



TOWNSHIP OF LONG HILL

COUNTY OF MORRIS
 GILLETTE, HOMESTEAD PARK, MEYERSVILLE, MILLINGTON, STIRLING

APPLICATION FOR DEVELOPMENT

PROPERTY ADDRESS PSE&G Steel Tower #12/4-1 (R-L) off Long Hill Road

BLOCK(S) 13908 **LOT(S)** 15.01 **ZONE** C Conservation

APPLICANT New Cingular Wireless PCS, LLC ("AT&T") **TELEPHONE** 973-401-1111
 One AT&T Way, Bedminster, NJ 07921
ADDRESS (if different from above) **EMAIL** cquinn@pinilishalpern.com

Public Service Electric and Gas Company (PSE&G)
PROPERTY OWNER (if different from above) **TELEPHONE**
ADDRESS 80 Park Plaza, Newark, NJ 07102 **EMAIL**

ATTORNEY* Christopher J. Quinn, Esq. **TELEPHONE** 973-401-1111
*REQUIRED for Corporations, LLC or Limited Partnerships
ADDRESS PinilisHalpern, LLP, 160 Morris Street **EMAIL** cquinn@pinilishalpern.com
 Morristown, NJ 07960

ENGINEER or SURVEYOR Alec S. Norris, PE **TELEPHONE** 856-797-0142 ext. 4145
ADDRESS Colliers Engineering & Design **EMAIL** alec.norris@colliersengineering.com
 2000 Midlantic Drive, Suite 100, Mount Laurel, NJ 08054

ARCHITECT N/A **TELEPHONE**
ADDRESS **EMAIL**

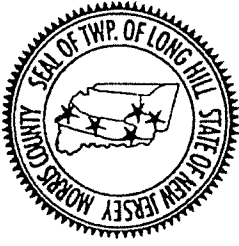
OTHER **TELEPHONE**
ADDRESS **EMAIL**

APPLICANT MUST PROVIDE AN ADDENDUM / STATEMENT OF FACTS IN SUPPORT OF THE APPLICATION.
 Provide written statement on a separate sheet or on the form provided stating what the Applicant is proposing to do, what variances are requested and the reasons why variances are needed.

Has there been a previous variance appeal or approval of any development application (i.e. site plan, subdivision or conditional use) involving the property? YES NO *If YES, attach copies of the decisions and/or resolutions. (see enclosed Resolutions)*

Is the property in a density modification subdivision? YES NO

THIS BOX FOR OFFICE USE ONLY			
DATE OF SUBMISSION:		APPLICATION NUMBER:	
SITE PLAN _____	SUBDIVISION _____	BULK VARIANCES _____	USE VARIANCE _____
PLANNING BOARD _____	ZONING BOARD _____	MEETING DATE:	



TOWNSHIP OF LONG HILL

COUNTY OF MORRIS
GILLETTE, HOMESTEAD PARK, MEYERSVILLE, MILLINGTON, STIRLING

PROPERTY ADDRESS PSE&G Steel Tower #12/4-1 (R-L) off Long Hill Road

BLOCK(S) 13908 **LOT(S)** 15.01

APPLICANT New Cingular Wireless PCS, LLC ("AT&T")

I affirm that all statements in this submitted application are true.

Christopher J. Quinn,
Attorney for Applicant

9/30/21

Signature of Applicant

Print Name

Date

SUBMISSION REQUIREMENT

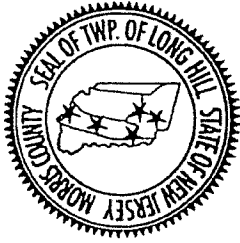
For all applications, **FIVE (5) COLLATED sets of all COMPLETED and SIGNED application forms** are required for submission to the Planning & Zoning Coordinator for completeness review. For any/all subsequent changes or updates to a pending application, five (5) copies are also required for resubmissions. All required documents are listed in the Application Checklists.

Once an application is deemed complete and scheduled for a hearing, fifteen (15) collated sets of the application forms must be submitted to the Planning & Zoning Coordinator for distribution to the appropriate Board.

ESCROW DEPOSITS

In accordance with the Ordinances of the Township of Long Hill, escrow accounts are established to cover the cost of professional services including but not limited to planning, engineering, legal and other expenses associated with the review of submitted materials. If additional sums are deemed necessary, the Planning & Zoning Coordinator will notify the Applicant of the required additional amount. **Please note: without sufficient funds in an Applicant's escrow account, the review and subsequent scheduling of the application for a meeting will cease until such time that the Applicant has replenished the escrow account as per the Planning & Zoning Coordinator's request.**

Sums not utilized in the application process shall be returned upon written request by the Applicant and after verification that all Board expenses have been satisfied. A W-9 Form (Request for Taxpayer Identification Number and Certification) must be completed and submitted with any escrow deposits.



TOWNSHIP OF LONG HILL

COUNTY OF MORRIS
GILLETTE, HOMESTEAD PARK, MEYERSVILLE, MILLINGTON, STIRLING

ADDENDUM Statement of Facts in Support of an Application

Applicant: New Cingular Wireless PCS, LLC ("AT&T")

Property Address: PSE&G Steel Tower #12/4-1 (R-L) off Long Hill Road

Block: 13908

Lot(s): 15.01

Date: 9/30/21

Statement of Facts to include the following:

- Present and/or previous use of the building(s) and premises.
- Detailed description of the proposed use.
- Detailed description of the proposed improvements to the building(s) and premises.
- What conditions are preventing the Applicant from complying with the Zoning Ordinance?
- Any other detailed information to further explain what the Applicant proposes for the building(s) and premises.

See attached Proposal.

Proposed collocation of wireless attachments on new Public Utility Tower.

**RESOLUTION OF THE ZONING BOARD OF ADJUSTMENT
TOWNSHIP OF LONG HILL
MORRIS COUNTY, NEW JERSEY**

**T-MOBILE NORTHEAST LLC
LONG HILL ROAD
GILLETTE, NEW JERSEY 07933
BLOCK 13908, LOT 15.01
APPLICATION NO.: 2020-06Z**

**Hearing Date: January 19, 2021
Board Action: January 19, 2021
Memorialization: March 2, 2021**

WHEREAS, T-Mobile Northeast LLC (the “Applicant”) is the operator of an existing wireless telecommunications facility located on a Public Service Electric and Gas Company (“PSE&G”) electric transmission tower on property located on Long Hill Road in Gillette, identified as Block 13908, Lot 15.01 (the “Property”) on the Long Hill Township Tax Map, in the C, Conservation, zoning district; and

WHEREAS, PSE&G will be implementing a tower replacement project therefore the Applicant is required to decommission its facility and remove it from PSE&G’s transmission tower; and

WHEREAS, upon completion of PSE&G’s tower replacement project, the Applicant will place its facility on PSE&G’s new tower; and

WHEREAS, during the pendency of PSE&G’s tower replacement, the Applicant seeks to erect a temporary ballast tower that will hold the Applicant’s telecommunications facility until the Applicant is able to transfer its facility to PSE&G’s new transmission tower; and

WHEREAS, the Applicant has applied to the Long Hill Township Zoning Board of Adjustment (the “Board”) for relief to permit the Applicant to construct the temporary tower; and

WHEREAS, the Applicant requested the following relief from the Board (the “Relief Requested”):

Use variance in accordance with N.J.S.A. 40:55D-70d(1), as telecommunications towers are not permitted in the C, Conservation, zoning district;

Height variance in accordance with N.J.S.A. 40:55D-70d(6), as the 100’ proposed temporary tower exceeds the 35’ height limitation in the C, Conservation, zoning district; and

Bulk variance in accordance with N.J.S.A. 40:55D-70c, as follows:

Minimum side yard setback:
Required: 25'; Proposed 5.4'; and

WHEREAS, the Applicant submitted the following plans and documents in support of the Application, which plans and documents were made a part of the record before the Board, as follows:

Application with checklists and addenda, dated July 28, 2021;
Site Plan entitled, "Temporary Site NJCLT56 Preliminary and Final Site Plan Proposed Temporary Equipment and Tower at an Existing Transmission Tower" prepared by Maser Consulting P.A., dated June 4, 2020, consisting of six sheets;
Existing Conditions Plan, prepared by Maser Consulting P.A., dated November 1, 2019, consisting of one sheet;
Report entitled, "Evaluation of the Radiofrequency Environment in the Vicinity of the Proposed NJCLT56 A Wireless Facility", prepared by PierCon Solutions, LLC, dated July 13, 2020, consisting of eighteen pages;
Report entitled, "Independent Radio Frequency Report Regarding a Proposed Wireless Facility for T-Mobile Northeast, LLC", prepared by PierCon Solutions, LLC, dated January 4, 2021, consisting of 13 pages;
Six photographs entitled, "T-Mobile Photo Simulations";
Structural Calculations Report, prepared by Vector Engineers, dated January 17, 2021, consisting of 47 pages; and

WHEREAS, the Applicant gave notice of the hearing and the Board found that the Applicant met all jurisdictional requirements enabling the Board to hear and act on the Application on the Hearing Date; and

WHEREAS, the Board considered the following reports from its experts:

Memorandum from Board Planner, Elizabeth Leheny, PP, AICP, dated January 12, 2021;

Memorandum from Board Engineering consultants, Casey & Keller, Inc., dated January 11, 2021; and

WHEREAS, during the public hearing on the Application on the Hearing Date, the Applicant, represented by attorney Edward Purcell, Esq. was given the opportunity to present testimony and legal argument, and members of the public were given an opportunity to comment on the Application; and

WHEREAS, members of the public appeared to ask questions about and to speak with regard to the Application, as more fully set forth on the record; and

WHEREAS, the Applicant presented testimony from the following individuals:

1. Alec Norris, PE, Applicant's Engineer;
2. Frances Boschulte, Applicant's Radio Frequency Engineer;

3. Timothy M. Kronk, PP, Applicant's Planner; and

WHEREAS, the Applicant introduced the Application and presented testimony to the Board as more fully set forth on the record, as follows:

1. Alec Norris presented his qualifications to the Board and was accepted as a licensed professional engineer. Mr. Norris indicated that he prepared the site plan that was submitted with the Application. Mr. Norris testified with regard to the submitted site plan and the existing conditions of the site. Mr. Norris stated that the existing PSE&G right of way extends between Long Hill Road and Hickory Tavern Road. Residential properties are located on both sides of the right of way. The existing PSE&G tower contains the telecommunications facilities of T-Mobile, AT&T and Morris County. Mr. Norris described the access drive to the location of the existing tower.

Mr. Norris explained that the proposed temporary tower will provide a place for the Applicant's facility while PSE&G replaces its transmission tower. Mr. Norris noted that the tower is numbered 12/4. Mr. Norris stated that there are no environmental concerns on the Property but there is a natural gas line near the location of the proposed tower. Mr. Norris testified that the Applicant will abide by required safety protocols and will work with the gas company to ensure that the proposed temporary tower does not affect the gas line.

Mr. Norris testified describing the proposed temporary tower. The temporary tower will be supported by ballast mount blocks on a steel frame. The ballast blocks will weigh approximately 100,000 pounds and will act as a foundation. The temporary tower will meet all applicable codes and standards including all safety standards. Mr. Norris testified that the temporary tower will be 100 feet tall and 9 antennas are proposed to be installed thereon. The top antenna will reach about 97'. Other cellular telecommunications providers will be able to collocate on T-Mobile's temporary tower. The temporary tower will be located at a higher elevation but will be shorter than the current transmission tower.

Mr. Norris testified describing the equipment and compound facilities. The compound will be 20' by 20' and the equipment will rest on that area. Technicians will visit the site every 4 to 6 weeks. Mr. Norris indicated that no ground disturbance will occur but later clarified that some minor ground disturbance will occur in order to level the ground for the ballast blocks. The tower will be located close to the side yard setback to allow PSE&G requisite space to conduct its tower replacement. No trees will be removed to accommodate the temporary tower. Mr. Norris testified that the temporary tower will be constructed before the PSE&G tower is removed in order to transition telecommunications equipment immediately. After the equipment is moved back to the new PSE&G tower, the temporary tower will be decommissioned and removed.

Mr. Norris agreed and stipulated on the record that the Applicant will comply with the Board Engineer's memorandum dated January 11, 2021. Mr. Norris agreed and stipulated on the record that the site plan will be amended to show that the temporary tower is less than 200' from a habitable structure rather than the 254' feet originally shown on the plan. Mr. Norris testified that distance between the temporary tower and habitable structures is not limited by any regulation. Mr. Norris agreed and stipulated on the record that the Applicant will install a 6 foot

fence around the perimeter of the temporary tower for security.

2. Frances Boschulte presented her qualifications to the Board and was accepted as a licensed professional radio frequency engineer. Ms. Boschulte testified discussing the process of determining coverage locations. Ms. Boschulte testified with regard to the reach of coverage of the telecommunications facility on the existing tower. Without the facility, customers will experience gaps in coverage. The temporary tower will fill any gaps in service that will exist upon the decommissioning of the telecommunications facility on the PSE&G tower and will provide better coverage due to the configuration of the tower. The decommissioning of the facility from the PSE&G tower has the potential to affect 4100 residents. Ms. Boschulte testified that there are no other areas where a tower could be located in order to provide the needed coverage.

