



STATE OF NEW YORK  
DEPARTMENT OF STATE  
ALBANY, NY 12231-0001

ALEXANDER F. TREADWELL  
SECRETARY OF STATE

NOV 10 1995

November 10, 1995

EANNACE, PHILLIPS O'BRIEN  
EANNACE, PHILLIPS O'BRIEN & DANIELS  
1411 GENESEE STREET  
UTICA, NY 13501

RE: Town of Deerfield, Local Law 4, 1995, filed 11/06/95

The above referenced material was received and filed by this office as indicated. Additional local law filing forms will be forwarded upon request.

Sincerely,

Janice G. Durfee  
Principal File Clerk  
Bureau of State Records  
(518) 474-2755

JGD:ml

TOWN OF DEERFIELD LOCAL LAW NO. 4 OF THE YEAR 1995 A LOCAL LAW  
ENTITLED "SATELLITE DISH ANTENNA AND ANTENNA TOWERS LOCAL LAW"

Be it enacted by the Town Board of the Town of Deerfield, the following is hereby enacted and known as Deerfield Local Law number 4, entitled "Satellite Dish Antenna and Antenna Towers Local Law"

All ordinances, Local Laws and parts thereof inconsistent with this Local Law are hereby repealed, including but not limited to section 17 (B) of the Deerfield Zoning Ordinance.

This Local Law shall take effect immediately upon filing in the Office of the Secretary of State in accordance with the Municipal Home Rule Law.

# Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE  
162 WASHINGTON AVENUE, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~County~~

~~City~~

~~Town~~

~~Village~~

of Deerfield .....

Local Law No. # 4 ..... of the year 19 95.

A local law Satellite Dish Antenna & Antenna .....

(Insert Title)

Towers Local Law .....

Be it enacted by the Town Board ..... of the  
(Name of Legislative Body)

~~County~~

~~City~~

~~Town~~

~~Village~~

of Deerfield ..... as follows:

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph....., above.

Virginia Covey

Clerk of the County legislative body, City, Town or Village Clerk  
or officer designated by local legislative body

Date: October 10, 1995

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK  
COUNTY OF Oneida

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Ralph Eannant

Signature

Attorney for the Town

Title

County  
City  
Town  
Village

of Deerfield

## SATELLITE DISH ANTENNA AND ANTENNA TOWERS

### A. Purpose and Intent

1. To promote safety and prevent hazards to persons and property resulting from accidents involving antenna or antenna facilities which could fall from structural mountings due to wind load, snow load or other factors.
2. To promote utilization of ground mounting for antenna facilities where reasonably feasible.
3. To control the location and require screening of ground-mounted facilities to maintain architectural integrity and aesthetic quality of property improvements and preserve property values.
4. To exclude from provisions of this section, conventional VHF and UHF television antenna and short wave radio (HAM) antennas thirty-five (35) feet or less in height, based upon the finding that there is relatively minor concern for wind and snow load issues due to an established safety record and there has been an historical acceptance of such facilities from architectural and aesthetic standpoints.
5. To promote and protect the public health, safety and welfare by the exercise of Town police powers in relation to the property owners right to construct and use antenna towers and reception antenna to send and/or receive signals without unreasonable restriction.

### B. Regulations for Residential Uses

The following regulations shall apply to all satellite dish antenna accessory to residential uses located in the R-1, R-2 and Agricultural districts and to all satellite dish antenna accessory to residential uses in the B-1 and B-2 districts.

1. Satellite dish antenna not exceeding eighteen inches (18") in diameter may be erected on any size lot in any residential or business district without obtaining a permit from the Town Building Inspector.
2. Satellite dish antenna larger than eighteen inches (18") in diameter may be erected on any lot in the R-1, R-2 and Agricultural districts and on any residentially used lot in the B-1 and B-2 districts. A building permit issued by the Town Building Inspector is required for satellite dishes larger than forty inches (40") in diameter. Satellite dish antenna larger than eighteen inches (18") in diameter shall be subject to the following, so as to be cosmetically acceptable for all adjoining landowners:
  - a. All satellite dish antenna shall be located a minimum distance of fifteen (15) feet from any side or rear lot line.
  - b. Only one satellite dish antenna over eighteen inches (18") in diameter may be erected on any lot located in the R-1 or R-2 districts.

- c. The applicant shall present documentation of the possession of any required federal or state license or permit.
- d. The owner of the satellite dish antenna shall assume complete liability in case of damage to person or property.
- e. No part of the satellite dish antenna shall exceed twelve (12) feet in height.
- f. Satellite dish antenna over eighteen inches (18") in diameter may not be located in any front yard or corner lot fronting on more than one street.
- g. Satellite dish antenna shall be located and designed to reduce the visual impact from surrounding properties at street level and from public streets.

### C. Regulations for Commercial Uses

The following regulations shall apply to all satellite dish antenna accessory to commercial uses located in the B-1 and B-2 districts and all satellite dish antenna and antenna towers accessory to any legal non-conforming commercial uses in any zoning district.

- 1. Satellite dish antenna not exceeding eighteen inches (18") in diameter may be erected on any size lot in any district without obtaining a permit from the Town Building Inspector.
- 2. Satellite dish antenna larger than eighteen inches (18") in diameter may be erected on any lot in the B-1 and B-2 districts and antenna towers may be erected on any lot where a legal non-conforming commercial communication related use currently exists, with a permit from the Town Building Inspector, following review and approval by the Planning Board and subject to the following conditions:
  - a. All satellite dish antenna shall be located a distance from any side or rear lot line equal to or greater than the height of the antenna, but in no case shall be less than twenty (20) feet.
  - b. Satellite dish antenna may not be located in any front yard or corner lot fronting on more than one street.
  - c. No antenna tower may be located closer to any property line than a distance equal to one half of its total height, provided the applicant submits engineering information the tower is self-collapsing.
  - d. Any guy anchorage or similar device shall be located no closer to any property line than twenty (20) feet.
- 3. An application for the installation of a satellite dish antenna or an antenna tower shall include the following information:
  - a. A site plan depicting the proposed location of the antenna or tower in relation to all existing buildings, structures, improvements and landscaping on the lot.

- b. A drawing showing the proposed method of installation of the antenna or tower.
  - c. A structural engineering analysis of the proposed antenna or tower.
  - d. A maintenance program for the proposed antenna or tower, if requested by the Town Building Inspector.
4. When reviewing a request for a satellite dish antenna or an antenna tower, the Planning Board shall address the following:
- a. The location of the proposed antenna or tower in relation to the existing buildings and structures on the site.
  - b. The location of the proposed antenna or tower in relation to any other existing antenna or towers on the same or adjacent properties.
  - c. In the case of satellite dish antenna, the visibility of the proposed antenna from any adjacent residentially zoned and used property.
  - d. In the case of antenna towers, the location of the proposed tower in relation to all property lines.
  - e. In the case of antenna towers, the provision of suitable protective anti-climb fencing around any proposed tower and accessory attachments.
  - f. In the case of antenna towers, the proposed lighting for the tower.

(Revised 9/29/95)