

**TOWN OF QUEENSBURY  
NOTICE OF ADOPTION OF  
SMALL CELL WIRELESS FACILITIES  
AESTHETIC STANDARDS**

NOTICE IS HEREBY GIVEN that at a special meeting held on April 8, 2019, the Town Board of the Town of Queensbury, Warren County, New York, adopted a Local Law entitled A LOCAL LAW AMENDING TOWN OF QUEENSBURY CHAPTER 179 “ZONING” SECTION 179-5-130 “TELECOMMUNICATION TOWERS (INCLUDING CELL TOWERS AND ANTENNAS)” (the “Local Law”). Among other things, the Local Law amends Section 179-5-130 subsection C entitled “Designated Areas” to be entitled “Placement of telecommunications facilities” and includes the following requirements relating to aesthetic standards for small cell wireless facilities:

(2) Small cell facilities in areas where underground utilities are required or where existing utility infrastructure is already buried are restricted in the following ways:

- a. Adding poles or using streetlights or existing poles is prohibited.
- b. Must be located in a public right-of-way.
- c. Must locate in the immediate common area of the current utility cluster location (i.e. electric, cable, telephone).
- d. May not exceed five (5) feet in height.
- e. All wiring and accessory equipment shall be installed underground.
- f. Prohibited in town parks and recreational areas.

(3) Small cell facilities restrictions in other areas:

- a. Up to three (3) small cells will be allowed per utility pole if technically feasible and if in the determination of the Planning Board there are no safety or aesthetic concerns.
- b. Not allowed on ornamental street lighting poles.
- c. New poles may not exceed fifty (50) feet and a pole may be required to be of a smaller height if the initial proposal is deemed out of character with the neighborhood as determined by the Planning Board.
- d. In commercial zones only, may be permitted on buildings, signs or other existing structures once the Planning Board has reviewed for visual impacts and approved.
- e. Placement on town-owned streetlights, other than ornamental, is allowed after receiving review and approval for a Special Use Permit.
- f. No lighting on small cell facilities is allowed unless required by law.
- g. Not permitted within 200 feet of a residence.
- h. No part of the facility may project into areas that pedestrians use and may inhibit their use or jeopardize their safety, like sidewalks and other designated pedestrian designated areas.
- i. The Planning Board is empowered to condition the issuance of a Special Use Permit, such as the use of stealth technologies or other measure which mitigate visual effect.

This Notice is specifically intended to satisfy the requirement of the Federal Communications Commission (FCC) Declaratory Ruling and Third Report and Order (FCC 18-133) (the “Order”) that aesthetic requirements for small cell wireless facilities must be published no later than 180 days after publication of the Order in the Federal Register.

A full copy of the Local Law will be available for public inspection at the offices of the Town Clerk, 742 Bay Road, Queensbury, New York, and can be examined during normal business hours.

**Dated: April 11, 2019**

**Caroline H. Barber  
Queensbury Town Clerk**