

**PROPOSED AMENDMENTS TO THE
TOWN OF GRAY
WIRELESS TELECOMMUNICATIONS FACILITY SITING ORDINANCE
FOR EXPANSION OF PUBLIC SAFETY COMMUNICATIONS SERVICES**

Draft April 7, 2010

Note: Proposed deletions are indicated by ~~strikethrough~~ text. Proposed additions are indicated by underlined text.

Section 7. Standards of Review

7.1 Planning Board Approval Standards

An application for approval by the Planning Board under Section 5.1 A or 5.1 B must meet the following standards:

A. Location

1. New wireless telecommunications facilities are not permitted in the Well Head Protection Zone 2 (WH2).
2. New wireless telecommunications facilities are not permitted in any areas that are subject to Shoreland Zoning restrictions.
3. New wireless telecommunications facilities may be permitted as architectural co-locations attached to any structures such as church steeples, water towers, power poles, tall buildings, and similar structures anywhere in the Town of Gray, with the following restrictions:
 - a. Architectural co-locations are not permitted in the restricted zones of Sections 1 and 2 above.
 - b. New wireless telecommunications facilities that are architectural co-locations are not permitted to extend more than twenty (20) feet above the structures to which they are attached.
4. New wireless telecommunications facilities may be permitted on any State of Maine or Municipal Property except that new wireless telecommunications facilities are permitted in the Village ~~Center~~ Center ~~Acquifer Protection Zone (VCAP)~~ Acquifer Protection Zone (VCAP) only in areas where the ground elevation is three-hundred-fifty (350) feet or more above MSL.
5. New wireless telecommunications facilities may be permitted in the following Telecommunications Overlay Zones:

(Note : The series of Gray Quadrangle U. S. Geological Survey Topographic Maps dated 1980 and revised on file in the Town Office shall be used as reference maps for ground elevation above mean sea level.)

- a. Telecommunications Overlay Zone 1 shall include all areas in the vicinity of Adams Hill Mountain View Road) where the ground elevation is five-hundred (500) feet or more above MSL.
- b. Telecommunications Overlay Zone 2 shall include all areas in the vicinity of Hunt's Hill (Eagle's Nest Road) where the ground elevation is four-hundred (400) feet or more above MSL.

- c. Telecommunications Overlay Zone 3 shall include all areas in the vicinity of Long Hill (Long Hill Road) where the ground elevation is four-hundred (400) feet or more above MSL.
- d. Telecommunications Overlay Zone 4 shall include all areas in the vicinity of Dutton Hill (Dutton Hill Road) where the ground elevation is four-hundred (400) feet or more above MSL.
- e. Telecommunications Overlay Zone 5 shall include all areas in the vicinity of Colley Hill (on the East side of Gray Village) where the ground elevation is three-hundred-fifty (350) feet or more above MSL.
- f. Telecommunications Overlay Zone 6 shall include all areas in the vicinity of Libby Hill (Libby Hill Road) where the ground elevation is three-hundred-seventy (370) feet or more above MSL.
- g. Telecommunications Overlay Zone 7 shall include all areas in the vicinity of Knudsen Road between Cambell Shore Road and the Windham Town Line where the ground elevation is four-hundred (400) feet or more above MSL.
- h. Telecommunications Overlay Zone 8 shall include all areas in the vicinity of the small hill on Libby Brook where the ground elevation is two-hundred-fifty (250) feet or more above MSL.
- i. Telecommunications Overlay Zone 9 shall include all areas in the vicinity of the hill at Weathervane Road where the ground elevation is three-hundred (300) feet or more above MSL.
- j. Telecommunications Overlay Zone 10 shall include all areas in the vicinity of the hill at Merrill Road and Bull Run Road where the ground elevation is three-hundred (300) feet or more above MSL.

B. Siting on Municipal Property.

Any application to locate a new wireless telecommunications facility, or expand an existing facility on municipal property, must show the following:

- 1. The proposed location complies with applicable Town of Gray policies and ordinances.
- 2. The proposed facility will not interfere with the intended purpose of the property.
- 3. The applicant has adequate liability insurance and a lease agreement with the Town of Gray that will include reasonable compensation as determined by the Town Council after a public hearing for the use of the property and other provisions to safeguard the public rights and interests in the property.

C. Siting on State Property

Any application to locate a new wireless telecommunications facility, or expand an existing facility on state property, must show the following:

- 1. The proposed location complies with applicable Town of Gray policies and ordinances.
- 2. The proposed facility or facility expansion serves essential government services and does not serve commercial purposes.