

QUINTON TOWNSHIP PLANNING BOARD

RESOLUTION NO.: 10-12

RESOLUTION GRANTING A SPECIAL USE PERMIT AND EXEMPTION FROM SITE PLAN APPROVAL

RE: BLOCK 3, LOT 36 (704 Route 49)

WHEREAS, an application was made to the Quinton Township Planning Board (the "Planning Board" or the "Board") by T-MOBILE NORTHEAST, LLC, whose address is 1012 N. Bethlehem Pike, Suite 200, B-3, Lower Gwynedd, Pennsylvania 19002, for a Special Use Permit and Exemption from Site Plan Approval to allow for the expansion of an existing telecommunications tower to allow an additional 9 antennas to be placed 124 feet from ground level on a monopole and the placement of ground equipment on a 10'x20' concrete pad within a P-BR Zoning District, and more particularly known as Block 3, Lot 36 on the Official Tax Map of Quinton Township (the "Property") and depicted and described in a Plan prepared by Mark Zagame of Velocitel, Inc. Colonial Park Commons I, Suite 310 Roswell, GA 30075, dated May 17, 2010 and revised on May 27, 2010 and in any other plans and materials filed with the application, all of which are incorporated by reference herein; and

WHEREAS, the Board determined that it has jurisdiction to hear the application, and that same is complete and in conformity with the Ordinance and the Municipal Land Use Law except for any matters that must be resolved as conditions of this approval; and

WHEREAS, at its July 13, 2010 meeting, the application was deemed complete; and

WHEREAS, at its August 10, 2010 meeting, the Board heard testimony and representations from the applicant's site acquisition specialist, Steven Hornberger, the applicant's RF Engineer, Glenn Villanueva, applicant's civil engineer, William Gillmore and the applicant's attorney, Melissa Murray Rigney, and provided an opportunity for interested persons to make statements or ask questions about the application; and

WHEREAS, Steven Hornberger ("Hornberger") testified that his job is to locate suitable sites to deal with coverage gaps. He is provided a map from the RF Engineer and told to find locations to install antennas that will help fill the coverage gap; and

WHEREAS, Hornberger further testified that he initially found three locations, however the Property is the best of the 3 locations. Hornberger also testified that the Property is owned by Josephine Bonaccorso and the tower is owned by Crown Castle, from which his company leases space; and

WHEREAS, Glenn Villanueva ("Villanueva") was qualified as an RF Engineer and provided testimony regarding the antenna array. Villanueva also testified that the site is fully automated and monitored remotely. He further testified that an Electromagnetic Frequency Safety Report was completed and that the conclusions were satisfactory. The new antenna array will be 10 feet below the existing antenna and will be comparable in shape, size and appearance to the existing antenna; and

WHEREAS, William Gillmore ("Gillmore") was qualified as a Civil Engineer and testified that there is a fence that surrounds the site which is 7 feet high and has three strands of barbed wire at the top. Gillmore further stated that there will be no invasion of setbacks and that the concrete pad and cabinets will be in the southeast corner of the site. There is an existing ground access road and there will be no interference with traffic, no need for additional parking or fencing and no need for utilities. In addition, Gillmore stated that the site cannot be seen from the road and that the new antenna array will have the same silhouette or profile

as what is already existing at the site; and

WHEREAS, Joe Elwell, a member of the public, asked whether or not the site has a battery backup and was told that it does; and

WHEREAS, the Planning Board Engineer and Planner reviewed the application and prepared a report dated August 9, 2010; and

WHEREAS, after hearing the above testimony and representations, reviewing all application materials, considering the Planning Board Engineer's review correspondence, and discussing the application with the Planning Board Engineer, Planner and Solicitor, the Board made the following findings and conclusions:

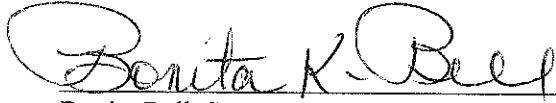
- a. The property is located in a P-BR zoning district.
- b. The applicant proposes to install 9 antennas on three separate sectors at 124 feet as well as install a 10' x 20' concrete pad in the southeast corner of the site for 6 new cabinets.
- c. The site is secured by a 7 foot high fence with 3 strands of barbed wire at the top and the new cabinets are fire proof.
- d. The proposed improvements are minimal in nature and will only require routine maintenance/inspection on a regular basis.
- e. The application is in keeping with the Quinton Township Ordinance §85-1 et seq. and more particularly §85-10 which provides in pertinent part that "It is the policy of Quinton Township to encourage the use of existing structures and collocation."
- f. The applicant has otherwise met the applicable provisions of §85-1 et seq. and that the minimal nature of the proposed improvements being located within the existing fenced area justifies exemption from Site Plan Approval.
- g. The visual impact of the proposed use will not be negative/deleterious due to the location of the tower and the fact that the applicant will be collocating on an existing tower with existing antennas.

NOW, THEREFORE, BE IT RESOLVED by the Quinton Township Planning Board that for the reasons set forth above, the applicant's special use permit and site plan waiver application is hereby granted subject to the following conditions:

1. The applicant must pay any and all required fees and escrow replenishment amounts that are due or may become due to the Township within seven (7) days notice thereof.
2. The applicant must comply with all representations made through any representative during the course of its presentation to the Board and in all documents filed with the application.
3. The applicant must provide proof that there is a valid special use permit issued by Quinton Township with respect to the Tower.
4. The applicant must obtain approvals or letters of inapplicability from all other agencies having jurisdiction over the applicant's proposed development, if applicable.

The undersigned, Chairman of the Quinton Township Planning Board, hereby certifies that the above is a true copy of a resolution adopted by said Board on August 10, 2010 to memorialize action taken on September 14, 2010.

Attest:



Bonita Bell, Secretary
Quinton Township Planning Board



~~Margaret Maxwell-Mood, Chairperson~~
Quinton Township Planning Board

Amy Bradway - Vice-Chairman

VOTE:

ayes 9 _____

nays 0 _____

other 0 _____