With regard to the radio frequency environment report, Ms. Boschulte described the FCC and State standards. Ms. Boschulte testified that with T-Mobile operating at full power, the electromagnetic emissions are far below the limitations imposed by Federal and State regulations.

3. Timothy M. Kronk presented his qualifications to the Board and was accepted as a licensed professional planner. Mr. Kronk testified describing the C zoning district and stated that residential zones surround the C zone. Mr. Kronk described the relief that is required, as stated in the Relief Requested above. Mr. Kronk indicated that the telecommunications use was permitted by resolution of the Board in 1998. Mr. Kronk testified that the height variance is subsumed in the use variance.

With regard to the positive criteria, Mr. Kronk testified that the site is suitable based upon the radio frequency testimony regarding the substantial coverage that will be provided by the temporary tower. The Application promotes the general welfare as the Applicant is FCC licensed and telecommunications services are very important for the public at large. The negative criteria is based upon the visibility of the installation. The PSE&G transmission tower will be removed and there will be a net reduction in the visibility of towers during the duration of the temporary tower. On balance, the Board can grant the variances without any substantial impairment of the zone plan and the zoning ordinance.

With regard to the bulk variance, Mr. Kronk testified that the variance can be granted under the flexible c(2) standard because the proposed location is the only location made available by PSE&G for the temporary tower. Mr. Kronk testified that locating the tower in the proposed location advances the goals of the Municipal Land Use law by providing coverage and service to residents and the travelling public. The negative criteria is satisfied because there is no substantial detriment to the surrounding neighborhood or the zone plan or ordinance due to the location of the tower.

WHEREAS, the Board has made the following findings of fact and conclusions of law:

1. The Property is located in the PSE&G right of way and is designated as Lot 15.01 in Block 13908 in the C, Conservation, zoning district. The Property is currently improved with an existing PSE&G electric transmission tower. The Applicant is a telecommunications provider and Applicant's telecommunications facility is currently located on PSE&G's electric transmission tower.

PSE&G is implementing a tower replacement project and the Applicant will be required to remove its telecommunications facility during the replacement of PSE&G's tower.

2. The Applicant has applied to the Board for approval to construct a temporary tower upon which the Applicant will locate its telecommunications equipment and antennas in order to ensure that telecommunications service is not interrupted during the PSE&G tower replacement. Since the proposed temporary tower does not comply with the requirements of the zoning ordinance, the Applicant has requested relief from the Board in the form of a use variance in accordance with N.J.S.A. 40:55D-70d(1), a height variance in accordance with N.J.S.A. 40:55D-70d(6) and a bulk variance for exceeding the minimum required side yard setback in accordance with N.J.S.A. 40:55D-70c(2), as stated in the Relief Requested above.

3. All jurisdictional requirements of the Application were met and the Board proceeded to hear the Application and render its determination which is memorialized herein.

4. An applicant seeking a use variance has the burden of proving that it has satisfied the positive and negative statutory criteria in order to support an approval of such a variance. In order to satisfy the positive criteria of a d(1) use variance an applicant must prove and the Board must specifically find, in the telecommunications context, that the use would serve the general welfare because the site is particularly suitable for the proposed use. Smart SMR of New York, Inc. v. Fair Lawn Board of Adjustment, 152 NJ 309, 323 (1998). Although the Supreme Court has refrained from declaring towers and monopoles to be inherently beneficial uses, the Court recognized that they serve the general welfare "and thereby satisf[y] the positive criteria if the use is particularly suited for the proposed site." Id. at 332. With telecommunications towers, an FCC license generally establishes that the use promotes the general welfare. New Brunswick Cellular v. Borough of South Plainfield Board of Adjustment, 160 N.J. 1, 14 (1999). Carriers are also required to prove that, when balancing the proof on the positive and negative criteria, the grant of the variance would not cause substantial detriment to the public good. Smart at 332. Further, "[t]o satisfy the negative criteria, in addition to proving that the variance can be granted 'without substantial detriment to the public good,' an applicant must demonstrate through an 'enhanced quality of proof . . . that the variance sought is not inconsistent with the intent and purpose of the master plan and zoning ordinance.'" Id.

An applicant seeking a (d)(6) variance must also show that special reasons have been satisfied and that the variance can be granted without substantial detriment to the public good and without substantially impairing the intent and the purpose of the zone plan and zoning ordinance. An applicant may establish special reasons by establishing that the increase in height does not offend any purposes of the height restriction. In order to satisfy the negative criteria, an applicant must demonstrate that the height deviation does not cause substantial detriment to the public good and that the deviation can be reconciled with the municipality's determination that the height limitation be imposed on all uses in that zoning district.

5. With regard to the Applicant's request for use and height variances, the Board agrees that the height variance is subsumed within the Applicant's request for the use variance. The Board finds that the Applicant satisfies the general welfare requirement by establishing that it possesses an FCC license. With regard to site suitability, the Board finds that the Applicant's proposed temporary tower will be located in substantially the same area as the existing

transmission tower. The Board further finds, based upon the Applicant's radio frequency Engineer's testimony, that a tower at the proposed location is needed in order to maintain service and coverage. The Board finds that the public interest at stake is the availability and reliability of telecommunications service in the area. The potential impact of the tower on neighboring properties is largely related to its visibility although safety is also a factor. The Board finds that the Applicant has established that the temporary tower and any electromagnetic emissions comply with applicable Federal and State regulations as those regulations relate to safety. In addition, the Applicant has agreed to construct a fence around its equipment to ensure said equipment is enclosed and to mitigate the creation of a potential attractive nuisance. As to visibility, the Board is satisfied that the proposed tower will not differ substantially from towers that already exist in the area where the temporary tower is proposed. In addition, the proposed tower will only replace the existing transmission tower for a short period of time. With regard to the negative criteria, the Board finds that granting a variance to permit the temporary tower will not cause substantial detriment to the public good or to the intent of the zone plan and zoning ordinance. The Board notes that the telecommunications service use was approved by the Board in 1998 in resolution 98-1SZ. The Applicant currently only seeks to relocate the use onto another tower for a short period of time in order to facilitate PSE&G's upgrade of its transmission towers. The Applicant is undertaking significant expense in order to ensure that telecommunications services are available to the public during the tower replacement project. On balance, the Board finds that the temporary duration of the tower coupled with additional conditions that have been imposed herein and designed to mitigate the proposal's impact serve to limit any detriment to the public good or to the zone plan or zoning ordinance.

6. An applicant requesting a bulk variance under subsection "c" of N.J.S.A. 40:55D-70 must prove that it has satisfied both the positive and negative criteria, as well. The positive criteria in bulk variance cases may be established by the Applicant's showing that it would suffer an undue hardship if a zoning regulation were to be applied strictly because of a peculiar and unique situation relating to the property in accordance with N.J.S.A. 40:55D-70c(1). Under the c(1) standard, an applicant must prove that the need for the variance is occasioned by the unique condition of the property that constitutes the basis of the claim of hardship. Relief may not be granted where the hardship is self-created. The positive criteria may also be established by a showing that the application for variance would advance the purposes of the Municipal Land Use Law and the benefits of the deviation would substantially outweigh any detriment in accordance with N.J.S.A. 40:55D-70c(2). In order to establish the positive criteria for a c(2) variance, an applicant must show that the proposed deviation from the zoning ordinance represents a better zoning alternative and advances the purposes of the Municipal Land Use Law, as set forth in N.J.S.A. 40:55D-2. A c(2) variance should not be granted when the only purposes that will be advanced are those of the property owner. The focus of a c(2) variance is on the characteristics of the land that present an opportunity for improved zoning and planning that will benefit the community.

In order to satisfy the negative criteria for a "c" variance, an applicant must also show that the variance can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zone plan and zoning ordinance. The requirement that the grant of the variance not substantially impair the intent and the purpose of the zone plan and zoning ordinance focuses on whether the grant of the variance can be reconciled with the zoning restriction from which the applicant intends to deviate. Unlike use variances, reconciliation of a bulk or dimensional variance with the zone plan and zoning depends on whether the grounds offered to

support the variance, either under subsection c(1) or c(2), adequately justify the board's action in granting an exception from the ordinance's requirements.

7. As to the bulk variance for the deficient side yard setback, the Board finds that the location of the temporary tower in the setback promotes the purposes of the Municipal Land Use Law in that it permits enough clearance to allow the replacement of PSE&G's tower while continuing to provide telecommunications services in an area where such services are needed. As to the negative criteria, the Board finds that the Applicant's agreement with the conditions imposed herein mitigates the impact that the proposal may on the surrounding neighborhood, the zone plan and the zoning ordinance. The Board is satisfied that the benefits of the temporary location of the tower in the setback substantially outweigh any detriments.

NOW, THEREFORE, BE IT RESOLVED, on the basis of the evidence presented to it, and the foregoing findings of fact and conclusions of law, that the Board of Adjustment does hereby GRANT the Relief Requested as noted above, subject to the following:

1. The Applicants are required to comply with the following conditions:
 - a. The Applicant shall comply with the Applicant's representations to and agreements with the Board during the hearing on this Application.
 - b. The Applicant shall comply with the recommendations in the Board Engineer's report dated January 11, 2021.
 - c. The Applicant shall remove the proposed temporary tower and all equipment upon discontinuation of the temporary tower and collocation on the new PSEG tower within two years after the certificate of occupancy issues for the temporary tower.
 - d. The Applicant shall install a 6' fence on top of the ballast blocks, to the satisfaction of the Board Engineer.
 - e. The Applicant shall not conduct any excavation on the Property aside from some minor ground leveling.
 - f. The Applicant shall mark out the existing gas transmission line before work begins on the Property and shall maintain said mark outs during the entire temporary tower construction process.
 - g. As stipulated to by the Applicant, the Applicant shall only use PSE&G approved contractors for the work done on the Property as the Applicant has acknowledged that PSE&G approved contractors have experience working adjacent to natural gas transmission lines.
 - h. The Applicant shall not store any equipment or materials on the ground above the gas pipeline.
 - i. The Applicant shall ensure that all crane outriggers will be placed at least ten (10) feet from the edge of the gas pipeline.
 - j. The Applicant shall provide the gas pipeline operator fourteen (14) days' notice prior to the start of construction on the Property.

2. The grant of this Application shall not be construed to reduce, modify or eliminate any requirement of the Township of Long Hill, other Township Ordinances, the Board approval granted under Resolution 98-1SZ, or the requirements of any Township agency, board or authority, or the requirements and conditions previously imposed upon the Applicants in any approvals, as

memorialized in resolutions adopted by the Township of Long Hill Board of Adjustment or Planning Board except as specifically stated in this Resolution.

3. The grant of this Application shall not be construed to reduce, modify or eliminate any requirement of the State of New Jersey Uniform Construction Code.


4. All fees and escrows assessed by the Township of Long Hill for this Application and the Hearing shall be paid prior to the signing of the plans by the municipal officers. Thereafter, the Applicant shall pay in full any and all taxes, fees, and any other sums owed to the Township before any certificate of occupancy shall issue for the Property.


5. In accordance with the adopted ordinance provisions and the current requirements of the Township of Long Hill, to the extent applicable, the Applicant shall be required to contribute to the Township's "Affordable Housing Trust Fund" and/or otherwise address the impact of the subject application for development upon the affordable housing obligations of the Township, in a manner deemed acceptable by the Township Committee and in accordance with COAH's "Third Round Substantive Rules" and/or in accordance with enacted legislation and/or in accordance with direction from the Courts.

6. The approval herein memorialized shall not constitute, nor be construed to constitute, any approval, direct or indirect, of any aspect of the submitted plan or the improvements to be installed, which are subject to third-party jurisdiction and which require approvals by any third-party agencies. This Resolution of approval is specifically conditioned upon the Applicant securing the approval and permits of all other agencies having jurisdiction over the proposed development. Further, the Applicant shall provide copies of all correspondence relating to the Application, reviews, approvals and permits between the Applicants and third-party agencies from which approval and permits are required to the Planning/Zoning Coordinator of the Township of Long Hill, or designee, or any committee or individual designated by ordinance or by the Board to coordinate Resolution compliance, at the same time as such correspondence is sent or received by the Applicant.

BE IT FURTHER RESOLVED, that this Resolution, adopted on March 2, 2021, memorializes the action of the Board of Adjustment taken on the Hearing Date with the following vote: Yes: Aroneo, Grosskopf, Hain, Malloy, Rosenberg, Johnson, Gerecht; No: None; Recused: None; Not Eligible: None; Absent: Gianakis, Pesce.

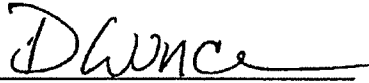
ATTEST:


Debra Coonce,
Board Secretary


Edwin F. Gerecht, Jr.,
Chairman

VOTE ON RESOLUTION					
MEMBER	YES	NO	NOT ELIGIBLE	ABSTAINED	ABSENT
CHAIRMAN GERECHT	X				
VICE CHAIRMAN JOHNSON	X				
ARONEO			X		
GIANAKIS	2 ND				
GROSSKOPF	MOTION				
MALLOY	X				
ROSENBERG			X		
PESCE – ALT 1			X		
HAIN – ALT 2	X				

I hereby certify this to be a true copy of the Resolution adopted on March 2, 2021.


