



# Peters Township

## Collocated Wireless Communications Facilities

### Permitting Policy

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Resolution #09-01-23

Date of Adoption: September 11, 2023

#### A. Statement of Purpose

Peters Township Council has adopted a uniform policy for the purpose of processing Building Permit applications for the collocation of wireless communication facilities. This policy includes a notification process to ensure that surrounding property owners are aware of proposed installations and provided with an opportunity for meaningful input.

#### B. Background

Cellular phone service is essential. Throughout Peters Township there are gaps within various existing wireless communication networks. To address these gaps, the cellular service providers will need to invest in additional wireless communication facilities on either existing structures, poles, or towers through collocation, or through the installation of new poles or towers.

The collocation of wireless communication facilities is governed by Pennsylvania state law, which preempts local zoning restrictions. Under the Pennsylvania Wireless Broadband Collocation Act “municipalities that have adopted zoning ordinances and land use regulations for the placement of wireless support structures **may not require any additional requirements** on the applicant for the collocation on a wireless support structure or the modification of a wireless telecommunications facility that has the force or effect of:

- (1) Regulating the collocation, replacement or modification of antennas, accessory equipment, or wireless telecommunications facilities upon an existing wireless support structure or within an existing equipment compound.
- (2) Imposing additional costs, except the appropriate and reasonable permit fees, or operating restrictions on an applicant for the replacement, collocation or modification of wireless telecommunications facilities upon existing wireless support structures or within existing equipment compounds.
- (3) Requiring payment of a zoning permit fee to accompany any application, the amount of which fee is in excess of the municipality’s actual, reasonable costs to review and process the application, or \$ 1,000, whichever is less.
- (4) Requiring an applicant to provide justification for radio frequency need.
- (5) Acting to prohibit or have the effect of prohibiting the provision of mobile service as provided in 47 U.S.C. § 332 (c)(7)(B)(i) (relating to mobile services).

- (6) Requiring an applicant to justify the need for or the technical, business or service characteristics of the proposed wireless telecommunications facilities.

Under the provisions of this act, Peters Township has 90 days to act on a permit application for the collocation of a wireless communication facility or it shall be deemed approved.

#### **C. Responsible Party**

The Peters Township Planning Director will assume primary responsibility regarding the processing and issuance of Building Permit applications for collocated wireless communication facilities in accordance with state and local laws as well as this policy.

#### **D. Applications**

Building Permit applications for collocated wireless communications facilities shall include:

1. A completed Building Permit application
2. A narrative of the proposed scope of work
3. Evidence of permitted access to the tower or site.
4. A site plan prepared by a Pennsylvania licensed Engineer including all existing features and the proposed installation.
5. Two (2) complete sets of the proposed construction drawings.
6. A structural analysis report prepared by a Pennsylvania licensed Engineer.
7. A photographic rendering of the proposed installation or a photograph of a similar existing installation.
8. A certificate of liability insurance for the site contractor

#### **E. Application Review Process**

Upon receipt of Building Permit applications for collocated wireless communication facilities, the Planning Director shall meet with the Township Solicitor and the Township Manager to determine if the application meets the criteria for collocation as established under the Pennsylvania Wireless Broadband Collocation Act.

The Planning Director shall be responsible for determining if the Building Permit application and associated documentation is complete. The Planning Director will document the day on which the Building Permit application is considered complete.

Within 14 days of determining that an application is complete, a committee consisting of the Zoning Officer, the Building Code Official, the Township Engineer, and the Planning Director shall review the site plan and all associated drawings to determine the appropriateness of the proposed design. A report of the committee's findings will be issued to the Peters Township Council by the Planning Director.

#### **F. Notification Process**

1. Township Council  
Upon the determination of a complete application for collocated wireless communication facilities the Planning Director shall inform Peters Township Council.
2. Notification to Residents  
Immediately after the committee's review, the Township Planning Department will notify, via U.S. Mail, all surrounding property owners within 300 feet of the proposed collocated wireless communication facilities. The notification shall provide residents with basic information concerning the application, as

well as a direction on how to access the complete application on the Township Website. Residents will be given 30 days to submit comments in writing or verbally to the Township Planning Department.

3. **Permit Applications on the Township Website**

The complete Building Permit application for a proposed collocated wireless communications facilities will be located on the Peters Township website under the Planning Department's webpage titled "Plans Available for Review". A link to this page will be provided within the notification of any proposed collocated wireless communications facilities.

**G. Public Comment**

1. After the date of the notification letter, residents will be given 30 days to submit comments to the Planning Department in writing or verbally.
2. Council will, at a regular meeting, make a determination as to the need to schedule a public meeting regarding the proposed collocated wireless communications facilities. If a public meeting is scheduled, it will be advertised in a paper of general circulation, placed on the Township website, and all residents within 600 feet of the site will be notified by U.S. Mail.
3. If a public meeting is held, the applicant for the proposed collocated wireless communications facilities will be invited to attend.

**H. Applicant Engagement**

After sufficient time from which public comments are received, or a public meeting is held, the Township Planning Director will engage with the applicant of the proposed collocated wireless communications facilities regarding the comments from residents, Council and staff for the purpose of modifying the proposed installation.

**I. Issuance of a Permit for Collocated Wireless Communication Facilities**

A decision on the issuance of Building Permits for proposed collocated wireless communications facilities will be made by the Planning Director within 90 days of the determination of a complete application. The Planning director may on behalf of the Township request a voluntary extension of this timeline. The applicant shall be notified in writing of the final decision.