

**PROPOSED ZONING BY-LAW REVISIONS**  
**for the**  
**TOWN OF BROOKFIELD**  
**to regulate**  
**WIRELESS COMMUNICATIONS FACILITIES**  
**May, 1998**

*Linda M. Lincoln*

A TRUE COPY ATTEST: LINDA M. LINCOLN, TOWN CLERK  
MAY 28, 1998

## **Section 2. Definitions**

Carrier – A company that provides wireless services.

Co-location – The use of a single mount on the ground or several mounts on an existing structure by more than one carrier.

Communications Devices – Any antenna, dish, or panel mounted out of doors on an already existing building or structure used by a commercial telecommunications carrier to provide telecommunications services. The term "communications device" does not include a Tower because that term is defined separately.

Operator – The party currently responsible for the maintenance and physical security of a Wireless Communications Facility (WCF). Initially this is the applicant. Since the applicant might lease the WCF site, the Operator might differ from the site's owner. The Operator is also distinct from other carriers who have co-located equipment on the WCF.

Security Barrier – A locked, impenetrable wall or fence that completely seals an area from unauthorized entry or trespass.

Tower – Any equipment mounting structure that is used by a commercial telecommunications carrier to support reception or transmission equipment and that measures 12 or more vertical feet.

Wireless Communications Facility (WCF) – Any materials, equipment, storage structures, towers, dishes, and antennas, other than customer premises equipment, used by a commercial telecommunications carrier to provide telecommunications or data services. This definition does not include facilities used by a federally licensed amateur radio operator nor television antennas and satellite dishes which are for residential use.

WCF Accessory Buildings – A structure designed to house both mechanical and electronic equipment used in support of Wireless Communications Facilities.

## **Section 11. Wireless Communications Facilities**

### **A. Purpose**

The purpose of these Wireless Communications Facilities (WCF) regulations is to promote the health, safety, and general welfare of the community; to guide sound development; and to conserve the value of land and buildings. To these ends, this section seeks:

1. To minimize the number of WCF sites with Towers by encouraging the co-location by various carriers on such facilities;
2. To minimize the adverse aesthetic impact of such facilities;
3. To ensure the safety of such facilities.

### **B. WCF Development Requirements**

1. Minimizing WCF sites with Towers
  - a. Shared use of Towers by commercial telecommunications carriers is required unless such shared use is shown to be infeasible.
  - b. All Towers shall be designed to accommodate the maximum number of users technologically practical.
  - c. A new Tower must be at least one mile from any existing Tower.
2. Minimizing Aesthetic Impact
  - a. Aesthetic Impact of Towers
    - (1) A Tower shall be either a free standing monopole or a "tree tower" (i.e. a simulated tree.)
    - (2) Any proposed Tower must be the minimum height necessary to accommodate the use and in any event shall not be more than 120 feet in height unless the applicant demonstrates to the Board's satisfaction that a greater height is required to service the area.
    - (3) The visual impact of a Tower shall be minimized by use of appropriate paint or covering.
    - (4) A Tower shall be sited such that its appearance from other areas of the Town is minimized and be screened from abutters and residential neighbors as much as possible.
    - (5) Towers shall not be sited within a historic district.
  - b. Aesthetic Impact of Communications Devices

2. The applicant must be authorized by the FCC to construct and operate a commercial mobile radio services system. There may be co-applicants as well, such as the owner of the subject property.
3. No WCF shall be erected or installed out of doors except in compliance with the provisions of this section. The provisions of this section apply to all WCF whether as a principal or an accessory use and to any additions to, or replacement of, existing WCF.
4. The Planning Board shall review the special permit application for conformance with the Special Permit Review Criteria under §12.C and for conformance with WCF Development Requirements under §11.B.
5. WCF that include a Tower shall be considered only after a finding that existing or previously approved towers, buildings, or structures cannot accommodate the proposed users. New Towers shall be considered by the Planning Board only upon a finding by the Planning Board that:
  - a. the applicant has used reasonable efforts to co-locate its proposed WCF on existing or approved facilities; and
  - b. that the applicant either was unable to negotiate commercially reasonable lease terms with the owner of an existing or approved facility that could accommodate the proposed facilities from both structural and radio frequency engineering perspectives; or that no such structure exists or is proposed.
6. To make an informed review of the applicant's proposal, the Board may request information such as the following:
  - a. A town-wide map showing the location of other existing WCF and WCF proposed by this applicant in the Town and within one mile of the Town.
  - b. A locus plan at a scale of 1" = 200' showing all property lines, streets, landscape features, and all buildings within 500 feet of the facility. It shall show the exact location of the proposed facilities including antennas, mounts, equipment shelters, security barriers, and parking. It shall show all proposed changes to the existing property, including grading, vegetation removal and temporary or permanent roads and driveways.
  - c. Existing (before condition) photographs and proposed (after condition) renditions. The before condition photos shall illustrate what can be currently be seen from any public road within 300 feet. The after condition renditions shall show the same view with the proposed facility superimposed.
  - c. To demonstrate the visual impact of a proposed Tower, the applicant shall fly a 3 foot diameter balloon or place a crane at the proposed site at the maximum height of the proposed Tower on a weekend day between the hours of noon and 3pm. The date and location of the demonstration shall be advertised at least 14 days, but not more than 21 days, before the demonstration in a newspaper of general circulation in the Town. Photographs of the demonstration showing the impact of the proposed Tower on abutting streets, adjacent property owners and residential neighborhoods shall be submitted.