 Debra Coonce,
 Board Secretary

ZONING BOARD OF ADJUSTMENT
TOWNSHIP OF LONG HILL

Application No. 98-15Z

RESOLUTION

WHEREAS, OMNIPOINT COMMUNICATIONS, INC. has applied to the Zoning Board of Adjustment of the Township of Long Hill for use and bulk variances and preliminary and final site plan approval in conjunction with a proposal to install wireless communications antennas at the top of an existing tower (thereby increasing its height by some ten (10) feet) and to install a small equipment cabinet and related improvements at the base of the tower, with respect to property known as Block 195, Lot 15.01 on the Township Tax Map, located within a Public Service Electric & Gas Company right-of-way to the south of the intersection of Hickory Tavern Road and Long View Terrace, which premises are in a C (Conservation) Zone; and

WHEREAS, the Board, after carefully considering the evidence presented by the applicant and of the adjoining property owners and other interested parties, has made the following factual findings and conclusions:

1. The subject property, located in the "C" Conservation Zone, is a 150 foot wide strip containing a Public Service and Gas Company ("PSE&G") right-of-way. It is presently improved with a 123 foot high PSE&G electric line tower. PSE&G has authorized Omnipoint Communications ("Omnipoint") to make this application, which seeks permission to install some antennas at the top of the existing tower and a small electronics equipment cabinet and surrounding fencing at the base of the tower.

2. The application entails the following variances from requirements in the Township Zoning Ordinance (the "Ordinance"):

(a) The proposed use is not a permitted one in the C Zone, pursuant to Section 122.1 of the Ordinance. As such, a use variance is required under N.J.S.A. 40:55D-70(d).

(b) Pursuant to Section 131, the Schedule of Bulk Requirements in the Ordinance, the height limit in the Zone is 35 feet. The existing tower is 123 feet high and the proposed antennas at its top will extend the total height to some 133 feet. The requested height variance also falls within the criteria of N.J.S.A. 40:55D-70(d).

(c) Pursuant to the aforementioned Schedule in the Ordinance, the minimum required lot width in the Zone, as measured along the street line, is 250 feet. The lot width of the PSE&G right-of-way is 150 feet and it has only some 50 feet of frontage along Hickory Tavern Road. This involves a bulk variance within the criteria of N.J.S.A. 40:55D-70(c).

3. The application also requires site plan approval pursuant to Section 162.2 of the Ordinance.

4. The property, the existing PSE&G tower and the proposed new Omnipoint facilities are more particularly depicted on plans (consisting of Sheets S-1 and Z-1) prepared by Arcnet Architects, Inc. dated June 10, 1998 and June 15, 1998, last revised to July 16, 1998, same consisting of two (2) sheets.

5. Omnipoint presented expert witness testimony from several individuals in support of its application. Christopher Olson, Omnipoint's radio frequency engineer, was the first witness to testify on its behalf. He explained that a radio frequency engineer determines where base station locations are needed in order to provide seamless coverage. Mr. Olson currently serves as the person who sites facilities for Omnipoint. The witness stated that Omnipoint is a personal communications service ("PCS") provider, which is a wireless phone service similar to that of cellular companies. It requires

many small coverage areas and lower power base station sites throughout the network to be served. The Omnipoint system is 100% digital. Omnipoint is licensed by the Federal Communications Commission ("F.C.C.") and its PCS service is similar to that of a public utility. Apart from being able to speak to others, Omnipoint's customers can send messages to and from the Internet. There are also voice mail, data and paging services. Mr. Olson noted that at present the applicant's coverage in Long Hill is "very spotty". Omnipoint relies on a line of sight technology. As such, the existing PSE&G tower, which covers both sides of a hill, will fill an essential servicing need for the applicant. A computerized program has projected what the coverage would be in the future (i.e. after installation of the proposed facilities) based upon terrain, height of the structure and a propagation model. The proposed new installation will fill a gap in service in the northeasterly and easterly portions of the Township. There will still be a gap in coverage in the westerly portion of the municipality, and the applicant is looking for other sites to fill this need.

Mr. Olson also explained that there is a need to mount the three (3) proposed antennas above the existing tower in order to get the proper orientation without the structure of the tower itself blocking the signal. Each of the antennas will point in a different direction. The radio frequency engineer stated that radio transmissions from the antennas will not cause interference with other equipment that may be operating in the area. Omnipoint operates on only a certain frequency which others do not utilize. There will be no excessive noise generated from the facility, according to the witness. The only sound will be the "low hum" from a fan within the door of the equipment cabinet, which noise will not even be equivalent to that of an air conditioner.

Mr. Olson indicated that the facility will be unmanned, with the site being connected back to the applicant's switching office with actual wired telephone lines. It will be monitored (remotely) 24 hours a day and, in the event of an equipment outage, a technician would be dispatched to the site. Otherwise, service personnel will visit the site approximately once a month to do routine maintenance. The witness stated that Omnipoint will be the first carrier, and the only one that he knew of, on the existing tower. There would be no problem -- apart from a need to keep a certain distance from other carriers' antennas -- with other companies co-locating on the site.

6. Bruno J. Sutter, an architect with Arcnet, described in detail the facilities proposed for the site. There will be three (3) dual pol antennas, each of which will be 56 inches high and mounted on a galvanized steel pole. The overall added height at the top of the tower will be some 9'8". At the base of the tower, there will be a 12' X 12' fenced in area surrounded by an 8 foot high chain link fence. Within this compound, there will be a 5'4" high, by 3' wide, by 3'4" deep equipment cabinet and an even smaller electrical panel box. The compound will be located near the easterly leg of the tower, underneath the actual structure. The antennas will be off white in color, which will blend in with the sky; the equipment cabinet will be beige or sand tone in color. The architect said that electrical service for the facilities will be taken from an existing pole along Hickory Tavern Road, and will need to be overhead at least at its start. He said that as little vegetation as possible will be removed and most of the area will be left in its natural state. No trees of any significance (i.e. 4" to 6" or greater in diameter) should have to be removed. Service vehicles will park just off of Long Hill Road, some 600 feet away from the tower. The witness noted that the applicant is aware of the location of existing and proposed gas pipelines

in the area, and he said that it will not be necessary for vehicles to drive over the pipelines.

7. Alice Fahy-Elwood, a health physicist with Bell Labs, testified with regard to the safety of the radio frequency emissions from the site. She reviewed the data and conclusions on the subject which are contained in a written report prepared for the applicant. Ms. Fahy-Elwood said that the study which had been performed made "worst case assumptions" by assuming that the site would operate continuously at maximum power and with all of its channels going continuously. The results of the analysis indicate that the maximum level of radio frequency ("RF") energy to which the public may be exposed would be below all applicable health and safety limits. Specifically, the maximum level of RF energy from all proposed transmitters would be less than 0.005% of the safety criteria established by the F.C.C. Moreover, the RF level would be less than 0.001% of New Jersey Administrative Code limits.

8. William F. Masters, a professional planner, was the final expert to testify for the applicant. Utilizing a photo display board, the witness noted that the proposed new antennas at the top of the existing tower will have a minimal or even insignificant visual impact. The 12' X 12' enclosed compound area will occupy only some 4 $\frac{1}{2}$ % of the area inside the legs of the tower, according to the planner. While there will be a need to clear a 12 foot wide strip to gain access to the tower for construction purposes, this area could be restored with new vegetation. The planner cited a leading decision of the New Jersey Supreme Court which draws a sharp distinction between installations requiring new monopoles or towers and those where antennas are merely appended to existing structures, such as in the instant case. He said that the latter situation may involve an inherently beneficial usage. In any event, Mr. Masters maintained that the subject site is particularly suited for the

proposed use since it is centrally located within the search area and since it fills a gap in radio frequency coverage. There will not be any need to construct a new free-standing support structure for the antennas. The planner also felt that the existing PSE&G public utility usage and the proposed Omnipoint use would be compatible from a land use perspective. There should not be any significant impact on the environment or any substantial detriment to surrounding properties.

Mr. Masters said that the height variance is not based so much on a radio frequency requirement as it is upon the need for the antennas to clear the existing tower so as to avoid signal interference. He felt that the proposed antennas would be a rather insignificant addition to the tower given its mass in relationship to the dimensions of the antennas. The lot width variance pertains to an existing situation which will not be changed by the application. Both the new antennas and the equipment cabinet will be contained entirely within the footprint area of the existing tower, so there will be no adverse impacts in terms of setbacks or proximity to the side yards.

9. A few interested citizens offered some comments about the applicant's proposal. One nearby resident noted her concern over the fact that construction vehicles would be using an area in close proximity to her property. Another person stated that approval of the Omnipoint application would lead to other similar requests throughout the Township.

10. The Board has received and considered reports on the application from the Township Planning Consultant and the Township Engineer. Michael J. Tobia, the Township Planner, commented as follows with respect to the Omnipoint proposal:

"The clear and significant advantage to the application is that the existing PSE&G tower obviates the need for a new tower structure, which might have an adverse visual impact on the area. Traffic is not an issue as these facilities are unmanned and maintenance visits are limited to once or twice a month. Public health concerns are regulated by the

State, and radio and television interference issues by the F.C.C. Buffering and landscaping seem unnecessary given the existing vegetation in the area."

The Board has also received a standard letter from the Morris County Planning Board which notes that the proposal will have no adverse effect upon County roads and/or County drainage facilities.

11. After reviewing the evidence submitted, the Board concludes that the applicant has sustained its burden of showing special reasons to warrant a grant of the requested use variance. The proposed wireless communication facilities are important for the general welfare in that they will serve the public's need for reliable and prompt transmission of information. As such, the proposal may very well be considered an inherently beneficial one. In any case, the site selected is one which is particularly well suited. As noted by the Township Planner, the utilization of the existing PSE&G tower obviates any need for a new tower structure, which might have an adverse visual impact upon the area. Additionally, the Board finds that the purposes of the Municipal Land Use Law will be advanced by the requested deviations from the zoning requirements and that the benefits to be derived therefrom will substantially outweigh any detriments associated therewith. For the reasons stated by the applicant's planner, the requested variances for height and lot width are also warranted. The addition of Omnipoint's antennas to the top of the tower will barely be noticeable. The lot width will not be affected by this application.

12. The Board also finds that the applicant has demonstrated that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the Zone Plan and Zoning Ordinance. The right-of-way upon which the PSE&G tower is located is well wooded, and the applicant is amenable to installing additional plantings to replace any trees which may

have to be removed during construction of the Omnipoint facilities.

13. Finally, the Board is satisfied with the proposed site plan, subject to the conditions set forth below -- which conditions should serve to lessen any (minor) impacts which might otherwise result from the applicant's proposal.

WHEREAS, the Board took action on this application at its meeting on January 5, 1999, and this Resolution constitutes a Resolution of Memorialization of the action taken in accordance with N.J.S.A. 40:55D-10(g):

NOW, THEREFORE, BE IT RESOLVED by the Zoning Board of Adjustment of the Township of Long Hill, on this 6th day of April, 1999, that the application of Omnipoint Communications, Inc. for use and bulk variances and preliminary and final site plan approval, as aforesaid, be granted subject to the following conditions:

1. The plans shall be revised in the following respects, or calculations and data shall be supplied, all of which shall be satisfactory to the Township Engineer:

(a) Note that the decibel level at the site will not exceed that allowed under applicable noise standards or regulations.

(b) Note that there will be no audible alarms at the building or at the site.

(c) Note that the site shall only be accessed from Long Hill Road (i.e. rather than from Hickory Tavern Road).

(d) Note that the fencing at the property will not have barbed wire.

(e) Note that the applicant will supply the Township Police Department with a key to the locked gate at the site.

(f) Note that the electrical service to the facilities shall be installed underground at locations where the Township Engineer deems same to be feasible.

(g) Note that, following construction/installation of the proposed facilities, a meeting shall be held at the site between representatives of the applicant, the Township Engineer and a representative of the Township Shade Tree Committee at which meeting discussion shall be held and agreement reached as to the installation of replacement plantings for areas which may have been disturbed. It is understood that, since access to the facilities will still be required after construction, the replacement plantings (or all of such plantings) will not necessarily have to be in the same location as the vegetation which had been removed during construction. The Township Officials shall have the final decision-making authority as concerns the addition/installation of all such plantings.

(h) Provide for installation of a small sign at the site which will contain an emergency telephone number.

2. Applicant shall post with the Township sufficient funds to satisfy any deficiency in the developer's escrow account.

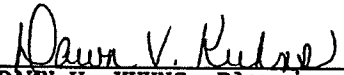
All conditions shall be satisfied prior to signing of the plans by the Board Officers and prior to the issuance of any building permit.

ROLL CALL VOTE:

Those in Favor: Mr. Scherer, Ms. Buffa, Mr. Behr, Mr. Spinello and Mr. Neville.

Those Opposed: None.

