[Outside Right-of-Way]

VILLAGE OF CROTON-ON HUDSON
DESIGN AND DEVELOPMENT STANDARDS
FOR WIRELESS FACILITIES
OUTSIDE OF THE PUBLIC RIGHT-OF-WAY

SECTION 1. ADOPTION – These Design and Development Standards for Wireless Facilities in the Village, but outside of the Public Right-of-Way were adopted by resolution of the Village of Croton-on-Hudson Board of Trustees on _____, 2025 (the "Design Standards Outside ROW").

SECTION 2. DEFINITIONS. The definitions set forth in Section 206-2 of the Village Code are incorporated herein by reference.

SECTION 3. DESIGN AND DEVELOPMENT STANDARDS FOR ALL FACILITIES. The following design and development standards shall apply to all Wireless Facilities outside of the Public Right-of-Way:

A. Visual Criteria.

(1) Generally. Wireless Facilities shall be designed in the least visible means possible and be aesthetically compatible with the surrounding area and structures (e.g., color, materials, size, and scale).

(2) Materials. The materials used shall be non-reflective and non-flammable.

(3) Concealment. The Wireless Facility and any Pole-Mounted equipment should be camouflaged or concealed to blend the Facility with surrounding materials and colors of the Support Structure on which the Facility is installed. Concealment elements include, but are not limited to, the following:

(a) Radio frequency (RF) transparent screening or shrouds;

(b) Matching the color of the existing Support Structure by painting, coating, or otherwise coloring the Wireless Facility, equipment, mounting brackets, and cabling;

(c) Placing cables and wires inside the pole or beneath conduit of the smallest size possible;

(d) Minimizing the size of the site;

(e) Installing new infrastructure that matches existing infrastructure in the area surrounding the proposed site; and

(f) Using paint of durable quality.

B. Location.

(1) Preference for Use on Existing Infrastructure. To prevent visual clutter and to avoid creation of additional hazards existing structures (Towers and Base Stations) should be used unless it is shown that it is not technically feasible to use, modify or replace existing structures.

(2) The Wireless Facility and any Pole-Mounted Equipment erected or altered shall not exceed the height limit, minimum yard setbacks, or any other requirements in accordance with Section 206 of the Village Code.

(3) Collocations are encouraged.

(4) All Wireless Facilities to be located within the Village Center Area Districts shall not be visible from the ground, and shall be screened to the reasonable satisfaction of the Planning Board in order to reduce visual impacts of the Wireless Facilities from other buildings.

C. Equipment.

(1) Limitations of Generators. Generators are limited in size to that required to provide emergency backup power for the Wireless Facility.

(2) Stealth Preferences.

(a) The Village prefers Stealth Facilities (i.e. Facilities made to look like something other than a Tower or Base Station).

(b) Ground-mounted above-ground equipment should be similar in size, and should be placed and shielded in a manner consistent with how other equipment is placed and shielded. Any equipment not used in direct support of such operations shall not be stored on site.

(c) In an area where other utility equipment is underground, a Wireless Service Provider will be expected to place equipment below ground absent a showing of technical infeasibility. However, the Village recognizes that Antennas and Support Structures cannot be placed underground. Absent a showing of effective prohibition, a design consistent with the corridor in which the Facility will be placed should be utilized.

D. Security. All equipment and Facilities shall be installed in a manner to avoid being an attractive nuisance and to prevent unauthorized access, climbing, and graffiti.

E. Safety. All Wireless Facilities, including each piece of equipment, shall be located and placed in a manner so as to not interfere with public safety and at all times be in compliance with the Americans with Disabilities Act (ADA) and the National Electric Safety Code (NESC), as applicable.

F. Noise. Wireless Facilities and all accessory equipment and transmission equipment must comply with all noise regulations and shall not exceed, either individually or cumulatively, 65 dBA.

G. Lighting. Wireless Facilities shall not be artificially lighted, unless required by the Federal Aviation Administration or other applicable authority.

(1) If lighting is required, the Planning Board, or their designee, may review the available lighting alternatives and approve the design that would cause the least disturbance to the surrounding view.

(2) The use of floodlighting is prohibited.

(3) No signage or other identifying markings of a commercial nature shall be permitted upon any Tower or Pole.

H. Signs. No Wireless Facility may display any signage or advertisement unless it is expressly allowed by the Village in a written approval, recommended under FCC regulations, or required by law or permit condition. Every Facility shall at all times display signage that accurately identifies the Facility owner and provides the owner's unique site number and a local or toll-free telephone number to contact the Facility owner's operations center.

