pack
39095
5/15/09
$1,500

Twp. copy

13 complete packets and

$1500
(Due at drop-off)

Submit 13 Full Sets of
whole application.

CONDITIONAL USE APPLICATION
EAST FALLOWFIELD TOWNSHIP
2264 STRASBURG ROAD
EAST FALLOWFIELD, PA 19320
610-384-7144
(f) 610-384-7143

RECEIVED
MAY 15 2009
BY: Denise Mills

NAME OF APPLICANTS: T-Mobile Northeast, LLC

ADDRESS: 400 Street Road, Bensalem, PA 19020

TELEPHONE: (215) 633-5200

TAX PARCEL NUMBER: 47-008-0010.01E

SIZE OF ENTIRE TRACT: 2.38 Acres

LOCATION OF PARCEL: 2264 Strasburg Road

ZONING DISTRICT: PF - Public Facilities District

LEGAL OWNER OF PARCEL: East Fallowfield Township

PROPOSED USE OF PARCEL: Attachment of additional antennas to existing monopole with equipmetn at base within existing fenced compound.

NAME AND ADDRESS OF ALL PROPERTY OWNERS ON THE SAME STREET WITHIN FIVE HUNDRED (500) FEET OF THE PARCEL AND OWNERS NOT ON THE SAME STREET WITHIN TWO HUNDRED (200) FEET OF THE PARCEL.
See attached list.

(continue on additional sheets as necessary)

THE EAST FALLOWFIELD ZONING ORDINANCE, ARTICLE 1700, SECTION 1702A, CONDITIONAL USE, GENERAL STANDARDS AND CRITERIA REQUIRES A NARRATIVE REPORT WHICH MUST PROVIDE DOCUMENTATION ADDRESSING THE TWENTY (20) ITEMS LISTED IN THIS SECTION.

THIS FORM, PROPERLY COMPLETED, WITH ACCOMPANYING DOCUMENTATION AND PLOT PLANS (SEE ZONING OFFICER FOR DETAILS) AND A CHECK, PAYABLE TO EAST FALLOWFIELD TOWNSHIP IN THE AMOUNT OF $1,500.00 SHALL BE PRESENTED TO THE ZONING OFFICER FOR PROCESSING. ANY HEARING WHICH IS CONTINUED FOLLOWING THE INTIAL HEARING SHALL REQUIRE AN ADDITIONAL ESCROW DEPOSIT OF $500.00 PRIOR TO THE OPENING OF THE CONTINUED HEARING.

CONDITIONAL USE APPLICATION (CONT'D)

I, (we) the undersigned, do hereby submit this application for Conditional Use affecting property under my (our) ownership or the ownership of my (our) assigns or predecessors, in East Fallowfield Township.

May 15, 2009

Applicant (1) Signature — Date

Nicholas A. Cuce, Jr., Esquire, Authorized Agent for Applicant, T-Mobile Northeast, LLC

Printed Name as Signed Above

Applicant (2) Signature — Date

Printed Name as Signed Above

Susan Dries

Notary Signature and Seal

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Susan Dries, Notary Public
Uwchlan Twp., Chester County
My Commission Expires Oct. 17, 2009
Member, Pennsylvania Association of Notaries

FOR OFFICIAL USE ONLY
DATE RECEIVED: _____ RECEIVED BY: _____

CLOCK DATE: _____

AMOUNT OF PAYMENT RECEIVED: _____ CHECK#: _____ CASH_____
OTHER _____

DATE GRANTED: _____ DATE DENIED: _____

REASON FOR DENIAL:

_____
_____
_____
_____

39095

RILEY RIPER HOLLIN & COLAGRECO
GENERAL ACCOUNT
P.O. BOX 568
PAOLI, PA 19301-0568

DNB FIRST
60-807-319

5/12/2009

PAY TO THE ORDER OF **EAST FALLOWFIELD TOWNSHIP** $$1,500.00

One Thousand Five Hundred and No/100 Dollars ---------- DOLLARS

EAST FALLOWFIELD TOWN
2264 STRASBURG ROAD
COATESVILLE, PA 19320

MEMO

2970-292 CU FILING

[redacted]

081084 / 07-05

RILEY RIPER HOLLIN & COLAGRECO 39095

EAST FALLOWFIELD TOWNSHIP 5/12/2009 $1,500.00

Inv Date	Inv #	Description	Amount
05-12-2009	CM 2970-2	2970-292 CU FILING	1,500.00