The foregoing is a true copy of a Resolution adopted by the Zoning Board of Adjustment of the Township of Long Hill at its meeting on April 6, 1999, as copied from the Minutes of said meeting.



DAWN V. KUHNS, Planning and
Zoning Administrator

Dated: April 14, 1999

ZONING BOARD OF ADJUSTMENT
TOWNSHIP OF LONG HILL

Application No. 03-14Z

RESOLUTION

WHEREAS, CELLULAR TELEPHONE CO. d/b/a AT&T WIRELESS has applied to the Zoning Board of Adjustment of the Township of Long Hill for use and bulk variances and preliminary and final site plan approval in order to install six (6) wireless communication antennas on an existing transmission tower, together with equipment cabinets at the base of the tower within a fenced compound, with respect to property known as Block 195, Lot 15.01 on the Tax Map of the Township, located within a Public Service Electric & Gas Co., right-of-way to the south of the intersection of Hickory Tavern Road and Long View Terrace, which premises are in a "C" (Conservation) Zone; and

WHEREAS, the Board has held public hearings on the application on July 6, 2004, August 3, 2004 and October 19, 2004, at which time interested citizens were afforded the opportunity to be heard; and

WHEREAS, the Board, after carefully considering the evidence presented by the applicant, the adjoining property owners and other interested parties, has made the following factual findings and conclusions

1. The subject property, located in the "C" Conservation Zone, is a 150 foot wide strip containing a Public Service and Gas Company ("PSE&G") right-of-way. It is presently improved with a tall PSE&G electric line tower which had been some 123 feet in height. Pursuant to a Resolution adopted by the Board of Adjustment on April 6, 1999 (Application No. 98-15Z), Omnipoint Communications, Inc. ("Omnipoint") was granted variance and site plan approval to install its wireless communication antennas at the top of the existing tower, thereby increasing its height by some 10 feet (i.e. to a new height of approximately 133 feet).

2. In the present application, Cellular Telephone Co. d/b/a AT&T Wireless ("Cellular") applies, with the consent or authorization of PSE&G, in order to obtain the approvals necessary for Cellular to install six (6) of its wireless telecommunication antennas on the existing transmission tower and to construct

equipment cabinets at the base of the tower. Four (4) of the proposed Cellular antennas will be located at the 121.5 foot level of the tower (i.e. to the top of the antennas), and two (2) of the proposed Cellular antennas will be located at the 115 foot level of the tower (i.e. to the top of the antennas). The applicant's proposed antennas will each be 51.2 inches in height, 16 inches in width and 3.5 inches in depth. Cellular's ground facilities will be enclosed within a 18' x 30' gravel compound under the most southerly corner of the tower, which compound will be enclosed within a six (6) foot high chain link fence. There will be two (2) slabs on grade (each of which will be 6' x 5'-2-5/8"). One of these slabs will contain the applicant's electric meter cabinet and telco cabinet; the other slab will be available for construction in the future of two (2) additional cabinets. Cellular's cabinets will each be approximately 2-1/2 feet wide, 2-1/2 feet deep, and 5 feet in height.

3. The applicant's proposal is more particularly depicted on plans prepared by Dewberry-Goodkind, Inc., Consulting Engineers, dated or last revised as of October 5, 2004, same consisting of eight (8) sheets.

4. Cellular's proposal requires the following approvals or relief from the Board of Adjustment:

(a) A use variance is required (in accordance with N.J.S.A. 40:55D-70(d)) since cellular communication antennas and the applicant's related ground equipment cabinets are not a permitted use in the "C" Zone of the Township, pursuant to Section 122 of the Long Hill Township Land Use Ordinance (the "Ordinance"). The proposed addition to the site of the applicant's wireless communication facilities constitutes an expansion of the present non-conforming usage of the property contrary to N.J.S.A. 40:55D-70(d)(2).

(b) A height variance is required (in accordance with N.J.S.A. 40:55D-70(d)(6)) since the proposed antennas are to be mounted on the existing 133 foot high tower at heights of 115 feet and 121.5 feet, whereas the maximum allowable height in the Zone in accordance with Section 131,

the Schedule of Bulk Requirements in the Ordinance, is 35 feet.

(c) Pursuant to the aforementioned Schedule in the Ordinance, the minimum required lot width in the Zone, as measured along the street line, is 250 feet. the lot width of the PSE&G right-of-way is 150 feet and it has only some 50 feet of frontage along Hickory Tavern Road. This involves a bulk variance within the criteria of N.J.S.A. 40:55D-70(c).

(d) Site plan review/approval is required in accordance with Section 162.2 of the Ordinance. The applicant seeks both preliminary and final site plan approval for its proposed facilities.

During the hearings, Cellular elected to bifurcate its application by first seeking the requisite variance approvals needed for the project and by then seeking site plan approval.

5. Cellular presented testimony from three (3) experts in support of its application. Vishal Kataria, a radio frequency engineer, was the first witness to appear for the applicant. Mr. Kataria, who is employed by Bechtel Telecommunications, was responsible for the design of the site. He presented colored renderings depicting the existing radio frequency coverage at the property and reviewed the results of a "drive test" which had been performed in the area. The radio frequency engineer indicated that the mountainous topography of the area allows coverage to the south but blocks coverage to the north. The witness explained that the objective of the proposed application is to provide cellular coverage to the north, as well as along Long Hill Road and along Meyersville Road. Mr. Kataria stated that proposed antennas will provide Cellular with the necessary coverage in the area and that the applicant would then be in compliance with applicable FCC standards.

The radio frequency engineer also reviewed the findings of an emissions level study. Following installation of the proposed facilities, the site would be fully compliant with allowable FCC emission levels (which are more stringent than New Jersey standards). Specifically, the applicant's proposal would be 57 times lower

than the allowable emissions level in one band and 94 times lower than the allowable level in another band. Mr. Kataria explained that there would be no interference with telephone, television or cable systems in the area because their frequencies are on different bands.

In response to questioning from the Board and the public, the radio frequency engineer stated that there is only one other plot in the area which, technically speaking, could provide the necessary coverage. However, that location is in the backyard of a homeowner and is not a feasible one.

6. Todd Hay, an engineer with the firm of Dewberry-Goodkind, Inc., reviewed the features of the property and the construction proposed by the applicant. Mr. Hay stated that the 150 foot wide right-of-way will provide access to the facility via a 604 foot long driveway or path leading from Hickory Tavern Road. Electrical and telephone service will be installed underground within the access way to the tower. The engineer reviewed the features of the proposed antennas and ground equipment cabinets. There will be a three (3) foot high retaining wall supporting the slope along the southerly side of the applicant's compound. Mr. Hay said that site maintenance would be performed once every four to six weeks, at which time the cabinets and the antenna cables would be checked. He noted that the antennas would not stand out beyond the face of the tower.

In response to questions, Mr. Hay indicated that no lighting is proposed for the site. He said that there will be no need for an ice shield to be mounted over the cabinets, since they will be sturdily reinforced. The applicant's engineer said that there will be a cooling fan in the equipment cabinets with a noise level that will be less than that allowed under the standards of the NJDEP. Mr. Hay said that the construction would be a substantial distance away from the existing Transco high pressure interstate gas main but that, in any case, Transco would be notified in advance of the applicants excavation at the site.

7. Peter Tolischus, a professional planner, was the other expert to testify for the applicant. Mr. Tolischus stated that he had performed a visual analysis to determine if there would be any significant impact from the addition of cellular antennas on the existing high tension tower. He explained that the proposed antennas would extend to the side – rather than above the tower, and

would therefore look to be a part of the structure. The witness presented an aerial composite photo simulation of the property including the proposed antennas, and he also reviewed some photographs of the site. Mr. Tolischus opined that the addition of the applicant's antennas would be unobtrusive and would preclude the necessity to construct a new tower in the area.

The planner commented upon the relief requested by the applicant, same consisting of two "d" variances for expansion of a non-conforming use and for exceeding the allowable height requirements. There is also a "c" variance for the pre-existing deficiency in lot width. Mr. Tolischus described the property as being a uniquely shaped long linear lot. He was of the opinion that the applicant's possession of an FCC licensee serves, in and of itself, to satisfy the positive criteria of the Municipal Land Use Law since the general welfare of the public would be enhanced by improved communication facilities in the area. The witness also felt that the property is particularly suited for the proposed usage and that the applicant's proposed facilities would serve to fulfill radio frequency requirements and fill an existing gap in service. Commenting upon the negative criteria, the planner said that there will be minimal detrimental effects from the project and that there would not be any additional noise of traffic. The witness said that Cellular has agreed to comply with reasonable conditions of the Board pertinent to landscaping. He concluded his testimony by noting that co-location on an existing tower is unquestionably the best way to solve the existing gap in coverage.

8. Only one interested citizen testified in connection with the application. Lawrence Fast, a resident of Long Hill Road, expressed concern that construction at the site would impact upon his privacy. He also felt that there was "a public safety issue" involved due to the presence of the existing gas pipeline on the site. Mr. Fast recommended that representatives of the gas pipeline facility be on the site during construction.,

9. The Board has received and considered reports on the application from the Township Planning Consultant, the Township Engineer, the Township Environmental Commission, the Township Shade Tree Commission, the Township Traffic Safety Officer, the Township Fire Chief and the Morris County Planning Board. In addition to submitting written reports, Kevin O'Brien, the Township

Planner, testified with regard to a site visit which he had performed together with representatives of the applicant and a comprehensive landscaping plan which had been agreed upon at the time of visit. Mr. O'Brien recommended that new plantings along the southerly side of the right-of-way be very close to the property line to help in preventing disturbance of the plantings by PSE&G personnel.

10. Dr. Bruce Eisenstein, a telecommunications expert and special consultant to the Board, commented upon the applicant's proposal. Dr. Eisenstein stated that, from a radio frequency point of view, the area is unusual due to the sharp ridge line running along Long Hill Road. The expert noted that antenna sites below the ridge line have virtually no propagation over the ridge. The only way that Cellular could obtain the required coverage would be to locate its facility on the ridge, as has been done in the present application. Dr. Eisenstein added that, from an esthetic point of view, the application is one of the "most neutral" which he has encountered since the proposed antennas would barely be noticeable, even at close range. He recommended that the Board approve the application subject to the imposition of appropriate and reasonable conditions.

11. After reviewing the evidence submitted, the Board concludes that the applicant has shown special reasons warranting the grant of the requested use and height variances. Providing the proposed new wireless communications facilities will advance the general welfare. An existing gap in coverage will be filled by the applicant's proposal. The usage is an appropriate one at this property, especially in light of the fact that the applicant will be co-locating its antennas on an existing tower. The site is a unique one and the facilities will barely be visible from the street, if at all. The requested bulk variance pertaining to the lot width of the property is also warranted. The applicant's proposal will have no effect upon this existing condition.

12. The Board also finds that the applicant has demonstrated that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the Zone Plan and Zoning Ordinance. The location of the property and the wireless facilities to be installed thereon is such that there will be minimal effects from the applicant's proposal.

13. The Board also concludes that it is satisfied with the proposed site plan, subject to the conditions set forth below:

WHEREAS, the Board took action at its meeting of August 3, 2004 on the variance phase of this bifurcated application and at its meeting of October 19, 2004 on the site plan phase of this application, and this Resolution constitutes a Resolution of Memorialization of the action taken in accordance with N.J.S.A. 40:55D-10(g):

NOW, THEREFORE, BE IT RESOLVED by the Zoning Board of Adjustment of the Township of Long Hill, on this 4th day of January, 2005, that the application of Cellular Telephone Co., d/b/a AT&T Wireless for use and bulk variances and preliminary and final site plan approval, as aforesaid be granted subject to the following conditions:

1. Applicant shall submit proof of payment of real estate taxes through the fourth quarter of 2004.

2. Applicant shall obtain approval or waiver from the Morris County Soil Conservation District.

3. The plans shall be revised in the following respects, or documents, data and calculations shall be supplied, all of which shall be satisfactory to the Township Engineer (or, where indicated below, to the Township Planning Consultant):

(a) Correct/clarify the notes on the plans so as to indicate that the applicant does not propose to remove or disturb the existing Omnipoint Communications antennas at the site and so as to indicate that the applicant does not propose to install or remove any County antennas.

(b) Correct/clarify the information provided in the applicant's proposal so as to address the matters noted in Paragraph 1 of the May 25, 2004 report of the Township Engineer.

(c) Supply data from a licensed structural engineer as to the load-bearing capacity and the structural integrity of the tower.

(d) Note that the site shall only be accessed from Hickory Tavern Road (i.e. rather than from Long Hill Road).

(e) Note that the applicant's antennas shall be flush-mounted so as not to project outward from the tower.

(f) The equipment cabinets at the base of the tower shall be painted taupe and the color of the applicant's antennas shall match the color of the tower.

(g) Note that there will be no audible alarms which can be heard on the site (i.e. only remote sounding alarms will be allowed).

(h) Provide specifications which demonstrate that any air conditioning or cooling equipment and/or any emergency generator will comply with applicable noise standards; and note that permissible noise standards for the property will not be exceeded.

