TOWN OF NEWFIELD LAND USE ORDINANCE
PROPOSED WIRELESS COMMUNICATION FACILITIES
AND COMMUNICATIONS TOWER STANDARDS

A. A new communications tower must be constructed with materials and colors that match or blend with surrounding natural or built environment, to the maximum extent practicable. Unless otherwise required, muted colors, earth tones and subdued hues shall be used.

B. A new wireless communication facility and tower must comply with the current Electronic Industries Association/Telecommunications Industries Association (EIA/TIA) 222 Revision Standards entitled "Structural Standards for Steel Antenna Supporting Structures" or its lawful successor.

C. The applicant shall present evidence to the Planning Board that there are no current structures which may be used to support the antenna and associated equipment. The owner/operator of the tower is required to allow co-location until said tower has reached full antenna capacity. Space for any possible future accessory structures shall be shown on the plan.

D. The maximum height of a communications tower shall be 199 feet including antenna. The height of an antenna shall be included in the total height limitation as allowed for a communications tower.

E. The tower shall be placed a minimum distance of 125% of the height of the tower from any boundary line to establish a safety zone. The Board of Appeals shall not be authorized to grant any variance from this requirement.

F. The Tower shall not be lighted unless mandated by the Federal Aviation Administration or other applicable state or federal requirements.

G. The applicant shall submit a scenic assessment consisting of

a. Elevation drawings of the proposed facility and any other proposed structures showing height above ground level.

b. A landscaping plan indicating the proposed placement of the facility on the site, location of existing structures, trees and other significant site features, the type and location of plants proposed to screen the facility; the method of fencing, the color of the structure and the proposed lighting method.

c. Photo simulations of the proposed facility taken from perspectives determined by the Planning Board or their designee, during the pre-application process. 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.

d. A narrative discussing the

I. Duration time for which the proposed facility would be visible to a passing motorist, or boater within designated scenic resource or from public recreation facility as identified in the comprehensive plan.

II. The tree line elevation of vegetation within 100 feet of the facility and

III. The distance of the proposed facility from the designated scenic resources noted vantage points.

H. A security fence to be approved by the Planning Board of not less than eight feet in height from the finished grade shall be provided around the Tower and any accessory structures, including guywire anchors if part of the facility.

I. Prior to approval the applicant shall submit a guarantee acceptable to the town an amount and form acceptable to the Board of Selectmen taking into account the effects inflation upon costs, sufficient to pay for the cost of removal of the facility. A wireless telecommunications facility that is not operated for a continuous period of 12 months shall be considered abandoned. The Code Enforcement Officer shall notify the owner of an abandoned facility in writing and order the removal of the facility within 90 days of receipt of the written notice. The owner of the facility shall have 30 days from the receipt of the written notice to demonstrate to the Code Enforcement Officer that the facility has not been abandoned. The Planning Board shall require the submission of proof of adequate insurance covering accident or damage.

If the owner fails to show that the facility is in active operation, the owner shall have 60 days to remove the facility. If the facility is not removed within this time period, the municipality may remove the facility at the owner's expense. The owner of the facility shall pay all site reclamation costs deemed necessary and reasonable to return reestablishment of vegetation.

The owner of the facility may apply to the Planning Board for release of the surety when the facility and related equipment are removed to the satisfaction of the Planning Board.

J. The applicant must meet all other pertinent sections of the "Newfield Land Use Ordinance".

Definitions:

Wireless Communication Facility: Any antenna, satellite dish, microwave dish or equipment used for receiving, relaying or transmitting radio, telephone, television or any other electromagnetic based communication or data transfer, or any tower, pole or structure supporting such equipment.

Antenna: Any exterior apparatus or collection of apparatus designed for telephone, radio, television, personal communications service, pager network, or any other communications through the sending or receiving of electromagnetic waves of any bandwith, except for those used only for the reception of television or radio signals. The Federal Telecommunications Act exempts amateur "ham" radio stations.

Communications Tower: Any structure, whether freestanding or in association with a building or other permanent structure, that is designed and constructed primarily for the purpose of supporting one or more antenna. the term includes radio or television transmission towers, and similar structures. The Federal Telecommunications Act exempts "ham" radio stations.

Satellite Receiving Dish: An antenna to receive signals from satellites.