REGULATION OF WIRELESS TELECOMMUNICATIONS
FACILITIES ORDINANCE
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Authority and Scope</td>
<td>202</td>
</tr>
<tr>
<td>2</td>
<td>Purpose</td>
<td>203</td>
</tr>
<tr>
<td>3</td>
<td>Application Requirements</td>
<td>203</td>
</tr>
<tr>
<td></td>
<td>Application for Construction of New Towers or for Building,</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Pole Mounted or Tower Facilities</td>
<td>207</td>
</tr>
<tr>
<td>4</td>
<td>Criteria and Standards</td>
<td>208</td>
</tr>
<tr>
<td></td>
<td>Engineering Standards</td>
<td>209</td>
</tr>
<tr>
<td></td>
<td>Location Standards</td>
<td>209</td>
</tr>
<tr>
<td></td>
<td>Design Standards</td>
<td>210</td>
</tr>
<tr>
<td></td>
<td>Inspections</td>
<td>212</td>
</tr>
<tr>
<td></td>
<td>Abandonment and Removal of Tower</td>
<td>212</td>
</tr>
<tr>
<td>5</td>
<td>Prohibition</td>
<td>213</td>
</tr>
<tr>
<td>6</td>
<td>Effective Date</td>
<td>213</td>
</tr>
<tr>
<td>7</td>
<td>Administration of Application</td>
<td>213</td>
</tr>
<tr>
<td>8</td>
<td>Definitions</td>
<td>214</td>
</tr>
</tbody>
</table>
REGULATION OF WIRELESS TELECOMMUNICATIONS FACILITIES ORDINANCE
FOR THE TOWN OF POWNAL

Adopted March 8, 1999

Section 1. Authority and Scope

1.1 Home Rule and Maine Statute. This ordinance is adopted pursuant to the
enabling provisions of Article VIII, Part 2, Section I of the Maine Constitution; the
provisions of Title 30-A M.R.S.A. Section 3001 (Home Rule), and the provisions
of the Planning and Land Use Regulation Act, Title 30-A M.R.S.A. Section 4312
et seq.

1.2 Pre-emption by federal law. The Communications Act of 1934 as amended by
the Telecommunications Act of 1996 ("the Act") grants the Federal
Communications Commission (FCC) exclusive jurisdiction over the regulation of
the environmental effects of radio frequency (RF) emissions from
Telecommunications Facilities and the regulation of radio signal interference
among users of the RF spectrum. Pownal's regulation of Towers and
Telecommunications Facilities in the town will not have the effect of prohibiting
any Person from providing wireless telecommunications services in violation of
the Act.

1.3 Severability and Interpretation. In the event that any Section, Subsection, portion
or provision of this Ordinance shall be declared by any court of competent
jurisdiction to be invalid for any reason, such decision shall not be deemed to
affect the validity of any other provision of this Ordinance. The provisions of this
Ordinance are hereby declared to be separable. Whenever the requirements of
this Ordinance are inconsistent with the requirements of any other Ordinance,
Code or Statute, the most restrictive requirements shall apply, except that:

1.3.1 Towers as described in section 8.9 and 8.10 of this Ordinance can be approved
by the Planning Board in any zone.

1.4 Exemptions. Exempted from this Ordinance are radio, citizens band or television
satellite dish or mast antennas for private use and not for profit or commerce,
provided that no such mast has an antenna height of greater than forty feet from
the ground. A ground, building or tower mounted antenna, operated by a
federally licensed amateur radio operator as part of the Amateur Radio Service,
which is no higher than one hundred (100) feet in height, and is not licensed or
used for any commercial purpose, is also exempt. The Codes Enforcement
Officer may permit additional height in excess of one hundred (100) feet if it is
technically necessary to successfully engage in this activity, as outlined in the
attached guide by the American Radio Relay League (ARRL), Antenna Height
and Communications Effectiveness, copyright 1998. Also refer to PRB-1. 101
FCC 2d 952 (1985), and 47 C.F.R., part 97.15e.
1.5 Not intended to replace Pownal's Site Plan ordinance. Nothing in this Ordinance shall be read to exempt anything from the requirements of Pownal's Site Plan Ordinance.