(i) Note that the fencing to be installed at the property shall be chain link fencing clad in black or dark green vinyl and that the fencing shall not contain barbed wire.

(j) Note that keys or the security combination to the applicant's compound on the site shall be furnished to the Township Police and Fire Departments.

(k) Provide for installation of a small sign at the site which will contain an emergency telephone number.

(l) Note that the electrical service to the facilities shall be installed underground at locations where the Township Engineer deems same to be feasible.

(m) The landscaping plan for the facility shall be revised, as deemed necessary by the Township Planning Consultant, to indicate or reflect the following:

- Along the south side of the right-of-way, there shall be a 150 foot long buffer planted, with the center of the buffer to match the center of the proposed ground cabinets for the wireless communications facility. The plantings along such right-of-way shall consist of Leather Leaf Viburnum with heavy foliage 4 to 4-1/2 feet high at planting and American Holly 6 to 7 feet high at planting. The plantings shall alternate, with one Leather Leaf followed by a Holly, followed by another Leather Leaf and continuing the pattern. The plantings shall be 12 feet apart and in a straight line, with 13 plants in total. The right-of-way shall be staked by the applicant and the plantings shall be placed approximately 2 feet to the north of the southerly boundary line of the right-of-way.
- Along the north side of the ground facility, there shall be a double row of plantings similar to that depicted on Sheet ZO3 dated 10/5/04. The double row shall be placed adjacent to the existing tower. The plantings shall consist of 8 Leather Leaf Viburnum plantings and shall extend 40 feet in length with 10 feet between the plantings of each row, and each row shall be separated by no more than 5 feet. The plantings shall be centered on the ground facility of the wireless communications compound. The plantings shall be 4 to 4-1/2 feet tall at time of planting.

- Note that markers shall be placed to indicate the areas of plantings which are not to be disturbed.
- Provide for installation of a "Permahedge" along the entire fence surrounding the ground facility.
- Note that the plantings shall be guaranteed for a period of two (2) years from the date of planting.

(n) Note that the Township Police and Fire Departments shall be notified, and that Transco shall also be notified, at least 48 hours prior to commencement of excavation for the project so that they will be able to be present during such excavation and help to ensure that there shall be no disturbance of or infringement upon the Transco pipeline which traverses the area.

(o) Note that the applicant shall clean-up the site and remove all debris therefrom prior to commencement of any work at the property, with such clean-up and removal to be done to the satisfaction of the Township Engineer.

4. Applicant shall post engineering inspection fees with the Township in accordance with Ordinance requirements.
5. Applicant shall post sufficient funds with the Township to satisfy any deficiency in the developer's escrow account.
6. Applicant shall provide an as-built plan upon completion of the project.

Except as otherwise set forth above, all conditions shall be satisfied prior to signing of the plans by the Board Officers and prior to issuance of any municipal permits.

ROLL CALL VOTE:

Those in Favor: Mrs. Raimer, Mr. Piserchia, Mr. Pagano, Mr. Fargnoli,
Mr. Alto and Mr. Jones.

Those Opposed: None.

The foregoing is a true copy of a Resolution adopted by the Zoning Board of Adjustment of the Township of Long Hill at its meeting on January 4, 2005 as copied from the Minutes of said meeting.



CYNTHIA L. PHILLIPS, Board Secretary

Dated: January 5, 2005

**RESOLUTION OF THE ZONING BOARD OF ADJUSTMENT
TOWNSHIP OF LONG HILL
MORRIS COUNTY, NEW JERSEY**

**NEW CINGULAR WIRELESS PCS, LLC (AT&T)
LONG HILL ROAD
GILLETTE, NEW JERSEY 07933
BLOCK 13908, LOT 15.01
APPLICATION NO.: 21-10Z**

**Hearing Date: July 6, 2021
Board Action: July 6, 2021
Memorialization: August 31, 2021**

WHEREAS, New Cingular Wireless PCS, LLC – AT&T (the “Applicant”) is the operator of an existing wireless telecommunications facility located on a Public Service Electric and Gas Company (“PSE&G”) electric transmission tower on property located on Long Hill Road in Gillette, identified as Block 13908, Lot 15.01 (the “Property”) on the Long Hill Township Tax Map, in the C, Conservation, zoning district; and

WHEREAS, PSE&G will be implementing a tower replacement project therefore the Applicant is required to decommission its facility and remove it from PSE&G’s transmission tower; and

WHEREAS, upon completion of PSE&G’s tower replacement project, the Applicant will place its facility on PSE&G’s new tower; and

WHEREAS, during the pendency of PSE&G’s tower replacement, the Applicant seeks to collocate its telecommunications facility on a temporary ballast tower (that will be erected by T-Mobile Northeast LLC pursuant to a Board approval dated March 2, 2021, under Application numbered 2020-06Z) (the “Temporary Tower”) until the Applicant is able to transfer its facility to PSE&G’s new transmission tower; and

WHEREAS, the Applicant has applied to the Long Hill Township Zoning Board of Adjustment (the “Board”) for minor site plan approval in accordance with N.J.S.A. 40:55D-46.1 (the “Relief Requested”) to permit the Applicant to collocate its equipment on the Temporary Tower; and

WHEREAS, the Applicant submitted the following plans and documents in support of the Application, which plans and documents were made a part of the record before the Board, as follows:

- Application with checklists and addenda;
- Antenna Site FCC RF Compliance Assessment and Report prepared for AT&T Site “P-05XT” Long Hill Road, Long Hill, NJ, prepared by Pinnacle Telecom Group, dated February 19, 2021;

Site Plan Drawings entitled, “Temporary Site P-05XT Preliminary and Final Major Site Plan Proposed Temporary Equipment at an Existing Transmission Tower Public Service Electric and Gas Company Temporary Equipment at PSE&G Steel Tower #12/4, Roseland-Lambertville Right Of Way, Voltage 230 Kv Circuit #:U2221, Long Hill Road, Long Hill Township, Morris County, New Jersey”, prepared by Maser Consulting, revised through April 22, 2021, consisting of eight sheets: and

WHEREAS, the Applicant gave notice of the hearing and the Board found that the Applicant met all jurisdictional requirements enabling the Board to hear and act on the Application on the Hearing Date; and

WHEREAS, the Board considered the following reports from its experts:

Memorandum from Board Planner, Elizabeth Leheny, PP, AICP, dated July 1, 2021;

Memorandum from Board Engineering consultants, Casey & Keller, Inc., dated June 30, 2021; and

WHEREAS, during the public hearing on the Application on the Hearing Date, the Applicant, represented by attorney Christopher Quinn, Esq. was given the opportunity to present testimony and legal argument, and members of the public were given an opportunity to comment on the Application; and

WHEREAS, members of the public appeared to ask questions about and to speak with regard to the Application, as more fully set forth on the record; and

WHEREAS, the Applicant presented testimony from the following individuals:

1. Alec Norris, PE, Applicant’s Engineer; and

WHEREAS, the Applicant introduced the Application and presented testimony to the Board as more fully set forth on the record, as follows:

1. Alec Norris presented his qualifications to the Board and was accepted as a licensed professional engineer. Mr. Norris indicated that he prepared the site plan that was submitted with the Application. Mr. Norris further indicated that he prepared and presented the site plan for T-Mobile Northeast LLC in Application numbered 2020-06Z. Mr. Norris testified referencing page z4 of the plan set and described the future T-Mobile ballast frame, its equipment cabinet and 100’ pole. Mr. Norris testified that the Applicant’s antennas will be located at an 85’ elevation below T-Mobile’s antennas which will be located at a 95’ elevation. The Applicant proposes six antennas that will be connected to ground mounted equipment by coaxial cables. The equipment will be placed on the ballast frame that will be constructed by T-Mobile. Mr. Norris confirmed that the Applicant’s proposal will not produce any disturbance beyond that which will occur in conjunction with T-Mobile’s construction of the Temporary Tower. Mr. Norris stated that the site will be visited for monitoring purposes every four to six weeks.

Mr. Norris agreed and stipulated on the record that the Applicant will comply with the Board Engineer's memorandum dated June 30, 2021 and with all of the conditions imposed upon T-Mobile. Mr. Norris agreed and stipulated on the record that the Applicant will amend its plans to show the 6' fence that T-Mobile is required to construct at the top of the ballast frame.

WHEREAS, the Board has made the following findings of fact and conclusions of law:

1. The Property is located in the PSE&G right of way and is designated as Lot 15.01 in Block 13908 in the C, Conservation, zoning district. The Property is currently improved with an existing PSE&G electric transmission tower. The Applicant is a telecommunications provider and Applicant's telecommunications facility is currently located on PSE&G's electric transmission tower. PSE&G is implementing a tower replacement project and the Applicant will be required to remove its telecommunications facility during the replacement of PSE&G's tower.

2. The Applicant has applied to the Board for minor site plan approval in accordance with N.J.S.A. 40:55D-46.1 in order to collocate its equipment and antennas onto the Temporary Tower, that will be constructed by T-Mobile Northeast LLC, in order to ensure that telecommunications service is not interrupted during the PSE&G tower replacement. Since the proposed Temporary Tower does not comply with the requirements of the zoning ordinance, T-Mobile Northeast LLC requested and obtained relief from the Board on March 2, 2021 under Application numbered 2020-06Z in the form of a use variance in accordance with N.J.S.A. 40:55D-70d(1), a height variance in accordance with N.J.S.A. 40:55D-70d(6) and a bulk variance for exceeding the minimum required side yard setback in accordance with N.J.S.A. 40:55D-70c(2).

3. The Applicant previously secured use variance, bulk variance, and site plan approvals to locate its telecommunications facility on the PSE&G tower in 1999 and to install six antennas in 2005, as more fully described in the Board Planner's report dated July 1, 2021 cited herein and made a part hereof.

4. All jurisdictional requirements of the Application were met and the Board proceeded to hear the Application and render its determination which is memorialized herein.

5. In order to obtain minor site plan approval, an applicant must demonstrate that its proposed improvements comply with the municipality's site planning and design standards. The Board is satisfied that the Applicant's proposal is compliant and appropriate, subject to the conditions imposed upon T-Mobile Northeast, LLC in Application numbered 2020-06Z. The Board finds that Applicant's proposal to collocate its equipment on the Temporary Tower is needed in order to avoid an interruption in the Applicant's telecommunications services and will not cause any further disturbance on the site. The Board further finds that good cause has been shown to approval the Applicant's request for minor site plan approval in accordance with the conditions imposed herein.

NOW, THEREFORE, BE IT RESOLVED, on the basis of the evidence presented to it, and the foregoing findings of fact and conclusions of law, that the Board of Adjustment does hereby GRANT the Relief Requested as noted above, subject to the following:

1. The Applicants are required to comply with the following conditions:

- a. The Applicant shall comply with the Applicant's representations to and agreements with the Board during the hearing on this Application.
- b. The Applicant shall comply with the recommendations in the Board Engineer's report dated June 30, 2021.
- c. The Applicant shall comply with all conditions imposed in the Board's approval of T-Mobile Northeast, LLC's Application numbered 2020-06Z, dated March 2, 2021.

2. The grant of this Application shall not be construed to reduce, modify or eliminate any requirement of the Township of Long Hill, other Township Ordinances, or the requirements of any Township agency, board or authority, or the requirements and conditions previously imposed upon the Applicants in any approvals, as memorialized in resolutions adopted by the Township of Long Hill Board of Adjustment or Planning Board except as specifically stated in this Resolution.

3. The grant of this Application shall not be construed to reduce, modify or eliminate any requirement of the State of New Jersey Uniform Construction Code.

4. All fees and escrows assessed by the Township of Long Hill for this Application and the Hearing shall be paid prior to the signing of the plans by the municipal officers. Thereafter, the Applicant shall pay in full any and all taxes, fees, and any other sums owed to the Township before any certificate of occupancy shall issue for the Property.

5. In accordance with the adopted ordinance provisions and the current requirements of the Township of Long Hill, to the extent applicable, the Applicant shall be required to contribute to the Township's "Affordable Housing Trust Fund" and/or otherwise address the impact of the subject application for development upon the affordable housing obligations of the Township, in a manner deemed acceptable by the Township Committee and in accordance with COAH's "Third Round Substantive Rules" and/or in accordance with enacted legislation and/or in accordance with direction from the Courts.


6. The approval herein memorialized shall not constitute, nor be construed to constitute, any approval, direct or indirect, of any aspect of the submitted plan or the improvements to be installed, which are subject to third-party jurisdiction and which require approvals by any third-party agencies. This Resolution of approval is specifically conditioned upon the Applicant securing the approval and permits of all other agencies having jurisdiction over the proposed development. Further, the Applicant shall provide copies of all correspondence relating to the Application, reviews, approvals and permits between the Applicants and third-party agencies from which approval and permits are required to the Planning/Zoning Coordinator of the Township of Long Hill, or designee, or any committee or individual designated by ordinance or by the Board to coordinate Resolution compliance, at the same time as such correspondence is sent or received by the Applicant.

BE IT FURTHER RESOLVED, that a Motion was made by Mr. Malloy and seconded by Mr. Grosskopf to GRANT approval of the Relief Requested as set forth herein.

