

TOWN OF BOW
PLANNING BOARD

CONDITIONAL USE PERMIT APPLICATION
PERSONAL WIRELESS SERVICE FACILITY (PWSF)
Article 7.10 of the Town of Bow Zoning Ordinance

To the Applicant:

This completed application (including all plan application contents noted below) must be filed with the Planning Board's Agent no later than 3:00 PM on the fourth Thursday prior to the Planning Board's next regularly scheduled meeting to be included on their next agenda.

Attention should be given to the items below when completing the application package.

All appropriate fees must be paid in advance;

The application must be made in the name of the owner of record at the time of application, as filed at the Merrimack County Registry of Deeds. The application form must be signed by both the property owner(s) and the applicant;

It is the responsibility of the applicant to provide a complete and accurate list of all abutters.

CONTENTS - COMPLETE PRELIMINARY APPLICATION PACKAGE

1. ____ One (1) copy of the completed application form, including checklist
2. ____ One (1) paper copy of the preliminary plan(s)
3. ____ One (1) copy of any construction plans
4. ____ One PDF file of the plan set (via e-mail)
5. ____ A narrative which addresses the requirements of Article 7.10 and the criteria of Article 12.05 (attached)
6. ____ Complete and accurate abutters list including any municipality within a 20-mile radius of the Town of Bow (per RSA 12-K:7), and any PE/LLS/CSS/CWS whose seal appears on the plan
7. ____ The appropriate filing fee (Additional fees may apply if submitted with Site Plan Review or Subdivision application)

\$____ Application Fee (\$400)

\$____ Plus per Abutter (\$20)

\$____ Total (Not including any other applications)

Note: If any of the above items are missing or incomplete as of the filing deadline, the application will not be placed on the agenda for the next Planning Board meeting.

TOWN OF BOW PLANNING BOARD
PWSF CONDITIONAL USE PERMIT APPLICATION

10 Grandview Road
Bow, NH 03304
mtaylor@bownh.gov

(603) 223-3970
fax (603) 225-2982

FOR OFFICE USE ONLY

Application # _____

Date Received: ____/____/____

Fee Paid \$ _____

Check # _____

Received By: _____

Owner(s): _____

Address: _____

Daytime Telephone # (____) ____-____

Applicant: _____

Address: _____

E-mail address for contact: _____

Daytime Telephone # (____) ____-____

1. Block # ____ Lot(s) _____

2. Street Address for parcel: _____

3. Property located in the _____ zone.

4. Land is in open space (current use): ____ YES; ____ NO

5. Purpose for which the Conditional Use Permit is sought:

The applicant agrees that he/she is familiar with the current Zoning Ordinance of the Town of Bow and in making this application, has complied with the same.

Applicant's Signature

Date

I (we) the undersigned hereby grant the above-signed Applicant authority to act as my (our) agent for this Application and approval process.

Property Owner(s)'s Signature(s)

Date

TOWN OF BOW PLANNING BOARD
CHECKLIST - PWSF CUP

Indicate the purpose for this application: In the spaces provided, indicate "N/A" for items not applicable, "X" for items where condition is met, and "W" for items where a waiver is requested.

SETBACKS

- ____ 1. Minimum setback requirements for this Zoning District; towers must be set back from all lot lines and public ROW a minimum distance equal to 125% of the tower's height (7.10E1)

HEIGHT LIMITATIONS

- ____ 2. General: not to exceed 90 feet in height; will be the minimum height necessary. (* Shall not apply to antenna only applications where the antenna(s) will be mounted no higher than the existing tower or building.) (7.10E2a)
- ____ 3. In Wooded Areas: not higher than 20 feet above the average tree canopy height; camouflaged; stealth technology. (7.10E2b)
- ____ 4. In Fields or Agricultural Areas without a tree canopy: stealth technology. (7.10E2c)
- ____ 5. In or on Existing Structures: use stealth technologies and be architecturally compatible with the host building or structure. (7.10E2d)
- ____ 6. New PWSF Structures: Not to exceed the maximum building height in that zoning district; be architecturally compatible with the buildings in the immediate area. (7.10E2e)