Section 2. Purpose

The purpose of this Ordinance is to provide a uniform and comprehensive set of performance standards and requirements to be used by the Planning Board during the site plan review process when it reviews an application for the placement and construction of wireless telecommunication facilities. These standards and requirements are intended to regulate the location and installation of such facilities in order to:

2.1 Protect and promote public health, safety and welfare from potential problems, examples of which are falling ice, telecommunication wave interference and attractive nuisance of towers to children;

2.2 Protect and preserve the aesthetic quality of Pownal as set forth in the goals, policies and objectives of the Pownal Comprehensive Plan, examples of which are the protection of scenic vistas, rural character and important historical areas, and the regulations of the Pownal Zoning Ordinance, examples of which are buffering requirements, by carefully regulating siting and design of wireless telecommunication facilities;

2.3 Protect adjacent properties from potential damage from tower failure and falling ice through careful siting regulations and engineering requirements;

2.4 Facilitate and encourage the managed development of telecommunications infrastructure while at the same time not unduly restricting the development of needed telecommunications facilities, including amateur radio installations, and

2.5 Encourage co-location on existing and future wireless telecommunication towers and maximize the use of existing and approved towers and other existing structures such as utility poles, or buildings (including community facility sites) to accommodate new wireless telecommunication antennas in order to reduce the number of new towers needed to serve the community’s needs.

Section 3. Application Requirements

Applications. The following procedures and requirements shall apply to all applications for a tower permit under this Ordinance:

3.1 Fees for applications. Application for a tower permit hereunder for a co-located Tower is $1000.00. Application for a tower permit for a single use tower is $2000.00. The town shall be exempt from such fees.
3.2 Consequence of application. By applying, an applicant agrees to comply with this Ordinance in all ways, including by committing him/herself and successors in interest to respond in a timely, comprehensive manner to a request for information from a potential co-location applicant and to negotiate in good faith for shared use by other parties that have received or applied for federal licenses.

3.3 Form of application. All applications hereunder shall be made in writing to the Planning Board on the forms provided for this purpose. The application shall be made by the owner of the property or by agent of the owner, and shall be accompanied by the payment of an application fee to the Town of Pownal to cover the administrative costs of processing the application.

3.4 Compliance with other laws. The applicant must comply with all State and Federal requirements and receive all relevant approvals before any development activities may begin.

3.5 Required exhibits and information. When the owner of the property or his/her authorized agent makes formal application for a tower permit hereunder, the application shall contain at least the following exhibits and information.

3.5.1 A fully executed and signed copy of the application for a tower permit.

3.5.2 Two copies of the tower application site plan drawn at a scale sufficient to allow review of the items listed under this Ordinance, but at not more than 50 feet to the inch for that portion of the total tract of land being proposed for the tower location, and showing the following:

3.5.2.A. Owner's name, address and signature.

3.5.2.B. Names and addresses of all abutting property owners.

3.5.2.C. Sketch map showing general location of the site within the town.

3.5.2.D. Boundaries of all contiguous properties under the control of the owner or applicant regardless of whether all or part is being developed at this time.

3.5.2.E. The zoning classification of the property.

3.5.2.F. The location of all existing and proposed buildings (including size and height), access points, driveways, sidewalks, parking spaces, loading areas, open spaces, large trees, open drainage courses, service areas, and easements. Copies of any proposed or existing easements, covenants, deed restrictions, etc., shall be provided.
3.5.2.G. The location of all buildings within 200 feet of the parcel to be used to site the tower and the location of intersecting roads or driveways within 200 feet of the tower's location.