BE IT FURTHER RESOLVED, that this Resolution, adopted on August 31, 2021, memorializes

the action of the Board of Adjustment taken on the Hearing Date with the following vote: Yes: Grosskopf, Hain, Malloy, Robertson, Rosenberg, Gerecht; No: None; Recused: None; Not Eligible: None; Absent: Aroneo, Gianakis, Johnson.


ATTEST:


 Debra Coonce,
 Board Secretary


 Edwin F. Gerecht, Jr.,
 Chairman

VOTE ON RESOLUTION					
MEMBER	YES	NO	NOT ELIGIBLE	ABSTAINED	ABSENT
CHAIRMAN GERECHT	X				
VICE CHAIRMAN JOHNSON			X		
ARONEO			X		
GIANAKIS			X		
GROSSKOPF	X				
MALLOY	X				
ROSENBERG	M				
HAIN – ALT 1	2ND				
ROBERTSON – ALT 2	X				

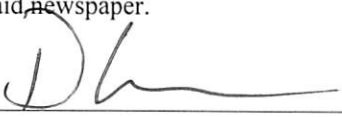
I hereby certify this to be a true copy of the Resolution adopted on August 31, 2021.


 Debra Coonce,
 Board Secretary

STATE OF NEW JERSEY
MORRIS COUNTY

SS.

I, Debra Coonce, being of full
age, being duly sworn upon her oath, certifies:
that a notice of which the annexed is a true copy, was
published in the Echoes Sentinel which is a newspaper
published in Morris County, New Jersey,
on the 9th day of September, 2021
in said newspaper.

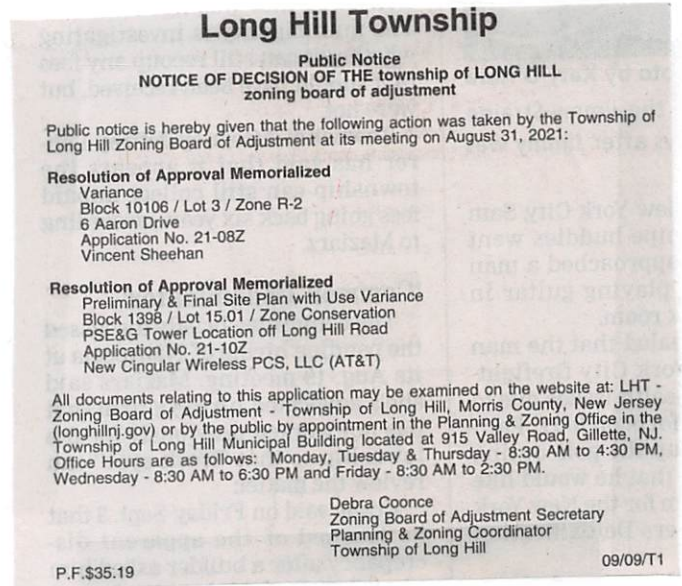
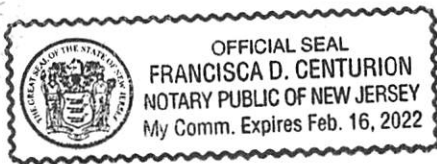


Sworn and subscribed before me this

9th day of SEPTEMBER, 2021



Notary Public of New Jersey





Engineers
 Planners
 Surveyors
 Landscape Architects
 Environmental Scientists

2000 Midlantic Drive, Suite 100
 Mount Laurel, NJ 08054
 T: 856.797.0412
 F: 856.722.1120
 www.maserconsulting.com

ZONING TABLE

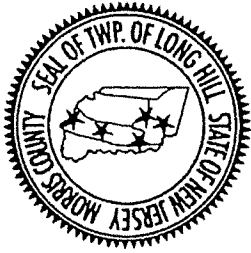
FILL IN ALL APPLICABLE BOXES

Property Address: PSE&G Steel Tower #12/4 -1 Roseland-Lambertville Right-Of-Way				
Block: 13908	Lot: 15.01	Zone: C	Total Square Feet: 217,800 s.f.	
Is this property in a density modification subdivision? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>				
BULK REQUIREMENTS	REQUIRED / ALLOWED	EXISTING	PROPOSED	VARIANCE
Lot Area	3 acres	5 acres	no change	no
Lot Width (Feet)	250 ft	150 ft	no change	existing nonconformity
Floor Area (Square Feet)	1,500 sf	220+/- sf	no change	existing nonconformity
Building Width (Feet)	N/A	N/A	N/A	
Front Yard Setback (Feet)	75 ft	118 ft *	930 ft +/-	no
Side Yard Setback (Feet)	25 ft	5.4 ft *	60 ft +/-	no
Rear Yard Setback (Feet)	50 ft	1350 ft *	575 ft +/-	no
Building Height (Stories & Feet)	2-1/2 stories/35 ft	100 ft	AT&T cl' = 157.5' +/- T-Mobile** cl' = 167.5' +/-	yes
Building Coverage (Percent)	N/A	N/A	.01%	no
Lot Coverage (Percent)	15%	8%	8%	no
Floor Area Ratio (FAR - Percent)	-	-	-	
Buffer (Feet)	-	-	-	

Certification by preparer:

Alec S. Norris

Alec S. Norris, NJPE # 24GE04449800



TOWNSHIP OF LONG HILL

COUNTY OF MORRIS
GILLETTE, HOMESTEAD PARK, MEYERSVILLE, MILLINGTON, STIRLING

INFORMATION REGARDING SOIL EROSION AND SEDIMENT CONTROL CERTIFICATION

The State of New Jersey Soil Erosion and Sediment Control Act, Chapter 261, P.L. 1975 defines a project which requires a soil erosion and sediment control certificate as "any disturbance of more than 5,000 square feet of the surface area of land:

- (1) for the accommodation of construction for which the State Uniform Construction Code would require a construction permit, except that the construction of single-family dwelling unit shall not be deemed a "project" under this act unless such unit is part of a proposed subdivision, site plan, conditional use, zoning variance, planned development or construction permit application involving two or more such single-family dwelling units,
- (2) for the demolition of one or more structures,
- (3) for the construction of a parking lot,
- (4) for the construction of a public facility,
- (5) for the operation of any mining or quarrying activity, or
- (6) for the clearing or grading of any land for other than agricultural or horticultural purposes."



Soil Erosion and Sediment Control Certifications must be obtained from:

Morris County Soil Conservation District
Court House
Morristown, New Jersey 07960
Phone: (973) 285-2953 or 538-1552
Fax: (973) 605-8195

Property Address: Long Hill Road, Block 13908; Lot 15.01

This project does not involve work for which a Soil Erosion and Sediment Control Plan Certification is required from the Morris County Soil Conservation District.

This project requires a Soil Erosion and Sediment Control Plan Certification from the Morris County Soil Conservation District. I certify that an application has been made to the Morris County Soil Conservation District for this project.

Signature *Date*
Alec S. Norris, NJPE #24GE04449800
Print Name



TOWNSHIP OF LONG HILL

COUNTY OF MORRIS
 GILLETTE, HOMESTEAD PARK, MEYERSVILLE, MILLINGTON, STIRLING

CHECKLIST WAIVER REQUEST FORM
 Use for Checklists A, B & SPW

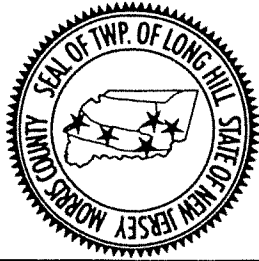
Applicant: New Cingular Wireless PCS, LLC ("AT&T")

Property Address: PSE&G Steel Tower #12/4-1 (R-L) off Long Hill Road

Block: 13908 **Lot(s):** 15.01 **Date:**

ITEM #	EXPLANATION FOR WAIVER REQUEST
5	Protective covenants or deed restrictions due to the de minimus nature of this proposed project.
8	Partial waiver for wooded and landscaped area due to large size of right of way and small size of proposed facility and no impact on the same.
30	Critical areas information due to large size of right of way and small size of proposed facility and no impact on the same.
31	Critical areas map due to large size of right of way and small size of proposed facility and no impact on the same.
32	Hydraulic calculations due to the de minimis nature of proposal and no impact on drainage.
35	Rapid access key box, but arrangements for FD access can be arranged if necessary.
41	Drainage calculations showing capacity of pipes due to di minimus nature of proposal and no impact on drainage.
49	Plans, profiles, etc. of streets, curbing and sidewalks as proposal will have no impact on the same.

If additional waivers are requested, please use another form to continue.



TOWNSHIP OF LONG HILL

COUNTY OF MORRIS

GILLETTE, HOMESTEAD PARK, MEYERSVILLE, MILLINGTON, STIRLING

APPLICATION FOR DEVELOPMENT CHECKLIST A

Applicant: New Cingular Wireless PCS, LLC ("AT&T")										Property Address: Long Hill Road								
Owner: Public Service Electric and Gas Company										Block: 13908		Lot(s): 15.01		Zone: C				
Project Name: PSE&G Long Hill I Relo Site ID# NWL02408										Application #:				Date:				
SUBMISSION REQUIREMENTS										ITEM DESCRIPTION				STATUS		NOTES / LAND USE ORDINANCE REFERENCE		
ITEM #	SITE PLAN WAIVER	PLANNING BOARD OR ZONING BOARD of ADJ						ZONING BOARD VARIANCES 40:55D-70						C = Complies				
		MINOR		MAJOR				a & b	c					d	W = Waiver			
		SUBDIVISION	SITE PLAN	SUBDIVISION	SITE PLAN	SUBDIVISION	SITE PLAN								APPLICANT		TOWNSHIP	
1	X	X	X	X	X	X	X	X	X	X	X	X	X	X	Five (5) copies of the completed and signed application forms and proof of payment of all required fees.	<input checked="" type="checkbox"/>		
2	X	X	X	X	X	X	X	X	X	X	X	X	X	X	Where waiver(s) from the requirements of the Township of Long Hill Checklist are required for an application, a brief statement explaining the justification for each waiver.	<input checked="" type="checkbox"/>		
3	X	X	X	X	X	X	X	X	X	X	X	X	X	X	Certification from the Township Tax Collector that all taxes and assessments are paid to date.	<input checked="" type="checkbox"/>		
4	X	X	X	X	X	X	X	X	X	X	X	X	X	X	Verification of denial by the Zoning Officer or Construction Official of the intended use, occupancy and/or construction.	<input checked="" type="checkbox"/>		
5	X	X	X	X	X	X	X	X	X	X	X	X	X	X	Any protective covenants or deed restrictions applying to the land being developed shall be submitted with the application and/or indicated on the submitted plan.	<input type="checkbox"/>	W	
6	X	X	X	X	X	X	X	X	X	X	X	X	X	X	Zoning information, including zone classification, and all area and bulk requirements with a zoning table showing a comparison to the proposed development; and all dimensions and other site data needed to insure conformity with the Township of Long Hill Land Use Ordinance. Front, rear and side yard setback lines shall be depicted graphically on the plan.	<input checked="" type="checkbox"/>		
7	X	X	X	X	X	X	X		X	X					A Boundary and Existing Conditions Survey. Data to include, but not limited to Block/Lot number(s), the location of existing and proposed property lines, lot areas, lot dimensions, structures, easements, and other features and details as required by the laws governing the preparation of surveys in the State of NJ.	<input checked="" type="checkbox"/>		
8	X	X	X	X	X	X	X		X	X					All existing and proposed wooded and landscaped areas and proposed buffering and screening, identifying all trees over ten (10) inches in diameter, except that where trees are in mass, only the limits thereof need be shown. A landscaping plan including details as to the size, number, location and type of vegetation and method of planting to be use.	<input type="checkbox"/>	PW	

