

*AN AMENDMENT TO THE ZONING ORDINANCE
RELATING TO
WIRELESS COMMUNICATION FACILITIES*

WHEREAS the Federal Telecommunications Act of 1996 requires that wireless communication facilities shall comply with local zoning ordinances; and

WHEREAS the Londonderry Planning Board has developed specific zoning standards that will provide local regulation for the siting of wireless communication facilities; and

WHEREAS the Londonderry Planning Board voted unanimously on November 6, 1996 to recommend that the Londonderry Town Council adopt the proposed Zoning Ordinance amendments in accordance with the Town Charter; and

WHEREAS the Town Council and Planning Board members wish to review and regulate the development of wireless communication facilities which may have an impact on the community or individual property owners;

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Londonderry that the Zoning Ordinance is amended as hereafter set forth.

Daniel J. Vecchione
Chairman - Londonderry Town Council

A TRUE COPY ATTEST:

12/23/96

Joan M. Savina
Town Clerk

Amend the Zoning Ordinance by adding:

Section II - DEFINITIONS

WIRELESS COMMUNICATIONS FACILITY: *Any towers, poles, antennas or other structures intended for use in connection with transmission or receipt of radio or television signals or any other spectrum-based transmissions/receptions.*

Section III 303 - DISTRICT REGULATIONS

GENERAL

- K. The construction of wireless communications facilities shall be subject to Section III, 304 - Wireless Facilities - Regulation and Performance Criteria.***

304 - WIRELESS FACILITIES - Regulation and Performance Criteria

- A. Construction of wireless communications facilities are prohibited in CO (Wetlands Conservation), AR.-I, and R-III zones and are permitted as a use by right in C-I, C-II, C-III, IND-I and IND-II only if the criteria of Part D of this Section are met. If Part D criteria are not met, then a special exception must be obtained in C-I, C-II, C-III, IND-I, and IND-II.***
- B. It is required by this ordinance that cellular phone antenna be placed on an existing wireless facility tower if it is physically and legally possible.***
- C. All variance processes are subject to site plan review.***
- D. Performance Criteria - See Page A2)***
- E. New ground towers shall be subject to site plan review. The assessment and review of each application for a wireless facility's compliance with the performance criteria of Part D shall be the responsibility of the Building Inspector, Planning Director and Town Engineer.***

WIRELESS FACILITY PERFORMANCE CRITERIA
Proposed Zoning Ordinance - ORD 06-1

<i>SECTION</i>	<i>AR-I, R-111, CO</i>	<i>CI-, C-II, C-III, IND-I, IND-II</i>
<i>D.1 Cellular Antenna to be affixed to a new (proposed) ground tower</i>	<i>Not allowed</i>	<i>Masimum Tower Height: 190 feet</i> <i>Setbacks: The GREATER distance by applicaiton of the following:</i> <ol style="list-style-type: none"> <i>1. Tower Height +10 feet from street rights-of-way or site boundaries</i> <i>2. Two (2) times the tower height from abutting residential property lines</i> <i>3. The tower shall be fenced to a mininum height of eight (8) feet with two (2) strands of barbed wire</i> <i>4. Site Plan Review required</i>
<i>D.2 Cellular antenna to be affixed to an existing building without a roof tower</i>	<i>Not allowed</i>	<ol style="list-style-type: none"> <i>1. Antenna may be placed on the facade or roof of conforming building or structures without regard to height or setback of the building.</i> <i>2. Antenna support structures will be considered to be roof towers if the height of the structure exceeds ten (10) feet above permitted height of building.</i>
<i>D3. Cellular antenna to be affixed to a new (proposed) roof tower.</i>	<i>Not allowed</i>	<i>Roof Towers may be placed on the roof of a conforming building using either of the following to determine tower height and setback:</i> <ol style="list-style-type: none"> <i>1. Tower height above the roof may be as high as the setback distance to the nearest roof edge.</i> <i>2. The heights allowable for a ground tower may be used for a roof tower if the required setbacks for a ground tower are met.</i>
<i>D.4 Cellualar antenna to be added to an existing approved or permitted tower.</i>	<i>Not allowed</i>	<i>Allowed if following conditions are met:</i> <ol style="list-style-type: none"> <i>1. The tower height is not increased.</i> <i>2. No ancillary features are added to the tower other than antenna, required safety hardware, and ancillar equipment buildings.</i> <i>3. All conditions of the previous tower approval have been satisfied.</i>
<i>D.5 Existing nonconforming tower</i>	<i>N/A</i>	<i>Subject to zoning requirements concerning Nonconforming Structures</i>
<i>D.6 Ancillary equipment building(s)</i>	<i>Not allowed</i>	<ol style="list-style-type: none"> <i>1. Subject to all requirements of appropriate zone (ie: bulk, setback, etc.)</i>