LOCATION PRIORITIZATION

- ____ 7. Be located in accordance with the following priorities, starting with the first: shall show proof of having exhausted each option before moving on to succeeding options. (* antenna only applications shall be located in accordance with priority a or c, as applicable.) (7.10E3)
- ____ a. Concealed or camouflaged on or within an existing building or structure. (7.10E3a)
- ____ b. On or within a new building or structure having a height not greater than the maximum building height within that zoning district. (7.10E3b)
- ____ c. On an existing PWSF (co-location) (7.10E3c)
- ____ d. On a new facility which is camouflaged using stealth technologies subject to the height limitations set forth above. (7.10E3d)

EASEMENTS OR LEASED AREAS

- ____ 8. If located on an easement or leased area, have a minimum area equal to an area having a radius of 125% of the tower's height plus additional area for accessory structures and access, if required. (* antenna only applications need only provide easement or leased area for accessory structures.) (7.10E4)

TOWER CONSTRUCTION

- ____ 9. Use materials, colors, textures, screening, and landscaping that will blend such facilities with the natural setting and man-made environment; mitigate the effects of noise produced and reduce the impact of noise pollution. (7.10E5a)
- ____ 10. If antenna is on a structure other than a tower, the antenna and supporting equipment must be of a color identical to, or closely compatible with, the color of the structure. (7.10E5b)
- ____ 11. Not artificially lighted, unless required by the FAA or other authority. (7.10E5c)
- ____ 12. Not contain any signs, writing, symbols, or graphics of any kind, except as required by law. (7.10E5d)
- ____ 13. In a wooded area: minimize damage to trees and other vegetation within the site and surrounding areas; all trees used to determine the average tree canopy height shall not be damaged or removed during construction, maintenance, repair and operation; demonstrate legal capacity to control tree-cutting and removal from the camouflage area. (7.10E5e)

VIEWSHED ANALYSIS

- ____ 14. Map showing the areas within 2,000' from which the PWSF would be visible; conduct a viewshed analysis; provide photographs or video of the balloon or crane test. (7.10E6)

LANDSCAPING

- ____ 15. Towers, accessory buildings, and fencing shall be landscaped with a buffer of plant materials. (7.10E7a)
- ____ 16. Preserve existing mature tree growth and natural landforms. (7.10E7c)

FEDERAL REQUIREMENTS

- ____ 17. Provide documentation showing that each telecommunications facility is in compliance with all applicable federal and state requirements. Evidence of compliance must be submitted every 12 months. (7.10E8)

BUILDING CODES-SAFETY STANDARDS

- ____ 18. Maintained in compliance with standards contained in local building codes and the standards for towers that are published by the Electronic Industries Association. (7.10E9)

PLAN REQUIREMENTS * = Not required for antenna only applications

- ____ 19. Scaled elevation view. (7.10F7a)
- ____ 20. * Topography. (7.10F7b)
- ____ 21. Propagation Maps showing proposed radio frequency coverage and coverage from alternative sites within the Town. (7.10F7c)
- ____ 22. Radio frequency coverage. (7.10F7d)
- ____ 23. Setbacks. (7.10F7e)
- ____ 24. Adjacent uses (up to 400 feet away). (7.10F7f)
- ____ 25. * Location of all buildings and structures within 500 feet of the proposed tower. (7.10F7g)
- ____ 26. * Diagram of the average tree canopy height. (7.10F7h)
- ____ 27. Driveways and parking. (7.10F7i)
- ____ 28. * Fencing, including anti-climbing techniques. (7.10F7j)
- ____ 29. * Landscaping. (7.10F7k)
- ____ 30. * Proximity of tower to residential development. (7.10F7l)
- ____ 31. Impact on identified historical resources. (7.10F7m)
- ____ 32. * Surrounding tree cover and foliage. (7.10F7n)
- ____ 33. * Tower design characteristics that have the effect of reducing or eliminating visual obtrusiveness. (7.10F7o)
- ____ 34. Visual impacts of the viewshed, ridge lines, open fields and other impacts by means of tower location, tree and foliage clearing and placement of incidental structures. (7.10F7p)

OTHER INFORMATION REQUIRED

- ____ 35. Written proof that the use/facility complies with the FCC regulations on radio frequency exposure guidelines. (7.10F8a)

