

Planning & Real Estate Consultants

October 12, 2021

Technical Review Committee
Township of Berkeley Heights
29 Park Avenue
Berkeley Heights, NJ 07922

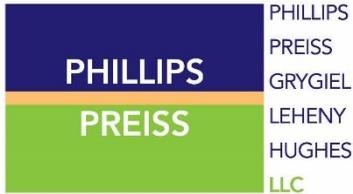
**Re: TRC Planning Review
Application #21-21
Wireless Communications Co-location
Block 4903, Lot 36
175 Watchung Boulevard
New Cingular Wireless PS, LC ("AT&T")
OL Zone**

Dear Members of the Technical Review Committee:

Our office is in receipt of the above referenced application, including the following documents submitted by the applicant:

- Application for Site Plan Approval, dated 9/22/2021, including attached Proposal for Site Plan Waiver and Township of Berkeley Heights Board of Adjustment Resolution for Case No. 2-16.
- Antenna Site Conformity FCC RF Assessment and Report, prepared by Frequenz, LLC, dated 8/27/2021.
- Antenna Mount Structural Analysis, prepared by Azimuth Engineering Group, dated 8/27/2021.
- Structural Analysis Report, prepared by Paul J. Ford & Company, dated 9/13/2021.
- Plans entitled "AT&T Governor Livingston H.S. Wireless Edge Tower – WEC-NJ-41," prepared by Jeremy K McKeon, dated 6/1/2021, last revised 8/25/2021.

The subject property is Governor Livingston High School. The applicant is seeking to install antennas at a centerline height of approximately 104 feet on the existing 130-foot pole, along with a walk-in cabinet and an emergency diesel generator at the base of the tower inside the fenced compound. The applicant has requested a site plan waiver and a variance for the proposed diesel generator. As detailed in the following sections, it is our opinion that the application **qualifies for a site plan waiver and is complete**; we recommend that the application be scheduled for a public hearing in front of the Zoning Board to address the requested variance.



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Completeness & Compliance Review

Pursuant to the Municipal Land Use Law at N.J.S.A. 40:55D-46.2, an application for development to collocate wireless communications equipment on a wireless communications support structure or in an existing equipment compound shall not be subject to site plan review, provided the application meets the following requirements:

- 1) The wireless communications support structure shall have been previously granted all necessary approvals by the appropriate approving authority;

As noted in the Board of Adjustment Resolution for Case No. 2-16, the wireless communications tower was previously granted approval.

- 2) The proposed collocation shall not increase (a) the overall height of the wireless communications support structure by more than ten percent of the original height of the wireless communications support structure, (b) the width of the wireless communications support structure, or (c) the square footage of the existing equipment compound to an area greater than 2,500 square feet;

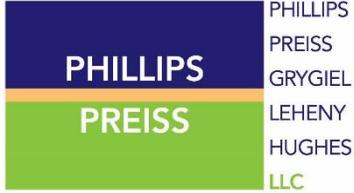
As shown in the submitted plans, the proposed new equipment will not exceed the height or width of the existing tower and its structures, and nor will it exceed the square footage of existing equipment to an area greater than 2,500 square feet.

- 3) The proposed collocation complies with the final approval of the wireless communications support structure and all conditions attached thereto and does not create a condition for which variance relief would be required pursuant to P.L.1975, c.291 (C.40:55D-1 et seq.), or any other applicable law, rule or regulation.

The proposed collocation does not affect any of the conditions noted in the prior Resolution for Case No. 2-16.

As such, it is our opinion that the proposed collocation is eligible for a site plan waiver, and the submitted materials are sufficient to deem it complete. However, a “c” bulk variance is required for the proposed diesel generator:

- §6.4.1: the storage of crude oil or any volatile products or any highly flammable liquids or gas above ground in tanks having capacity of more than 55 gallons is prohibited in all zones. The applicant proposes a 200-gallon diesel tank as part of the emergency generator.



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Planning Comments

1. The applicant shall provide testimony addressing the required “c” variance in accordance with the criteria established by the Municipal Land Use Law at NJSA 40:55D-70(c).
2. We additionally defer to the Township engineer for comments regarding any construction details or structural concerns.

We trust that the above information is responsive to your needs.

Respectfully submitted,

Keenan Hughes, AICP, PP