SUBMISSION REQUIREMENTS (Continued)											ITEM DESCRIPTION	STATUS		NOTES / LAND USE ORDINANCE REFERENCE	
ITEM #	SITE PLAN WAIVER	PLANNING BOARD OR ZONING BOARD of ADJ						ZONING BOARD				C = Complies	APPLICANT		TOWNSHIP
		MINOR		MAJOR				VARIANCES 40:55D-70				W = Waiver			
				PRILIM	FINAL	a & b	c					d			
		SUBDIVISION	SITE PLAN	SUBDIVISION	SITE PLAN			SUBDIVISION	SITE PLAN						
9		X	X	X	X	X	X	X	X	X	Five (5) copies of requisite plans prepared, signed and sealed by a NJ Licensed professional in compliance with N.J.A.C. 13:40-7.1 et sec. folded with title block exposed to view. Drawings shall be no larger than 24"x36". Title block in accordance with the rules governing the title blocks for professional engineers and land surveyors including: Name of Applicant, Township of Long Hill and Morris County with each sheet specifically titled with appropriately descriptive words. Name, title, address and license number of the professional or professionals who prepared the plan. Written and graphic scale. Date of original drawing and a list of specific revisions and dates.	<input checked="" type="checkbox"/>			
10		X	X	X	X	X	X	X	X	X	The names, lot and block numbers of all property owners within two hundred (200) feet of the extreme limits of the tract as shown on the most recent tax list prepared by the Township Tax Assessor shown on the plan.	<input checked="" type="checkbox"/>			
11	X	X	X	X	X	X	X		X	X	For applications involving signs: a sign application; the location of existing and proposed signs; scale drawings of all proposed signage; a summary of the dimensions and area of all existing and proposed signs; and other plan notes indicating sign materials, lighting, landscaping and all other information needed to review the application.	<input type="checkbox"/>			
12		X	X	X	X	X	X		X	X	Proof of submission to the Morris County Soil Conservation District as applicable.	<input type="checkbox"/>			
13		X	X	X	X	X	X		X	X	A completed Township soil erosion and sediment control certification form as may be required.	<input type="checkbox"/>			
14		X	X	X	X	X	X		X	X	Any information required by Ordinance Chapter 143 – Flood Damage Prevention Ordinance, including an application for Development Permit if applicable.	<input type="checkbox"/>			
15		X	X	X	X	X	X		X	X	Plan information for a Tree Removal Permit.	<input type="checkbox"/>			
16		X	X	X	X	X	X		X	X	Photograph of photographs showing the property as it currently exists and all structures thereon.	<input checked="" type="checkbox"/>			
17		X	X	X	X	X	X		X	X	Proof of approval or proof of submission for approval, to Long Hill Board of Health and/or other agency of jurisdiction approval for any application proposing, or potentially requiring modification to a septic system.	<input type="checkbox"/>			
18		X	X	X	X	X	X		X	X	A listing of approvals required by other governmental agencies, and completed copies of applications made to any other governmental agency with jurisdiction over the application and/or status reports of said applications.	<input checked="" type="checkbox"/>			
19		X	X	X	X	X	X		X	X	The following legends on any site plan or subdivision plan: (a) Owner Consent Legend; (b) Site Plan / Subdivision Identification Legend; (c) Plan Preparer Legend; (d) Board Approval Legend; (e) Township Engineer Legend; (f) Township Clerk Legend; and (g) Certificate of Occupancy Legend. Legends found at the end of this Ordinance Section.	<input checked="" type="checkbox"/>			
20		X	X	X	X	X	X		X	X	Owner/Applicant information on plan, including name, title, address and telephone number. If Owner/Applicant is a corporation or partnership, the names and addresses of all shareholders owning ten (10) percent or more of any class of stock of the corporation must be shown.	<input checked="" type="checkbox"/>			
21		X	X	X	X	X	X		X	X	A key map showing the entire tract and its relation to the surrounding area, including at least one roadway intersection, and including all zone district boundaries within 200' of the property at a scale of one (1) inch equals not more than five hundred (500) feet.	<input checked="" type="checkbox"/>			

SUBMISSION REQUIREMENTS (Continued)										ITEM DESCRIPTION	STATUS		NOTES / LAND USE ORDINANCE REFERENCE		
ITEM #	SITE PLAN WAIVER	PLANNING BOARD OR ZONING BOARD of ADJ						ZONING BOARD			C = Complies	APPLICANT		TOWNSHIP	
		MINOR		MAJOR				VARIANCES 40:55D-70			W = Waiver				
		SUBDIVISION	SITE PLAN	SUBDIVISION	SITE PLAN	SUBDIVISION	SITE PLAN	b & a	c		d				
22		X	X	X	X	X	X		X	X	Acreege figures, including lot tract size, individual lot areas, and area of land to be dedicated for public rights of way.	<input checked="" type="checkbox"/>			
23		X	X	X	X	X	X		X	X	Existing block and lot numbers of the lot(s) to be subdivided or developed as they appear on the Township Tax Map; proposed block and lot numbers as provided by the Township Tax Assessor upon written request; proposed street numbers as provided by the Township Clerk upon written request.	<input checked="" type="checkbox"/>			
24		X	X	X	X	X	X		X	X	North arrow and tract boundary line in heavy line.	<input checked="" type="checkbox"/>			
25		X	X	X	X	X	X		X	X	The location and use of all existing structures, both within the tract and within one hundred (100) feet of its boundary.	<input checked="" type="checkbox"/>			
26		X	X	X	X	X	X		X	X	A site grading plan where changes in grading are proposed.	<input checked="" type="checkbox"/>			
27		X	X	X	X	X	X		X	X	The location of all streets, sidewalks, parking areas and driveways with related dimensions.	<input checked="" type="checkbox"/>			
28		X	X	X	X	X	X		X	X	The location of all structures, including their existing and proposed uses, dimensions to verify building setbacks and separations, and notes indicating whether existing structures will be retained or removed.	<input checked="" type="checkbox"/>			
29		X	X	X	X	X	X		X	X	The location of all watercourses, railroads, bridges, culverts, drain pipes and natural features, such as treed areas, both on site and within one hundred (100) feet of its boundaries.	<input checked="" type="checkbox"/>			
30		X	X	X	X	X	X		X	X	Information required to assess conformance with the critical area requirements of Section 142 including the following for the site and each proposed lot: (a) the total critical and noncritical land in area and square feet; (b) the impervious lot coverage of non-critical lands; (c) setback dimensions from all principle buildings to any critical area.	<input type="checkbox"/> W			
31		X	X	X	X	X	X		X	X	Map noting the location of all critical areas, as defined in the Ordinance, with the source of critical area delineation noted. For sites with no critical areas a plan note, signed by the preparer of the plan, indicating the site contains no critical areas.	<input type="checkbox"/> W			
32		X	X	X	X	X	X		X	X	For applications that disturb less than 1.00 acre of surface, or that create less than 0.25 acre of new impervious surface, maps and hydrologic/hydraulic calculations shall be provided to verify that 3" of runoff from the equivalent area of new impervious surface is infiltrated into the ground where the subsurface conditions are shown to be suitable for infiltration. In the case where the subsurface condition is shown to be not suitable for infiltration, stormwater control features shall be provided and shown to reduce the post-development runoff rates to the pre-development values (i.e. Zero-Net Increase).	<input type="checkbox"/> W			
33		X	X	X	X	X	X		X	X	For application that disturbs 1.00 or more acre of surface, or that create more than 0.25 acre of new impervious surface, maps and hydrologic/hydraulic calculations to verify compliance with stormwater management designed in accordance with the Residential Site Improvement Standards (RSIS, NJAC 5:21) and the NJDEP Stormwater Regulations (NJAC 7:8). The calculations shall address runoff rates, total suspended solids, and groundwater recharge. A draft maintenance manual shall also be provided.	<input type="checkbox"/> N/A			

SUBMISSION REQUIREMENTS (Continued)										ITEM DESCRIPTION	STATUS		NOTES / LAND USE ORDINANCE REFERENCE	
ITEM #	SITE PLAN WAIVER	PLANNING BOARD OR ZONING BOARD of ADJ						ZONING BOARD			C = Complies	APPLICANT		TOWNSHIP
		MINOR		MAJOR		VARIANCES 40:55D-70		b & c	d		W = Waiver			
		SUBDIVISION	SITE PLAN	SUBDIVISION	SITE PLAN	SUBDIVISION	SITE PLAN							
34	X		X	X	X	X	X		X	X	<input checked="" type="checkbox"/>			
35	X		X		X			X	X	X	<input type="checkbox"/> W			
36		X	X	X	X	X	X				<input checked="" type="checkbox"/>			
37		X	X	X	X	X	X				<input checked="" type="checkbox"/>			
38		X	X	X	X	X	X				<input checked="" type="checkbox"/>			
39		X	X	X	X	X	X				<input checked="" type="checkbox"/>			
40		X	X	X	X	X	X				<input checked="" type="checkbox"/>			
41		X	X	X	X	X	X				<input type="checkbox"/> W			
42			X	X	X	X	X		X	X	<input checked="" type="checkbox"/>			
43			X	X	X	X	X		X	X	<input checked="" type="checkbox"/>			
44				X	X	X	X				<input type="checkbox"/> N/A			
45				X	X	X	X				<input type="checkbox"/> N/A			
46				X	X	X	X				<input type="checkbox"/> N/A			

SUBMISSION REQUIREMENTS (Continued)										ITEM DESCRIPTION	STATUS		NOTES / LAND USE ORDINANCE REFERENCE		
ITEM #	SITE PLAN WAIVER	PLANNING BOARD OR ZONING BOARD of ADJ						ZONING BOARD			C = Complies	APPLICANT		TOWNSHIP	
		MINOR		MAJOR				VARIANCES 40:55D-70			W = Waiver				
		SUBDIVISION	SITE PLAN	SUBDIVISION	SITE PLAN	SUBDIVISION	SITE PLAN	a & b	c		d				
47						X	X			X	X	All additional details required at the time of preliminary approval, including a copy of the resolution of approval by the approving authority.	<input checked="" type="checkbox"/>		
48								X	X	X		Statement of facts in support of an application pursuant to NJAC 40:55D-70.	<input checked="" type="checkbox"/>		
49				X	X							Plans, profiles, cross-sections and construction details, horizontal and vertical alignments of the centerline of all proposed streets and of all existing streets abutting the tract, as well as similar details on curbing, sidewalks, storm drains, drainage structures and cross-sections every fifty (50) feet of all proposed streets and of all existing streets abutting the tract. Sight triangles, the radius of curb lines and street sign locations shall be clearly indicated at the intersections.	<input type="checkbox"/>		
50				X		X						A Final Plat prepared in accordance with the Map Filing Law, N.J.S.A. 46:23-9.9. All dimensions, angles and bearings must be tied to at least two (2) permanent monuments not less than three hundred (300) feet apart and all information shall be indicated on the plat. At least one corner of any subdivision shall be tied horizontally to the NJ State Plane Coordinate system and vertically to the US Geodetic Survey System, with the data on the plat as to how the bearings were determined.	<input type="checkbox"/>		
51						X	X					All additional details required at the time of preliminary approval including a copy of the resolution of approval by the approving authority.	<input checked="" type="checkbox"/>		
52						X	X					Detailed engineering data including; (a) final cross sections, plans, profiles and established grades of all streets, aisles, lanes and driveways and construction documents) plans and specifications or reference to) for all public improvements and (b) final plans and profiles of all storm and sanitary sewers and water mains.	<input type="checkbox"/>		
53						X	X					Copies of any organization documents applicable to homeowners or condominium association or open space organization established to maintain common elements, such as articles of incorporation, the Master Deed, any membership rules, regulations and/or by-laws, if same is to be used to guarantee the maintenance of common elements.	<input type="checkbox"/>		
54						X	X					Upon the completion of the installation of all utilities, the Applicant shall provide the Township with four (4) copies of "as built" plans showing the installed location of all structures and utilities to be distributed to the Planning & Zoning coordinator, Township Engineer, Construction Official and Zoning Officer.	<input type="checkbox"/>		
55	X											Any proposed changes to the building façade, parking lot/areas, site lighting, landscaping, dumpster size/location, or other site improvements shall be shown.	<input type="checkbox"/>		

NOTES:

- 1. The approving authority may request additional information of any Applicant seeking variance approval if said information is deemed necessary by the Board to make an informed opinion on the application, except that the request for such information shall not be considered grounds to deem any application incomplete.
- 2. The approving authority may waive submission of any information required of variance or waiver applications in appropriate cases for specific applications, after first considering the opinion of the Technical Review Committee (TRC) on the waiver request made by the Applicant.

Chris **ALEC S. NORRIS, PROJECT MANAGER** **9/26/2021**
Signature and Title of Preparer of Checklist *Date*

Applicant: New Cingular Wireless PCS, LLC ("AT&T")	Property Address: Long Hill Road		
Owner: Public Service Electric and Gas Company	Block: 13908	Lot(s): 15.01	Zone: C
Project Name:	Application #:	Date:	

(a). To be signed before submission:

I CONSENT TO THE FILING OF THIS SITE PLAN / SUBDIVISION APPLICATION WITH THE PLANNING BOARD / ZONING BOARD OF ADJUSTMENT OF THE TOWNSHIP OF LONG HILL:

Chris **9/30/21**

Applicant Signature *Date*
 Christopher J. Quinn, Attorney for Applicant

Address

See attached Letter of Authorization

Owner Signature *Date*

Address

(b). To be completed before submission:

SITE PLAN / SUBDIVISION OF:

Block: 13908 Lot(s): 15.01 Tax Map Number: _____
 Date of Plan: _____ Scale: _____

(c). To be signed before submission:

I HEREBY CERTIFY THAT I HAVE PREPARED THIS SITE PLAN / SUBDIVISION AND THAT ALL DIMENSIONS AND INFORMATION ARE CORRECT.