RECEIVED
MAY 15 2009
BY: Renee Miller

BEFORE THE BOARD OF SUPERVISORS
OF EAST FALLOWFIELD TOWNSHIP

IN RE: ZONING APPLICATION OF
T-MOBILE NORTHEAST, LLC
SITE NO. 1CH8197/E. FALLOWFIELD (2)

ADDENDUM "A" TO CONDITIONAL USE APPLICATION

I. BACKGROUND

The subject property ("Property") is owned by East Fallowfield Township and is located at 2264 Strasburg Road, East Fallowfield Township, Chester County, Pennsylvania. The Property is further identified as Parcel No. 47-008-0010.01E and is presently zoned PF – Public Facilities District. The Property is roughly 2.38 acres in area, and is improved by three (3) existing buildings and an existing telecommunications facility consisting of a 150' monopole with antennas attached thereto standing within a 40' x 40' fenced compound with an existing equipment shelter and concrete pad and various equipment cabinets contained therein.

The applicant, T-Mobile Northeast LLC ("T-Mobile") proposes the collocation of its telecommunications facility on the above-described existing telecommunications compound. The installation will consist of the attachment of nine (9) panel-style antennas at a height of 140' on the existing 150' monopole and radio equipment cabinets to be located at the base of the tower within the fenced compound on a 4' x 28' six (6") inch concrete slab. Access is provided by the existing grass-paved driveway to the site. There is currently existing landscaping screening the site and the property is surrounded by a wooded area.

II. REQUESTS FOR RELIEF

T-Mobile requests the following:

1. Pursuant to the authorization contained within the Township of East Fallowfield Zoning Ordinance ("Zoning Ordinance"), that the Board of Supervisors grant a conditional use pursuant to Section 1733.G allowing for the collocation of T-Mobile's wireless communications facility on the existing telecommunications facility.

2. The Applicant also applies for such other interpretations, waivers and/or variances as may ultimately be required.

III. REASONS WHY CONDITIONAL USE SHOULD BE GRANTED

The proposed use is suitable for the Property and is in the best interests of the community and the requested relief should be granted for the following reasons:

1. The proposed facility is necessary in order for T-Mobile to provide telecommunications service in accordance with its Federal Communications commission license and the Telecommunications Act of 1996.

2. The addition of a telecommunication facility, a passive communications use, is a suitable and appropriate use of the Property. The proposed use is consistent with the spirit, purpose and intent of the Ordinance as a tree pole blends with the surrounding area.

3. The proposed use will not substantially injure or detract from the use of neighboring properties or from the character of the neighborhood and the use of the properties adjacent to the Property will be adequately safeguarded.

4. The proposed use will serve the best interest of the Township, the convenience of the community, and the public welfare by making wireless telecommunications service available and will foster competition among the other approved wireless providers.

5. The proposed use will be entirely consistent with the logical, efficient and economical extension of public services and facilities within the Township including police and fire protection.

6. The proposed facility will be designed in accordance with all applicable safety and industry standards, and will not endanger the safety of persons or property.

7. The proposed use will not over crowd the land or create an undue concentration of population.

8. The proposed use will not impair an adequate supply of light and air to adjacent property.

9. The proposed facility will be fully automated and unattended on a daily basis and will be visited only for periodic maintenance or emergency repair.

10. The proposed use will not adversely affect transportation or unduly burden public facilities.

11. A hardship is created by the limited height of the existing structures, the rolling topography of the Township, and the limitations of the radio technology by which radio signals are propagated. Cell sites need to be relatively close, since the hills and valleys create "holes" in coverage along the principal areas of coverage, including the major roads through the Township.

12. The relief, if authorized, will represent the minimum relief necessary in order for T-Mobile to provide wireless telecommunications services and will represent the least modification possible of the regulation in issue. The height of the telecommunications facility is the minimum height necessary to perform its function.

13. The telecommunications facility complies with all applicable standards established by the Federal Communications Commission.

14. The telecommunications facility shall not cause radio frequency interference with other communications facilities located in the Township.

15. The applicant is licensed by the Federal Communications Commission to operate the telecommunications facility.

16. The telecommunications facility shall comply with all applicable Federal Aviation Administration and Commonwealth Bureau of Aviation Regulations.

