

**TOWNSHIP OF FALLS
PLANNING COMMISSION MINUTES
JUNE 25, 2013**

Meeting commenced: 7:05 p.m.

Meeting adjourned: 7:21 p.m.

Members present: Binney, Dell, Perry, Rittler

Members absent: Boraski, Goulet, Shero

Also present: Joseph Jones, P.E. from T & M Associates; Nicholas A. Cuce, Jr., Esquire, and Sheri Weber, Valore Engineering, representing Crown Castle International; Phil Kashner, Showalter & Associates, representing Waste Gas; Tom Bennett, Chief Code Enforcement and Zoning Officer; Diane Beri, Recording Secretary

Item #1: Crown Castle International, 275 Lincoln Highway, Fairless Hills, PA 19030; TMP #13-003-015; Zoned HC; Conditional Use – Cell Tower – collocate one 9' WHIP antenna on existing tower

Nicholas Cuce gives a brief overview. This is a collocation on an existing guyed tower. The property has a 494' guyed tower with various telecommunications carriers and other facilities attached thereto which are housed within a fenced compound at its base. The applicant for the benefit of LightsSquared is proposing the addition of a 9' WHIP antenna to be attached to the guyed tower at a height of 458' which is obviously below the top height of the tower. That is the centerline of the WHIP. Also, equipment will be placed inside the existing equipment shelter at the base of the tower within the fenced compound. There is no extension of the tower or expansion of the compound. In speaking to the Township, a conditional use is required for said collocation.

T&M Review Letter dated June 19, 2013

All items are a will comply.

Member Binney asks if they are going to put up a 4 inch cable.

Ms. Weber states that that is a typo and that the actual size will be 1-5/8 inches.

Member Binney states that the structural analysis also indicates that there has been several modifications to the structure itself in the past. The structural analysis is contingent upon those modifications being completed. The Township does not have any information regarding whether or not those modifications have indeed been done. I think it would be beneficial for someone to verify that those modifications have been done. This is a substantial tower and this structural analysis is based solely on those other things being completed. That is a recommendation that I would make.

Mr. Jones asks if, based on Mr. Binney's comments and under our comment #1, we are asking you to provide the B+T modifications drawings – would you be comfortable sending an as-built along with the proposed modifications to satisfy that comment? We can then report that the improvements were put in.

Atty. Cuce states that that is not a problem.

Member Binney asks if this antenna is part of the proposal that LightSquared had its license withdrawn by the FCC? LightSquared is undergoing a build out now that had been granted a license a year or so ago but then the FCC withdrew it because of possible perceived interference with GPS antennas.

Atty. Cuce states that yes, this is actually part of that build out.

Member Binney states then technically I don't know if you have a license.

Atty. Cuce states that the license is actually intact. There have been studies performed by both sides, by the FCC as well as LightSquared, regarding the interference with GPS and the like. We will be providing said license at the time of the hearing. We can provide a non-interference analysis to the Township.

Member Binney states that he understands that. Currently, the license is still being reviewed by the FCC and comments have just been received and they have not made a ruling.

Atty. Cuce states that he is not aware of anything to that effect. My understanding is that LightSquared has the authority to go ahead and implement these antennas for switching on the spectrum at such time when the FCC deems it appropriate or approved. They do have that authority at this point.

Member Binney recommends that the license also be verified, because that is a requirement of our Zoning Ordinances.

Atty. Cuce agrees and states that at the time of the hearing, we would also have a valid license in this particular market.

Motion by Member Rittler that we recommend approval of the conditional use application based on the T&M letter of June 19, 2013, with all issues being a will comply, subject to proof of modifications done to the tower be submitted to the Township and proof of an operating license be furnished as well.

Second by Member Dell.

All in favor 4-0.

APPROVED FOR CONDITIONAL USE FOR ADDITION OF 9' WHIP ANTENNA ON EXISTING TOWER.

Item #2: Waste Gas Fabricating, 450 Newbold Road, Fairless Hills, PA 19030; TMP 13-028-075 and 13-028-088-002; Zoned LI/PIP; Minor Subdivision

Mr. Kashner gives a brief overview. Atty. Hecker is delayed. We have received all the review letters. This is a minor subdivision to take a little over two acres of the Conrail parcel and incorporating it in with the existing lot for Waste Gas.

T&M Review Letter dated June 19, 2013

All are will comply.

Member Binney states that he was looking through the ordinance and that this project would qualify as a lot line change. When I look at the lot line change portion, it says that we are here to simplify the process but there is no process to simplify.

Mr. Jones states that the minor subdivision is a simplified process too.

Member Binney asks that at the same time you are going to subdivide this land, are you going to consolidate the lot and create a deed of consolidation and record it so that this lot is not just a separate lot by itself.

Mr. Kashner states that we can. It's to become part and parcel with.

Member Binney states that is the only thing I would request.

Motion by Member Rittler to approve the minor subdivision application for Waste Gas Fabricating based on the June 19, 2013, letter of T&M, all issues being a will comply.

Second by Member Dell.

All in favor 4-0.

APPROVED FOR MINOR SUBDIVISION

Item #3: Approve minutes of May 28, 2013

Motion to approve May minutes made by Member Dell, seconded by Member Rittler.

Approved 4-0

Meeting Adjourned 7:21 p.m.