3.5.2.H. Applicants shall identify all existing and proposed towers, including their heights, located in the town and within one mile of the town boundaries. Applicants must provide evidence of the lack of antenna space on all such towers, (except in cases where tower access is denied by tower owner), and shall identify alternative tower structures and sites which have been investigated as alternative to constructing a new tower.

3.5.3 Building plans showing, as a minimum, the construction detail of the tower and any ancillary buildings. Such detail shall include:

3.5.3.A. Elevation drawings, cross-sectional area or silhouette, of the facility, drawn to scale and showing all measurements, both linear and volumetric, showing front, sides and rear of the proposed facility including all fencing, supporting system for transmission cables running between the tower and accessory structures, control panels, antennas, and existing structures and trees. Reference any design characteristics that have the effect of reducing or eliminating visual obtrusiveness. A visual study depicting where within a three-mile radius any portion of the proposed tower could be seen must also be provided by the applicant.

3.5.3.B. Detail of the tower base or method attachment to a structure. If the facility will be attached to an existing building or structure, provide measurements and elevations of the structure.

3.5.3.C. Details of all accessory structures including buildings, parking areas, utilities, gates, access roads, etc.

3.5.3.D. Certification from a Registered Professional Engineer in the State of Maine that this proposal will not interfere with established public safety telecommunications.

3.5.3.E. Written approval by all applicable state and federal agencies, including but not limited to the FAA and FCC, or a statement from the agency that no approval is required, including a description of any conditions or criteria for the approval or exemption from approval.

3.5.3.F. An inventory of all of the provider's existing and approved towers, antennas or sites within the Town of Pownal and locations in surrounding communities where wireless telecommunications are proposed to be utilized in conjunction with the facility proposed in this
application. Service area maps or network maps of the applicant’s existing and proposed facilities in Cumberland and Androscoggin Counties.

3.5.3.G. Site photos showing site vegetation, existing and adjacent structures, and views of and from the proposed site. Topography and land uses on the proposed parcel and on abutting properties.

3.5.3.H. Landscaping plan reflecting location of proposed screening and fencing, planting areas, proposed plantings, existing plant materials to be retained and trees or shrubs to be removed.

3.5.3.I. Identify any other telecommunication facilities existing or proposed on the site.

3.5.3.J. A visual analysis, which may include photo montage, field mock up, or other techniques, shall be prepared by or on behalf of the applicant which identifies the potential visual impacts at design capacity, after the leaves have fallen, of the proposed facility. Consideration shall be given to views from public areas as well as from private residences and from archaeological and historic resources including historic areas and structures, specifically those listed in the National Register of Historic Places or eligible for inclusion. The analysis of the impact on historical and archaeological resources shall meet the requirements of the Maine State Historic Preservation Officer in his/her review capacity for the FCC. The overall analysis shall assess the cumulative impacts of the proposed facility and other existing and foreseeable telecommunication facilities in the area, and shall identify and include all feasible mitigation measures consistent with the technological requirements of the proposed telecommunication service.

3.6 Co-location information required. In addition to all other application requirements, the applicant must provide in the application:

3.6.1 Notice to other tower users in Town. Applicants for a wireless telecommunication tower must notify by mail all other tower owners and telecommunication providers in the Town utilizing existing towers, stating siting needs and co-location requirements. Evidence of such notification shall be submitted to the Planning Board and shall include a name and address list, a copy of the notice which was sent and a statement under oath that the notices were sent.

3.6.2 Certification of inability to co-locate. An application for a new wireless telecommunication tower must include evidence that existing or previously approved towers cannot accommodate the telecommunications equipment
(antennas, cables, etc.) planned for the proposed tower, if appropriate. Such evidence would be:

3.6.2.A. Planned necessary equipment would exceed the structural capacity of existing and approved towers, considering the existing and planned use of those towers, and existing and approved towers cannot be reinforced to accommodate planned or equivalent equipment.

3.6.2.B. Planned equipment will cause electromagnetic frequency interference with other existing or planned equipment for that tower, and the interference cannot be prevented.

