

Wireless Communication Facility - Substantial Change Checklist



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On February 22, 2012, the Federal Middle Class Tax Relief and Job Creation Act of 2012 (Tax Act) became law. Section 6409(a) of the Tax Act provides that a state or local government “may not deny, and shall approve” any request for collocation, removal, or replacement of transmission equipment on an existing wireless tower or base station, provided this action does not substantially change the physical dimensions of the tower or base station. The Town has adopted regulations in Chapter 153 of the Municipal Code to allow for minor modifications pursuant to the requirements of the Federal Law.

Please fill out the Checklist below for review by Town staff to determine if the proposed Wireless Communication Facility (WCF) alterations will be a minor or substantial change to the existing facility.

Wireless Communication Facilities (WCF)				
Criteria for "Substantial Change" of a Federal 6409(a) Modification				
1.	For wireless towers outside the public ROW.	WCF Changes		Proposed Project (yes/no)
a.	Would the proposed collocation or modification increase the overall height more than ten percent, or the height of one additional antenna array not to exceed twenty feet, (whichever is greater)? or,	Existing Height:		
		Proposed Height:		
b.	Would the proposed collocation or modification increase the width more than twenty feet from the edge of the wireless tower or the width of the wireless tower at the level of the appurtenance (whichever is greater)? or,	Existing Width:		
		Proposed Width:		
c.	Would the proposed collocation or modification involve excavation outside the current boundaries of the leased or owned property surrounding the wireless tower, including any access or utility easements currently related to the site?	Existing Square Footage:		
		Proposed Square Footage:		

2.	For wireless towers within the public right-of-way and for all base stations	WCF Changes		Proposed Project (yes/no)
a.	Would the proposed collocation or modification increase the overall height more than ten percent or ten feet (whichever is greater)? or,	Existing Height:		
		Proposed Height:		
b.	Would the proposed collocation or modification increase the width more than six feet from the edge of the wireless tower or base station? or,	Existing Width:		
		Proposed Width:		
c.	Would the proposed collocation or modification involve excavation outside the area in proximity to the structure and other transmission equipment already deployed on the ground?	Existing Square Footage:		
		Proposed Square Footage:		
3.	For all proposed collocations and modifications	WCF Changes		Proposed Project (yes/no)
a.	Would the proposed collocation or modification involve more than the standard number of new equipment cabinets for the technology involved, but not to exceed four equipment cabinets? or	Number of Required Cabinets:		
		Number of Proposed Cabinets:		
b.	Would the proposed collocation or modification defeat the concealment elements of the support structure? or,	Existing Concealment:		
		Proposed Concealment:		
c.	Would the proposed collocation or modification violate a prior condition of approval that is inconsistent with the thresholds for a substantial change described in this section? or,			
d.	Would the proposed collocation or modification involve excavation outside of the existing leased or licensed area upon which the existing WCF sits, and/or excavation outside of the existing pad upon which ground mounted equipment is affixed?	Existing Square Footage:		
		Proposed Square Footage:		
The thresholds and conditions for a “substantial change” in this section are disjunctive—the violation of any individual threshold or condition results in a substantial change. The height and width thresholds for a substantial change are cumulative for each individual				

wireless tower or base station. The cumulative limit is measured from the physical dimensions of the original structure for base stations and all sites in the public rights-of-way, and from the smallest physical dimensions that existed on or after February 22, 2012 (when Section 6409 was signed into law) for wireless towers on private property.