



NEW YORK STATE SENATOR

Jeffrey D. Klein

# **Klein Introduces Legislation To Restrict Cellular Phone Tower Construction**

Jeffrey D. Klein

November 17, 2005



Bronx, NY – In response to concerns voiced by many across New York City and Westchester County, State Senator Jeff Klein (D-Westchester/Bronx) is introducing legislation that would dramatically reign in the unregulated flood of cellular phone antennas being constructed throughout the State.

Klein's bill would establish a strict set of standards and procedures that must be met before construction permits for cell towers are granted, including a requirement that phone companies demonstrate clear proof of need for additional wireless facilities in the area and that all projects conform to the aesthetics and zoning laws of the surrounding neighborhood. In addition, the legislation would require written notice to be sent to residents living within 500 feet of the proposed tower site and that a public hearing be held to allow residents' concerns to be heard before construction permits are granted.

The proposal also prohibits wireless transmission facilities from being constructed within 500 feet of a school or nursery and directs the New York State Department of Health to conduct a study of the health effects of radio frequency (RF) signals used by wireless communication towers.

**"We all agree there is a need to improve cellular service and eliminate dead zones, but in many cases, these towers are being recklessly installed with little oversight and over the strong objections of the community,"** Klein said. **"It is long past time that we hold the phone companies and the Department of Buildings accountable and put an end to this unregulated outbreak of cell towers in New York."**

City Councilman-elect Jimmy Vacca (D-East Bronx), who joined Klein at the press conference lauded Klein's efforts and vowed to fight for similar legislation at City Hall. **"This is a challenge affecting every neighborhood in the City and I look forward to working with Senator Klein and the City Council to bring this problem under control,"** Vacca commented.

Presently, there are no statewide regulations concerning construction of cellular towers and New York City does not regulate construction and placement of wireless transmission devices based on a 1998 administrative ruling from the Department of Buildings (DOB) that stated such projects were not “regulated by the zoning resolution” and that the “installation of such antennas and related equipment does not require the filing of an alteration application and the issuance of a permit.” Recent legislation passed by the City Council requires that DOB maintain a list of cellular antennas constructed but does not impose additional regulations.

“,1] );

//--> ,” Klein said. **“It is long past time that we hold the phone companies and the Department of Buildings accountable and put an end to this unregulated outbreak of cell towers in New York.”**

City Councilman-elect Jimmy Vacca (D-East Bronx), who joined Klein at the press conference lauded Klein’s efforts and vowed to fight for similar legislation at City Hall. **“This is a challenge affecting every neighborhood in the City and I look forward to working with Senator Klein and the City Council to bring this problem under control,”** Vacca commented.

Presently, there are no statewide regulations concerning construction of cellular towers and New York City does not regulate construction and placement of wireless transmission devices based on a 1998 administrative ruling from the Department of Buildings (DOB) that stated such projects were not “regulated by the zoning resolution” and that the “installation of such antennas and related equipment does not require the filing of an alteration application and the issuance of a permit.” Recent legislation passed by the City Council requires that DOB maintain a list of cellular antennas constructed but does not impose additional regulations.

For a copy of the proposed legislation, call Senator Klein’s office at (800) 718-2039.

---