3.6.2.C. Existing or approved towers do not have space on which planned equipment can be placed so it can function effectively.

3.6.2.D. Other documented reasons that make it technically or financially unfeasible to place the equipment planned by the applicant on existing and approved towers.

3.6.2.E. The applicant must assess whether another tower site could be changed to accommodate the proposed tower, and generally describe the means and projected cost of shared use of the existing or approved tower site.

3.7 Commitment of user required. A proposal to construct or modify a wireless telecommunication tower must include evidence of a commitment from a duly licensed entity to utilize the tower within 6 months of its completion to provide wireless telecommunication services. Proof of financial capacity to build, maintain, and remove the proposed tower must also be submitted.

3.8 Information on the general capacity of the tower and information necessary to assure that ANSI standards are met.

Application for Construction of New Towers or for Building, Pole Mounted or Tower Facilities

3.9 Applications for construction permits for such towers must include, in addition to all other application requirements:

3.9.A. An application to construct a new co-located wireless telecommunication tower taller than the maximum height permitted for a single user must include evidence that the tower can structurally support a minimum of three (3) antenna arrays for co-location purposes.
3.9.B. The Planning Board shall require evidence of adequate structural support to accommodate any proposed additional arrays.

3.9.C. A report from a Registered Professional Engineer in the State of Maine that describes the tower, the technical reasons for the tower design and the capacity of the tower, including the number(s), type(s) and volume of antenna(e) that it can accommodate and the basis for the calculation of capacity.

3.10 For building, pole mounted or tower facilities, in addition to all other application requirements, the application must include certification by a Registered Professional Engineer in the State of Maine that the design is adequate to support, without failure, the maximum forces expected from wind, earthquakes, ice/snow loading when the pole or tower is fully loaded with antennas, transmitters, other equipment, and camouflaging, as described in the submitted plan.

Section 4. Criteria and Standards – Administrative provisions

4.1 Upon approval by the Planning Board, a building permit shall be issued by the C.E.O. Permits will be valid for one (1) year from the date of issue.

4.2 Modification to approved plans. Any change to existing, previously approved and proposed towers requires site plan approval. This includes modifications to approved height and to approved attachments such as antennas and dishes as well as requests for additional attachments.

4.3 Appeals. Any person aggrieved by a decision of the CEO or the Planning Board under this Ordinance may appeal the decision to the Board of Appeals. Written notice of an appeal must be filed with the Board of Appeals within thirty (30) days of the decision. The notice of appeal shall clearly state the reasons for the appeal.

4.4. Enforcement. Failure to comply with any conditions of the Telecommunications Facilities Siting Ordinance or of the Site Plan Review, subsequent to approval of the plan, shall be construed to be a violation of this Ordinance and shall be grounds for revoking the approval, initiating legal proceedings to enjoin construction or any specific activity violating the conditions of approval, or applying a fine of not more than $500.00 for each day that the violation continues after official notification by the Planning Board.
Engineering Standards

4.5 Maximum Height. The height of any tower must be approved by the Planning Board as part of the site plan review process. The maximum height must not exceed 100 feet for single user and 150 feet for co-located user tower. The Planning Board may approve a height that is up to 150 feet only if:

4.5.A. For existing towers, probative evidence is presented by the owner that the existing tower height is not sufficient to meet the reasonable needs of the proposed additional user(s) and the additional height requested is the least height technically necessary to serve all of the proposed users.

4.5.B. For new towers, applicants accommodate co-location even if only one user will be located on the tower at the time of site plan review and approval. Only when additional users locate on the tower may it be constructed to the approved co-located height.

4.6 Mass of Antennas Per User. The mass of antennas, including required antenna support structures, on a tower shall not exceed four hundred fifty (450) cubic feet per user, with no one dimension (not including, Omni-direction antennas, such as whip antennas) exceeding fifteen feet per user. The mass shall be determined by the appropriate volumetric calculations using the smaller regular rectilinear, cuboidal, conical, cylindrical or pyramidal geometric shapes encompassing the entire perimeters of the array and all of its parts and attachments.