17. The surrounding neighborhood will not be subjected to objectionable noise, lighting, glare, heat, ventilation, smoke, fumes, vapors, dust, dirt, gases or radioactive or electrical disturbances by the proposed use or change. No signs or lights will be mounted on the telecommunications facility.

18. The telecommunications facility will be maintained in a safe manner in accordance with the requirements of the Township's Building Code.

For all of the reasons stated above, T-Mobile requests the above referenced relief and any other relief the Board deems necessary.

Detailed Plans of the proposed use have been submitted to the Township, to be incorporated by reference herein, for consideration before the Board of Supervisors.

Respectfully submitted,

RILEY RIPER HOLLIN & COLAGRECO

Date: May 15, 2009

By: _____

Nicholas A. Cucé, Jr., Esquire
Attorney for Applicant

NICHOLAS A. CUCÉ, JR.
nickc@rrhc.com
Extension 214

RILEY RIPER HOLLIN & COLAGRECO
ATTORNEYS AT LAW

PLEASE RESPOND TO:
EXTON OFFICE

May 15, 2009

RECEIVED
MAY 15 2009
BY: Denise Miller

Via First Class Mail

Denise Miller, Secretary
East Fallowfield Township
2264 Strasburg Road
East Fallowfield, PA 19320

Re: **Conditional Use Application**
T-Mobile Northeast, LLC/Site #1CH8197/E. Fallowfield (2)
Our File No. 2970-292

Dear Ms. Miller:

As you know, our firm represents T-Mobile Northeast, LLC ("T-Mobile") with regard to the above-referenced matter. Enclosed for filing please find T-Mobile's Conditional Use Application. T-Mobile is proposing the collocation of its antennas and equipment on the existing 150' monopole located at 2264 Strasburg Road, consisting of the placement of nine (9) panel-style antennas with equipment to be located at the base of the monopole within the fenced compound.

Enclosed as part of this submission are the following documents:

1. One (1) original and twelve (12) copies of the Conditional Use Application of East Fallowfield Township and attached Addendum;
2. Thirteen (13) copies of the Plan prepared by CMX dated April 28, 2009;
3. Surrounding property owner list;
4. Thirteen (13) copies of the Chester County Planning Commission Referral Form; and
5. A check in the amount of $1,500.00 which represents the required filing fee.

Please note that additional documentation will be submitted in support of the Application at the time of hearing to meet the pertinent requirements of the East Fallowfield Township Zoning Ordinance. Please advise when this Application will be heard by the Planning Commission or any other Board. I would appreciate having an opportunity to present the merits of the Application to any Board that would be rendering an opinion on this matter.

Finally, please advise whether the Township handles public notice and posting of the property of the hearing, or whether the obligation in that regard falls on the Applicant. Unless I hear from you to the contrary, I would assume that the Township takes care of all forms of advertising and posting of the property.

Thank you for your attention and assistance provided in this matter. I look forward to presenting this Application before the Township. If you require any further information, please feel free to contact my office at your convenience.

Very truly yours,

Nicholas A. Cucé, Jr.

NAC/sdd
Enclosures
cc: Chris Thompson w/o enc. (via e-mail)
Philip Burtner w/o enc. (via e-mail)
Laura Burtner w/o enc. (via e-mail)
Fran McKee w/o enc. (via e-mail)

RECEIVED
MAY 15 2009
BY: Denise Miller

Properties adjacent to 47-8-10.1E

47-5-27	Albert E. Holbrook, Jr.	122 Martin's Corner Road Coatesville, PA 19320
47-5-28	James E. Cochran, III	4 Evergreen Avenue Wayne, PA 19087
47-5-28.23	Nadine R. Keil	7 Beck Road East Fallowfield, PA 19320
47-5-29	Phillip White Laura Sopranzi-White	2265 Strasburg Road East Fallowfield, PA 19320
47-5-30	Joy E Windle Ross W. Wiggins	2255 Strasburg Road East Fallowfield, PA 19320
47-8-10.02	Richard W. & Char-An Ireland	110 Frog Hollow Road East Fallowfield, PA 19320
47-8-11-E	Coatesville Area School District	ATTN: Building & Grounds 545 E. Lincoln Highway Coatesville, PA 19320