

TOWNSHIP OF HARDING
Article XXXII
Wireless Telecommunications Facilities

ARTICLE XXXII. WIRELESS TELECOMMUNICATIONS FACILITIES¹⁰⁵

105-181. Purpose. The purpose of this Article is to regulate the location and placement of wireless telecommunications facilities within Harding Township in order to promote seamless wireless telecommunications for the benefit of the public in accordance with the Telecommunications Act of 1996. The goals of these requirements are:

- A. To limit the impact of wireless telecommunications towers, antennas and facilities on residential and historic areas and on the rural character of the township.
- B. To minimize the use of large towers by encouraging the location of relatively small antennas on or in existing structures especially on public or quasi-public property (schools, churches, firehouses, etc.).
- C. To locate wireless telecommunications towers in nonhistoric and nonresidential areas where suitable existing structures to support antennas are not available.
- D. To minimize the total number of wireless telecommunications towers in the township.
- E. To encourage the joint use of new and existing tower sites rather than construction of additional single user towers.
- F. To encourage users of wireless telecommunications facilities to configure them in a way that minimizes adverse impact through careful design, siting, landscape screening and innovative camouflaging techniques.
- G. To enhance the ability of the providers of wireless telecommunications services to provide such services quickly, effectively and efficiently.

105-182. Use regulations for wireless telecommunications antennas. Installation of a wireless telecommunications antenna or antenna array on an existing building or structure shall be a permitted use in all zone districts in accordance with the requirements of this section and sections 105-183 and 105184, in order to encourage the use of such antennas on or in existing structures as an alternative to the construction of towers. A wireless telecommunications antenna or antenna array installed pursuant to this article shall be attached to an existing building or structure in such a way so as to minimize its visibility from public or private roads. No more than one antenna or antenna array shall be attached to a building or structure and not more than three antennas or antenna arrays shall be permitted on a lot. An antenna array shall consist of no more than three antennas grouped together on a single mounting bracket. Multiple antennas or multiple arrays of antennas attached to a single building or structure, or towers constructed for the support of wireless telecommunications antennas shall be permitted only as a conditional use in accordance with the provisions of Article XXXIII.

105-183. Bulk regulations. The following bulk regulations shall apply to wireless telecommunications antennas that are not mounted upon towers. Wireless telecommunications antennas mounted upon towers shall comply with the requirements of section 105-195.

- A. Height and width. Notwithstanding the provisions of subsection 105-130G, the maximum height of a wireless telecommunications antenna or antenna array shall not extend beyond the overall height of the building or structure to which it is attached by more than eleven (11) feet. An antenna array shall not exceed twelve (12) feet in width.

¹⁰⁵ This Article added 7-12-99 by Ord. No. 8-99.

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- B. Location. Any equipment associated with a wireless telecommunications antenna shall be located within or behind existing structures, buildings or terrain features and shall be landscaped so as to obscure it from view.
- C. Equipment building, cabinet, or locker size limit. Any equipment that is necessary in association with a wireless telecommunications antenna shall be housed in a building, cabinet, or locker. If an existing building is not available or viable to house the equipment, a cabinet or locker of no more than one thousand (1,000) cubic feet in size may be placed on the site consistent with subsection B above, subject to the setback limitations of the zone in which the property is situated. Equipment cabinets or lockers not enclosed within a building shall not exceed twelve (12) feet in height. A new building constructed to house the equipment shall comply with the setback limitations and other bulk requirements governing accessory structures of the zone in which the property is situated.

105-182. Minor site plan review. Wireless telecommunications antennas or antenna arrays erected on or in existing structures shall be subject to minor site plan approval from the Planning Board. An applicant for minor site plan approval shall submit evidence to the Board that a license for service has been obtained from the Federal Communications Commission. If any equipment associated with an antenna or array is determined to be visually obtrusive or insufficiently shielded from view, the Planning Board may classify the application as a major site plan and hold a public hearing in connection therewith.¹⁰⁶

105-186. Reserved.

ARTICLE XXXIII. CONDITIONAL USES¹⁰⁷

105-183. 105-187. Purpose and delegation of powers.

- A. Harding Township is predominantly a low-density residential community with a traditional rural character and abundant historical and natural resources. Significant environmental characteristics such as wetlands and flood hazard areas exist on much of the land in the township, which is almost wholly within the watershed of the Great Swamp National Wildlife Refuge. The local road network is comprised of narrow, curvilinear roadways that contribute significantly to the township's rural and historic character. This ordinance is intended to make appropriate accommodation for certain uses, activities and structures that are necessary to serve the needs and conveniences of the residents of the Township of Harding and the public at large. Such uses are hereby designated as conditional uses and are subject to the standards and requirements stipulated in this Article because they may be or become adverse to the public health, safety and general welfare if located and operated without proper consideration of master plan and zone plan goals, existing conditions, the character of the surrounding area and the low density residential nature of the community as a whole.¹⁰⁸
- B. The Planning Board shall have the power to approve conditional uses in accordance with

¹⁰⁶ Amended 3-17-2004 by Ord. No. 4-04.

¹⁰⁷ Amended 6-12-1989 by Ord. No. 6-89 and 4-19-1999 by Ord. No. 5-99.

¹⁰⁸ Amended 6-20-2001 by Ord. No. 8-01.

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the standards and conditions set forth in this Article.

105-188. Application requirements. An application for a conditional use shall be accompanied by a preliminary site plan application and all required submissions in accordance with applicable checklists. The application shall include the payment of application fees for a conditional use and preliminary site plan together with a technical review fee in accordance with Chapter 71. See also Chapter 71 respecting the payment of deposits for inspection fees prior to the performance of inspections of required improvements. The Planning Board shall grant or deny the application for preliminary site plan approval and the conditional use (which, if approved, shall be subject to final site plan approval) within ninety-five (95) days of submission of a complete application by the applicant or within such further time as may be consented to by the applicant.