or more users of a single tower, this provision shall not become effective until all users cease utilizing the tower.

#### **Article 1, Section 17.8 USE**

Any approved or permitted wireless telecommunications facility shall be used only for the purpose set forth in these regulations

### **ARTICLE II - DEFINITIONS**

Accessory Apartment: A second dwelling unit that is contained on the same lot as a single family residence and that is clearly subordinate to the main dwelling unit in terms of size and appearance.

Accessway: That portion of an interior (rear) lot extending from the street and not having the width of the minimum lot frontage generally required under these regulations. The width of the accessway shall be measured in a direction parallel to the front lot line.

Agriculture and Agricultural Uses: The terms "agriculture" and "agricultural uses" shall have all those meanings set forth in Section 1-1(q) of the Connecticut General Statutes, as amended, which, as of the date of enactment of these regulations, included cultivation of the soil, dairying, forestry, raising or harvesting of any agricultural or horticultural commodity, including the raising, shearing, feeding, caring for, training and management of livestock, including horses, bees, poultry, fur-bearing animals; and aquaculture, as defined below; the operation, management, conservation, improvement or maintenance of a farm and its buildings, tools and equipment, or salvaging timber or cleared land of brush or other debris left by a storm, as an incident to such farming operations; the production or harvesting of maple syrup or maple sugar, or any agricultural commodity, including lumber, as an incident to ordinary farming operations; the harvesting of mushrooms, the hatching of poultry, the construction, operation or