I. Landscaping. In addition to any landscaping used for concealment or screening purposes, the Applicant shall propose and install additional landscaping to replace any existing landscaping displaced during construction or installation of the Applicant's Facility. The Applicant's landscaping plan shall be subject to the Village's review and approval but shall, at a minimum, match the existing landscaping and foliage surrounding the installation site.

J. Modifications. Any modifications to existing Facilities or equipment or collocations shall not defeat the concealment elements of the existing Support Structure/Facility.

K. Spacing.

(1) New Wireless Facilities proposed in a residential area shall comply with the following requirements.

(a) Spacing. Wireless facilities used by an individual Wireless Service Provider shall be installed with a minimum spacing of 200 feet between sites in residential areas. The separation distances shall be measured by drawing a straight line between the base of the existing Tower/Pole and the base of the proposed Tower/Pole pursuant to the Site plan.

(2) New Wireless Facilities proposed in a non-residential area shall comply with the following requirements.

(a) All freestanding Wireless Facilities shall be set back from any public roadways a distance equal to the height of the Tower/Pole.

(b) All freestanding Wireless Facilities and accessory structures (including equipment sheds, shelters, etc.) must satisfy the setback requirements in any zoning district (except that in industrial zoning districts a freestanding Wireless Facility may encroach into the rear yard setback if it can be demonstrated that by doing so, the visibility of the structure will be reduced).

SECTION 4. DESIGN AND DEVELOPMENT STANDARDS FOR POLE-MOUNTED FACILITIES. In addition to the generally applicable standards set forth in this Resolution, the design and development standards for Pole-Mounted Facilities outside of the ROW are as follows:

A. Definition of Pole-Mounted Facility. For purposes of this Resolution, the term "Pole-Mounted Facility" means a Wireless Facility that is, or is proposed to be, attached to, contained in or on, or otherwise mounted to, in, or on a pole.

B. Definition of Stealth Facility. For the purposes of this Resolution, the term "Stealth Facility" (or "Stealth Facilities") shall mean a Small Cell Facility designed to look like some feature other than a Tower or Base Station.

C. Poles, Generally. For Facilities installed on any pole:

(1) Antennas. Antennas shall be top-mounted in a shroud. Antennas attached to the side of the pole are discouraged, but if they are required due to technical reasons, shall be of the smallest antenna volume possible and be stacked vertically and close together with minimal distance from the pole.

(2) Dimensions. Antennas shall be of the smallest feasible size, but in no case more than three cubic feet in volume. Pole-top Wireless Facilities, including shroud, shall be no more than 72 inches in height and 14.5 inches in diameter.

(3) Accessory Equipment. Undergrounding equipment that cannot be placed with the Antenna in the shroud, is preferred where technically feasible. Vaults and pull boxes shall be installed flush to grade. Ground-mounted equipment is prohibited unless required for technical reasons. If required, ground-mounted equipment shall incorporate camouflaging and shrouding to match the colors, appearance, and materials of existing facilities and screen facilities from public view as much as is technically feasible. Further, if ground-mounted equipment is required, it must be enclosed in cabinets, sized only for the needed equipment and camouflaged using paint that matches the surrounding environment.

(4) Cables and Wiring. All cables and wiring must be within the structure, or if not feasible, within conduit on the exterior of the structure. The conduit must be a color that matches the pole and of the smallest size technically feasible.

D. Utility Poles. In addition to complying with the standards above, installations on utility poles that are located outside of the Rights-of-Way must be Stealth Facilities, as defined in this Resolution. The Facility shall be designed, painted, coated, and otherwise made to look like the utility pole rather than a Wireless Facility, Tower, or Base Station.

E. Replacement Poles. If an Applicant proposes a replacement pole to accommodate the Facility:

(1) Placement. The base of the replacement pole shall be a minimum of 18 inches away from the face of the curb. Further, a replacement pole must be in the same location as the pole that it is replacing or as close to the original location as possible, taking into account pole owner safety-related requirements and all applicable location and placement standards herein.

(2) Design. Replacement poles should match the design (e.g., color, dimensions, height, style, and materials) of the existing pole that is being replaced to the greatest extent feasible. The maximum pole height is 35 feet, excluding wireless equipment.

(3) Stealth. Replacement poles and their accompanying Facilities should be Stealth Facilities, as defined above, unless technically infeasible.

SECTION 5. If any provision of these Design Standards Outside ROW or its application to any person or circumstance is held invalid, such invalidity has no effect on the other provisions or applications of these Design Standards Outside ROW that can be given effect without the invalid provision or application, and to this extent, the provisions of the Design Standards Outside ROW are severable. The Board of Trustees declares that it would have adopted the Design Standards Outside Row irrespective of the invalidity of any portion thereof.

SECTION 6. The Board of Trustees may amend these Design Standards Outside ROW from time to time by resolution.