Signature and Title *Date*

(d). To be signed before issuance of a building permit:

APPROVED BY THE PLANNING BOARD / ZONING BOARD OF ADJUSTMENT OF THE TOWNSHIP OF LONG HILL:

Board Secretary: _____ Date: _____
 Board Chair: _____ Date: _____

(e). To be signed before the issuance of a building permit (where applicable):

ON THE RECOMMENDATION OF THE TOWNSHIP ENGINEER, I HEREBY CERTIFY THAT ALL REQUIRED IMPROVEMENTS HAVE BEEN INSTALLED OR THAT A PERFORMANCE GUARANTY HAS BEEN POSTED IN ACCORDANCE WITH THE APPLICABLE CODES AND ORDINANCES:

Township Clerk: _____ Date: _____

(f). **CERTIFICATE OF OCCUPANCY ISSUED:**

Construction Official: _____ Date: _____

PROPOSAL

Applicant: New Cingular Wireless PCS, LLC ("AT&T")
One AT&T Way
Bedminster, NJ 07921

Property: Block 13908; Lot 15.01
Long Hill Road
Long Hill Township, New Jersey

The applicant, New Cingular Wireless PCS, LLC ("AT&T") ("Applicant") is a federally licensed communications carrier which intends to place 12 wireless attachments at a maximum height of approximately 161' on a new PSE&G public utility tower, ground equipment and other related improvements. The property is located in the C Zone. The use is not permitted in the zone; the Board previously granted a use variance to the Applicant for a wireless attachment telecommunications facility located on the previous public utility tower on the Property. Applicant had to remove said facility while the new replacement public utility tower was built by PSE&G. Applicant is now seeking approval to replace its wireless attachments on the new tower. Applicant is now seeking preliminary and final major site plan approval for this project, as well as a height variance as the proposed height exceeds the height previously approved by the Board.

LEGAL ANALYSIS

AT&T is in the process of building and maintaining a nationwide network for wireless communication services ("WCS"). Presently, AT&T is in the process of building its network throughout New Jersey. AT&T has a federal license issued by the Federal Communications Commission ("FCC"). This license mandates that AT&T provide WCS coverage to its customers.

By way of background, WCS telephones, still commonly referred to as cell phones, operate by transmitting an extremely low power radio signal between the handheld unit and antennas operated by AT&T. In order to function, these antennas must be placed in strategic locations and at appropriate heights throughout the area. The antennas are connected to equipment shelters. To provide continuous service to its customers, there must be a continuous interconnected series of antenna sites, which create a grid pattern similar to a honeycomb. Each site must be placed within a limited area, which is not too close or too far from other sites.

In Long Hill, there is service near the subject property resulting from the existing wireless attachments on the public utility structure. However, during the PS&G construction project, the existing facility will be decommissioned and there be no WCS coverage in the area without the proposed temporary facility. Therefore, anyone attempting to use AT&T's WCS service would not be able to do so. Without the proposed temporary site, AT&T is unable to provide coverage in the area, which it is mandated to do pursuant to its FCC license.

The beginning impetus for the drive to the next generation of wireless communications began with a Memorandum authored by President William Jefferson Clinton to the heads of all Federal executive departments and agencies which was released October 13, 2000. In his Memorandum, the President established a national priority for a modern wireless telecommunications network in the United States, stating:

[T]he value of wireless communications increased as the number of users and types of use increased. Today's second generation wireless technology increased services and information offered to users and increased competition among providers. Digital "personal communications services" (PCS) provided added messaging and data features, including such services as voice mail, call waiting, text messaging, and, increasingly, access to the World Wide Web. These first and second generation services increased productivity and reduced costs for thousands of businesses as well as Government agencies.

The next generation of wireless technology holds even greater promise. Neither the first nor the second generation of wireless technologies were designed for multi-media services, such as the Internet. Third generation wireless technologies [3G] will bring broadband to hand-held devices. Higher speeds and increased capability will lead to new audio, video and other applications, which may create what many are calling "mobile commerce" (m-commerce) that people will use in ways that are unimaginable today. Moreover, an international effort is underway to make it possible for the next generation of wireless phones to work anywhere in the world.

Memorandum of Advanced Mobile Communications/Third Generation Wireless Systems, 3 Pub. Papers 2171 (Oct. 13, 2000).

In his Memorandum, President Clinton ordered all Federal agencies and departments to take steps to facilitate the development and implementation of modern wireless communications. Id. In a corresponding Press Release, President Clinton declared as the public policy of the government to "allow consumers to enjoy a wide range of new wireless tools and technologies, such as hand-held devices that combine services like a phone, computer, a pager, a radio, a customized newspaper, a GPS locator, and a credit card." Statement on Action to Support the Third Generation of Wireless Technology, 3 Pub. Papers 2170, 2171 (Oct. 13, 2000). President Clinton's prescient vision was that "time is of the essence. If the United States does not move quickly to allocate this spectrum, there is a danger that the U.S. could lose market share in the industries of the 21st century." Id.

President Clinton's initiative was expanded upon in 2009 when the Federal Government allocated billions of dollars for broadband services. President Barack Obama unveiled his Wireless Expansion Plan declaring that "we can't expect tomorrow's economy to take root using yesterday's

infrastructure." President Obama stated in his State of the Union Address, in January 2010, that within the next five years carriers "will be able to deploy high-speed wireless to 98 percent of the population". He addressed the need for "a firefighter who can download the design of a burning building onto a handheld device; a student who can take classes with a digital textbook; or a patient who can have a face-to-face video chat with her doctor".

Further, the facility will provide continued FirstNet service, which will establish, operate, and maintain an interoperable public safety broadband network in this area. Currently, most police, firefighters and emergency medical services personnel often lack the interoperable communications capabilities needed to coordinate and communicate across agencies and jurisdictions when disaster strikes. FirstNet is designed to correct this problem. FirstNet is a nationwide high-speed broadband wireless network providing a single interoperable platform dedicated to first responders. FirstNet was created by the federal Middle Class Tax Relief and Job Creation Act of 2012. In July 2017, the State of New Jersey opted in to accept the FirstNet plan for deploying the nationwide public-safety broadband network that will be built and managed by AT&T. The FirstNet network will strengthen and modernize public safety's communications capabilities, enabling them to coordinate and respond more quickly and effectively during day-to-day operations, as well as man-made and natural disasters. The ability to share data, videos and photos — and to access apps — can provide life-saving insights even before emergency personnel arrive on the scene. Law enforcement, firefighters, paramedics and other public safety officials in every state, county, locality and tribal area will benefit from the FirstNet network.

Finally, Applicant respectfully submits that reliable wireless service, as well as the above-described FirstNet service, is especially critical for the public good during dangerous times like the current pandemic and a potential subsequent second quarantine wave. When people are required to work remotely by the governor's mandate and/or when hospitals are inundated with COVID-19 cases, reliable telecommunications infrastructure and FirstNet are crucial to supporting the public's health, safety and welfare.

REASONS FOR RELIEF

In this case, Applicant has proposed to place its telecommunications antennas on the new transmission tower on property that has supported this use since 2003. The reasons justifying the site still carry over from the use variance initially granted for the previous transmission tower. The Applicant requires this site in order to provide service to its customers. The property is located in the C zone. As set forth in Smart, Applicant is a federally licensed carrier; therefore, the proposed site promotes the general welfare. However, to satisfy the remainder of the positive criteria, it must demonstrate the particular suitability of this site. This site is particularly suitable because it utilizes an existing tall structure to resolve a service deficiency, consistent with the approval and findings of the Board for the previous transmission tower installation where the use has already been deemed appropriate for this use. Applicant will provide radio frequency engineering testimony at the hearing before the Board, which will demonstrate that there is no coverage in the area surrounding the proposed site once the temporary site is decommissioned. Therefore, there is a significant gap in the area and a need for the proposed site. (See, AT&T v. Borough of Ho-Ho-Kus, 197 F.3d 64, 70 (3rd Cir. 1999), holding that zoning decisions have the effect of prohibiting wireless services if they result in significant gaps in the availability of wireless

services). Applicant clearly requires this site to provide coverage pursuant to its FCC license. Finally, the new public utility tower is able to accommodate the antennas and the additional height is dictated per the utility company requirements.

As for the negative criteria, the proposed site will not be a substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and zoning ordinance. The proposed site utilizes the new existing transmission tower and will not produce any noise, vibration, smoke, dust, odors, heat, or glare. It will not require any municipal services such as water, sewer, police or fire and will require only infrequent maintenance. The site will not have any adverse impacts on adjoining properties. In fact, the proposed site will provide improved wireless communications in the area and will even mitigate some existing non conformity setbacks. Wireless telephones enhance safety by allowing people to report accidents and crimes. They also provide an enhanced ability for people to communicate on both personal and business matters. On balance, as required by Sica, the public benefit far outweighs any potential detrimental effect of the site.

In summary, Applicant meets both the positive and negative criteria by showing that the proposed facility promotes the general welfare, is particularly suited to the site, and does not result in any impairment to the zoning ordinance and master plan. In light of the foregoing, Applicant respectfully requests that its application be granted.



Public Service Electric and Gas Company
80 Park Plaza, T-17, Newark, New Jersey 07102

September 27, 2021

Debra Coonce
Zoning Officer
Planning and Zoning Coordinator
Township of Long Hill
915 Valley Road, Gillette, NJ 07933

UTILIZATION OF PUBLIC SERVICE ELECTRIC AND GAS (PSE&G)
TRANSMISSION TOWERS FOR WIRELESS COMMUNICATION ANTENNA
ATTACHMENT

Dear Ms. Coonce:

Please be advised that PSE&G and New Cingular Wireless (AT&T) have entered into a Master Antenna Site License Agreement. This agreement sets the stage to provide for the use of PSE&G transmission structures to support wireless communications facilities. We believe that the utilization of existing transmission towers is a safe, economic, and aesthetically viable option to the construction of new towers in our state.

Very specifically, we have entered into a site license agreement as it relates to the facility listed below:

- PSE&G high voltage electric transmission tower 12/4-1 Roseland-Lambertville Right-of-Way
- Located near Long Hill Road
- Long Hill Township, Morris County, New Jersey

In order to assist in the permit process please allow this letter to serve as authorization that New Cingular Wireless (AT&T) has PSE&G's approval to construct the above listed site and to apply for zoning approval.

Should you have any questions or comments, please feel free to contact me at 201-370-5719.

Very Truly Yours,

Public Service Electric and Gas Company

A handwritten signature in cursive script that reads "Anthony Suppa, Jr.".

Anthony Suppa, Jr. P.E.
Project Manager



TOWNSHIP OF LONG HILL

COUNTY OF MORRIS
GILLETTE, HOMESTEAD PARK, MEYERSVILLE, MILLINGTON, STIRLING

DISCLOSURE OF CORPORATE OWNERS OR PARTNERS

Date: September 30, 2021

Name of Applicant: New Cingular Wireless PCS, LLC ("AT&T")

Name of Corporation: _____

List all names of corporate stockholders or partners owning at least 10% of its stock or any class or at least 10% of the interest in the partnership, as the case may be.

<u>Name</u>	<u>Address</u>	<u>Percentage</u>
<u>See attached.</u>	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

PLEASE NOTE: Corporations, LLC or Limited Partnerships *must* be represented by an attorney when applying to and appearing before the Planning Board or Zoning Board of Adjustment.

CORPORATE OWNERSHIP DISCLOSURE STATEMENT
NEW CINGULAR WIRELESS PCS, LLC

- I. In accordance with *N.J.S.A. 40:55D-48.1 & 48.2*, please be advised that New Cingular Wireless PCS, LLC is owned by AT&T Mobility II LLC.
- A. AT&T Mobility II LLC, which has a business address at 1025 Lenox Park Blvd., NE, Atlanta, GA 30319, is owned by Centennial Communications Corp; AT&T Mobility LLC; BellSouth Mobile Data, Inc. and New Cingular Wireless Services, Inc.
1. Centennial Communications Corp, which has a business address at 1025 Lenox Park Blvd., NE, Atlanta, GA 30319, is owned by AT&T Inc.
 - a. AT&T Inc., which has a business address at 208 S. Akard Street, Dallas, TX 75202, is a publicly traded corporation with no individual or entity holding a 10% or greater interest.
 2. BellSouth Mobile Data, Inc., which has a business address at 1025 Lenox Park Blvd., NE, Atlanta, GA 30319, is owned by AT&T Inc. (disclosure information for this entity is provided above).
 3. AT&T Mobility LLC, which has a business address at 1025 Lenox Park Blvd., NE, Atlanta, GA 30319, is owned by SBC Telecom, Inc.; SBC Long Distance, LLC; and BellSouth Mobile Data, Inc.
 - a. SBC Telecom, Inc., which has a business address at 208 S. Akard Street, Dallas, TX 75202, is owned by AT&T Teleholdings, Inc.
 - i. AT&T Teleholdings, Inc., which has a business address at 208 S. Akard Street, Dallas, TX 75202, is owned by AT&T Inc. (disclosure information for this entity is provided above).
 - b. SBC Long Distance, LLC, which has a business address at 208 S. Akard Street, Dallas, TX 75202, is owned by SBC Telecom, Inc. (disclosure information for this entity is provided above).
 - c. Disclosure information for BellSouth Mobile Data, Inc. is provided above.
 4. New Cingular Wireless Services, Inc., which has a business address at 1025 Lenox Park Blvd., NE, Atlanta, GA 30319, is owned by AT&T NCWS Holdings, Inc.
 - a. AT&T NCWS Holdings, Inc., which has a business address at 1025 Lenox Park Blvd., NE, Atlanta, GA 30319, is owned by BellSouth Mobile Data, Inc. (disclosure information for this entity is provided above) and SBC Telecom, Inc. (disclosure information for this entity is provided above).