4.7 Construction materials for Towers. Towers shall be constructed of metal or other nonflammable material unless specifically waived by the Planning Board.

4.8 Accessory facilities, construction and location. Such facilities shall be adjacent to the tower base unless an alternative location will be less visually obtrusive or topographic considerations require an alternative location. Accessory facilities shall be constructed out of non-reflective exterior materials and shall be placed underground, if possible.

4.9 Security measures. Sufficient anti-climbing measures and other security measures preventing access to the site shall be incorporated into the facility, as needed, to reduce the potential for trespass and injury. Only manually operated or motion detecting security lighting is permitted.

Location Standards

4.10 Minimize visibility and number. Wireless telecommunications facilities shall not be sited in areas of high visibility unless a finding is made that no other location is technically feasible and unless the facility is sited below the ridgeline or designed to minimize its profile by blending with the surrounding existing natural and man-made environment in such a manner as to be effectively unnoticeable.
4.11 Protect wildlife. No facility shall be located so as to create a significant threat to the health or survival of rare, threatened or endangered plant or animal species.

4.12 Area. A wireless telecommunications tower shall not be constructed on a lot that does not conform to the minimum lot area required in the zoning district even if such lot is a lawful non-conforming lot of record. If it is located on a lot containing another use, the lot shall be of sufficient area to meet the minimum lot area requirement for each use.

4.13 Setbacks:

4.13.A. The center of the base of any telecommunications tower must be set back from all property lines a minimum of 125% of the tower height.

4.13.B. No part of the structure, including anchors, guy wires, overhead lines, masts, etc., shall be located in the required setback or in any required buffer area both on the ground or in the air space above the ground; i.e., any part of the structure must be located within the building envelope.

4.13.C. Accessory support buildings containing electronic equipment and any other structures accessory to the telecommunications tower shall meet the required building setback and the required buffer setback and be located within the building envelopes.

4.13.D. If more than one tower is proposed on a single lot or parcel, they shall be located as closely together as possible.

4.13.E. If other non-accessory uses are located on the same lot or parcel as a wireless telecommunications tower, all structures associated with such other uses shall be located a minimum distance of 125% of the tower height from the base of the tower.

4.13.F. A tower’s setback may be reduced by the Planning Board to allow the integration of a tower into an existing or proposed structure such as a church steeple, light standard, power line support device, or similar structure.

Design Standards

In addition to the criteria and standards listed in the Site Plan Review Ordinance, these additional criteria and standards shall be utilized by the Planning Board in reviewing applications for site plan review of proposed wireless telecommunications facilities.
4.14 Blending. All telecommunications facilities shall be designed to blend into the surrounding environment to the greatest extent feasible. To this end all of the following measures shall be implemented.

4.15 Height for accessory buildings. New accessory facilities shall be no taller than one story in height and shall be treated to look like a building or facility typically found in the area.

4.16 Painting. All buildings, poles, towers, antenna supports, antennas and other components of each wireless telecommunications facility site shall be initially painted and thereafter repainted as necessary with a "flat" paint. The color(s) selected shall be one that the Planning Board determines will minimize their visibility to the greatest extent feasible. To this end, improvements which will be primarily viewed against soils or trees shall be painted colors matching these landscapes while elements which rise above the horizon shall be painted a blue gray that matches the typical sky color at that location unless the Board determines that an alternative proposal will minimize visibility.

4.17 Decoration prohibitions. No obstruction painting, advertising, signage or any lighting shall be permitted on any tower.

4.18 Mitigation measures.

4.18.A Screens must be utilized to screen antennas and towers from view from public rights-of-way or scenic vistas, either via landscaping, fencing or other architectural screening.

4.18.B Network interconnections from the communications site via land lines have been proposed rather than the use of microwave link dishes, in order to minimize visual impact.

