

TOWN OF WEATHERSFIELD, VERMONT

INTERIM ZONING BYLAWS

Pursuant to the provisions of Title 24, Section 4410, of the Vermont Statutes Annotated, the Select Board adopted the following Interim Zoning Bylaws on April 17th, 2003:

1. Replace Section 7.23 of the Town of Weathersfield's Zoning Bylaws, adopted March 6th, 2002, and amend by enacting the following:

7.23 Wireless Communication Facilities

Purpose: to regulate the construction, alteration, development, decommissioning or dismantling of wireless communication facilities and ancillary structures and improvements. Activities regarding the decommissioning or dismantling of communication facilities and ancillary structures may include requirements that a bond be posted, or other security acceptable to the Zoning Board of Adjustment, in order to finance the decommissioning or dismantling of all or any portion of the facility.

7.23.1 Wireless Communications Facilities: A wireless communication facility is a conditional use in any District. In addition to the relevant bylaws, the Board shall review an application for a wireless telecommunications facility for compliance with the conditional use standards in Section 4.2.2, and may attach certain additional requirements or conditions to a permit.

7.23.2 Wireless Telecommunications Facilities

Subparagraphs (1) through (6) of the Section 7.23, as currently in effect, are placed under this subsection 7.23.2.

(7) A wireless telecommunication facility is a conditional use in any District. In addition to the relevant bylaws, the Board shall review an application for a wireless telecommunications facility for compliance with this Section 7.23, as well as the conditional use standards in Section 4.2.2 and may attach certain additional requirements or conditions to a permit.

2. Add to Section 8, Definitions the following

Wireless Communications Facility – A tower, pole, antenna, guy wire, or related features or equipment intended for use in connection with transmission or receipt of radio or television signals or any other electromagnetic spectrum-based transmission/reception and the construction or improvement of a road, trail, building or structure incidental to a communications facility. Wireless Communication Facilities include Wireless Telecommunication Facilities. A speculative wireless telecommunications facility, that is, one built on speculation that the builder and operator will be able to lease it to a service provider, is considered a **wireless communications facility** and does not come under the Telecommunications Act of 1996. Applications for such facilities, until a service provider is named and joins in the application, are subject to the review and regulations as a wireless communications facility and not as a wireless telecommunications facility.

Wireless Telecommunication Facility - A facility consisting of the structures, including the towers and antennas mounted on towers and buildings, equipment and site improvements involved in sending and receiving telecommunications or radio signals from a mobile communications source and transmitting those signals to a central switching computer which connects the mobile unit with land-based or other telephone lines.

Dated at Town of Weathersfield, Windsor County, State of Vermont, this seventeenth day of April, 2003.

Henry C. Cobb, Jr., Vice-Chairperson
Norman John Arrison, Clerk
Daniel E. Boyer, Selector
Peter J. Skalaban, Selector