- ____ 36. Written proof of an evaluation of any requirements of NEPA as may be required by FCC rules, and the results of any such evaluation. If an EA or an EIS is required, submit them to the Board prior to the beginning of the federal 30 day comment period, and the Town proceedings with respect to the proposed wireless telecommunication facility, tower or antenna shall become part of the FCC application requirements. (7.10F8b)
- ____ 37. Written proof of compliance with the requirements of Section 106 of the National Historic Preservation Act. (7.10F8c)
- ____ 38. Inventory of all existing PWSFs and towers within Bow and those within two miles of the border. (7.10F8d)

NEW PWSF CONSTRUCTION (ONLY) Submit written evidence demonstrating that no existing structure can accommodate the applicant's proposed antenna. The evidence shall consist of: (7.10F9)

- ____ 39. No existing PWSFs, towers or structures are located within the area; provide a description of the geographic area targeted for coverage. (7.10F9a)
- ____ 40. No existing towers of sufficient height to meet the engineering requirements, with supporting reasons. (7.10F9b)
- ____ 41. No existing towers or PWSF structures have sufficient structural strength to support applicant's proposed antenna and related equipment. (7.10F9c)
- ____ 42. Proposed antenna or PWSF structures would not cause electromagnetic interference with other antennae on the existing towers, and vice versa. (7.10F9d)
- ____ 43. Fees, costs, or contractual provisions required to share the existing tower or PWSF structure are unreasonable. (7.10F9e)
- ____ 44. Other limiting factors that render existing towers and PWSF structures unsuitable. (7.10F9f)
- ____ 45. Number of sites for PWSFs each provider will require. (7.10F9g)
- ____ 46. Sites outside of Bow that are being considered. (7.10F9h)
- ____ 47. Information on how future technology may reduce or eliminate the need for towers. (7.10F9i)
- ____ 48. Impact, if any, of the PWSF on a competitor's facility on the same property. (7.10F9j)
- ____ 49. Whether it is feasible for carriers to locate base station equipment underground. (7.10F9k)
- ____ 50. Description of why less visibly intrusive alternatives were not proposed. (7.10F9l)

- ____ 51. Studies of alternative sites in Bow that have been considered for siting. (7.10F9m)

CO-LOCATION ON NEW PWSF

- ____ 52. Agreement with the Town of Bow that allows for the maximum allowance of co-location upon the new facility. (7.10F10)

SIZE / COVERAGE REQUIREMENTS

- ____ 53. Submit the engineering information detailing the size and coverage required for the facility location. (7.10F11)

BONDING AND SECURITY INSURANCE

- ____ 54. Proof of appropriate liability insurance with respect to the proposed PWSF, tower or antenna prior to the construction of such facilities. The applicant shall provide the Planning Board proof of acceptable insurance and security on an annual basis unless required sooner by the Planning Board. (7.10H)

REQUIREMENT TO MAINTAIN AND MONITOR

- ____ 55. Agreement that the Board of Selectmen or its designee may enter upon the premises to inspect the facilities as it deems necessary. (7.10J)

Article 12.05 of the Zoning Ordinance of the Town of Bow

12.05 Hearing and Decision

Following a public hearing on the proposed use, the Planning Board shall issue a conditional use permit, if it finds, based on the information and testimony submitted with respect to the application, that:

- A.The use is specifically authorized by Article 5, Section 5.11 Table of Use Regulations as a conditional use;
- B.If completed as proposed by the applicant, the development in its proposed location will comply with all requirements of this Article, and with the specific conditions or standards established in this ordinance for the particular use;
- C.The use will not materially endanger the public health or safety;
- D.The use will be compatible with the neighborhood and with adjoining or abutting uses in the area in which it is to be located;
- E.The use will not have a substantial adverse impact on highway or pedestrian safety;
- F.The use will not have a substantial adverse impact on the natural resources of the town; and
- G.The use will be adequately serviced by necessary public utilities and community facilities and services of a sufficient capacity to ensure the proper operation of the proposed use, and will not necessitate excessive public expenditures to provide sufficient additional capacity or services.