4.18.C Creative design measures must be employed to camouflage facilities by integrating them with existing buildings and among other uses. When lighting is required and is permitted by the FAA or other federal or state authority, it shall be oriented inward so as not to project onto surrounding residential property.

4.19 Special authority of Planning Board. The Planning Board may require special design of the facilities where findings of particular sensitivity are made (e.g. proximity to historic or aesthetically significant structures, views and/or community features).
Inspections

The owner of any tower in Pownal has the affirmative inspection duties specified hereunder:

4.20 Inspection by neutral expert. A Registered Professional Engineer in the State of Maine shall certify the inspection report of the tower to insure structural integrity.

4.20.A. Monopole towers must be inspected at least once every seven years following completion of construction. The inspection shall take place between the sixth and seventh year of the repeat sequence.

4.20.B. Self-supporting towers must be inspected at least once every five years following completion of construction. The inspection shall take place between the fourth and fifth year of the repeat sequence.

4.20.C. Guyed towers must be inspected at least once every three years following completion of construction. The inspection shall take place between the second and third year of the repeat sequence.

4.21 Submission of inspection reports. The inspection report shall be submitted to the Town CEO within thirty (30) days of its receipt by the tower owner. Based upon the results of the inspection, the CEO may require repair or demolition of the tower.

4.22 Costs for inspections borne by owner. The cost of such inspections, reports, repairs or demolition required under this Ordinance shall be borne entirely by the tower owner. Required repairs shall be completed within sixty (60) days or less as required by the CEO.

4.23 Presumption of abandonment. Failure to provide required inspection reports or to perform necessary repairs in the required time schedule shall be deemed prima facie evidence of abandonment.

Abandonment and Removal of Tower

4.24 Responsibility of owner to notify Town. If the tower ceases to be used or if the use of the tower is abandoned for any reason, it shall be the responsibility of the owner of the facility to notify by certified mail the Codes Enforcement Officer and the Town Clerk of the date of abandonment or cessation of use. If the owner shall fail to give the required notice, the CEO shall make a determination of such date, which determination shall be conclusive as to such date.

4.25 Obligation of owner to remove Tower. In the case of a tower which is abandoned or the use of which ceases, it shall be removed by the owner within one (1) year of its abandonment or cessation of use. All above ground structures, equipment,
foundations, guy anchors, utilities and access roads or driveways specifically constructed to service the tower, structures, equipment or utilities shall be removed, and the land returned to a condition as near to the original pre-construction condition as possible. In the event the owner/applicant does not perform his/her obligations under this paragraph, his/her removal bond shall be used to do so.

4.26 Removal bond required. At the time of approval, the applicant for a new tower shall submit to the Town a bond or other financial surety, to be approved by the Town Selectmen, in the amount of 150% of the estimated demolition cost of the tower and the removal of all accessory facilities, such cost to be determined by an independent Registered Professional Engineer in the State of Maine and the amount shall be acceptable to the Town Selectmen. The bond or other financial surety shall be in effect for as long as the tower is in place.

4.27 Application to Selectmen to release bond. The owner may apply to the Town Selectmen for release of the bond at such time that the owner or assigns removes the tower, accessory facilities and associated abandoned structures as described above, and such completed removal is found to be satisfactory by the Town CEO. Any cost of inspection by the Town CEO shall be borne by the owner.

Section 5. Prohibition

5.1 No tower shall be erected, developed, or otherwise altered without the approval of the Planning Board of such development granted according to the requirements of this Ordinance. Construction, site development and landscaping and maintenance shall be carried out in accord with the plans, drawings, sketches, and other documents approved by the Planning Board, unless altered with the Planning Board’s approval.

Section 6. Effective Date

6.1 This Ordinance becomes effective on March 8, 1999.

Section 7. Administration of Application

7.1 Public Hearing. Prior to taking final action on any site plan review application, the Planning Board must hold a public hearing to afford the public the opportunity to comment on the application. Abutting property owners shall be notified by mail of a pending application for a tower permit hereunder. The hearing shall be advertised in a newspaper of general circulation and notice shall be posted in three prominent places in Pownal at least ten days prior to the hearing. This notice shall indicate the nature of the application, the time, date, and place of hearing.
7.2 Experts. The Planning Board may require the applicant to retain an expert consultant or consultants to study and report as to compliance or noncompliance with these standards and to advise, if necessary, on procedures which will result in compliance. Such consultants shall be fully qualified and licensed to provide the required information and shall be mutually acceptable to the Town and the applicant. Costs shall be borne by the applicant.

7.3 Informational and informal hearing. Prior to formal application, an owner or his/her authorized agent may request an informal review of the tower application by the Planning Board to determine its compliance with town regulations.

7.4 Planning Board tower approval with building permit application. One copy of the approved tower application shall be included in the application for a building permit.

7.5 Bond required. The Board may require the applicant to show financial capacity to complete the development as approved and may require the posting, prior to final approval of any plan, of a bond or escrow agreement, in such amount as is approved by the Board as being reasonably necessary to ensure completion of all improvements required as conditions of approval of such plan, in such form as approved by the Board.

Section 8. Definitions

The following terms have the designated meanings within this Ordinance, unless otherwise clear from the text:

8.1 Antenna: Any structure or device used for the purpose of the wireless transmitting or receiving electromagnetic waves, digital signals, analog signals or other communication signals, including but not limited to directional antennas, such as panels, microwave dishes, and satellite dishes, and omni-directional antennas, such as whip antennas.

8.2 Antenna Support Structure: Any pole, telescoping mast, tower tripod, or any other structure which attaches to a tower and supports one or more antenna(e).

8.3 Building Envelope: The area of an approved building lot that is not part of any setback requirements, stream or wetland protection zones, excess slope or other buffer areas that have been determined by the Planning Board or the Board of Appeals.

8.4 Height, Wireless Telecommunication Tower: The vertical distance measured from the lowest point within ten (10) feet of the base of the structure on the ground to the highest point of the tower, including the base pad, all antennas and other attachments. When towers are mounted upon buildings or other structures, the total vertical height is measured from the lowest point within ten (10) feet of
the ground level of the supporting structure to the highest point of all appurtenances on the tower.

8.5 FAA: Federal Aviation Administration.

8.6 FCC: Federal Communications Commission.

8.7 Public Utility Facilities: A facility, whether publicly or privately owned, which provides direct or indirect utility service to the public, such as, but not limited to, sewage and water pumping stations and treatment facilities, telephone electric equipment structures, electric power substations and transformer stations, and major electrical power lines or pipelines whose major purpose is transport through a municipality. Local utility transmission lines are excluded from this definition. Wireless telecommunications facilities are not considered public utility facilities.

8.8 Wireless Telecommunications Facility: A facility that transmits, receives, distributes, provides or offers telecommunications services, radio or television signals, or any other spectrum-based transmissions/receptions, together with the facility’s associated antennas, microwave dishes, horns, cables, wires, conduits, ducts, lightning roads, electronics and other types of equipment for the transmission, receipt, distribution or offering of such signals; wireless telecommunication towers, antenna support structures and other structures supporting said equipment and any attachments to these structures including guy wires and anchors, equipment buildings, generators, parking areas, utility services, driveway and roads and other accessory features.

8.9 Wireless Telecommunication Facility – Co-Located: A wireless telecommunications facility that includes a telecommunication tower or building supporting one or more antennas, dishes, or similar devices owned or used by more than one public or private entity.

8.10 Wireless Telecommunication Tower ("Tower"): Any new or existing ground mounted or structure mounted pole, spire, structure, or combinations thereof, designed and constructed primarily for the purpose of supporting, fixing or attaching one or more antennas, including supporting lines, cables, wires, brace and masts. The term includes, but is not limited to, radio and television transmission towers, microwave towers, common carrier towers, cellular towers, personal communications service towers, and other similar towers.