

**WHITEMARSH TOWNSHIP  
ZONING HEARING BOARD AGENDA (AMENDED)  
MARCH 11, 2020  
7:00 PM**

\_\_\_ Bacine \_\_\_ Behr \_\_\_ Casacio \_\_\_ Kramer \_\_\_ Weinstein \_\_\_ Rubin (Alt.)

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**1. CALL TO ORDER**

**2. ANNOUNCEMENTS & CORRESPONDENCE**

- **ZHB#2020-06:** Crown Castle, 400 Stenton Avenue, Plymouth Meeting, PA; Parcel #65-00-06370-50-4, Block 052; Unit 009; AA-Residential District. By letter dated March 6, 2020, the applicant's attorney is requesting a continuance to a May hearing date to be determine, provided that the application is heard no later than May 13, 2020.
- Applicants are requested to remove all signs after the hearing has concluded and dispose of them.

**3. ZONING HEARING BOARD APPLICATIONS**

- **ZHB#2020-05:** Christopher Quarino and Natalie DiFulvio, 4038 N. Warner Road, Lafayette Hill, PA; Parcel #65-00-12454-00-9; Block 022A; Unit 008; B-Residential District. The applicants are proposing to construct a 1-story, 160 s.f. addition for additional kitchen/living space. The following relief is requested: Variance from Section 116-202.B. to allow less than the 10' minimum/25' required aggregate side yard. The renovations will maintain the 10' minimum side yard requirement, however it will not conform with the 25' aggregate requirement; the proposed aggregate total will be 21'-3". The side yard setback is regulated by this section of the Zoning Ordinance because this house was built prior to June 23, 1966 (it was originally built in 1950).

**4. ADJOURNMENT**

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



March 6, 2020

**via E-mail and regular mail**

Charles L. Guttenplan, AICP  
Director of Planning/Zoning  
Whitemarsh Township  
616 Germantown Pike  
Lafayette Hill, PA 19444

**Re: Zoning Hearing Board Application  
Crown Castle/Joshua House  
400 Stenton Avenue, Whitemarsh Township, PA  
Our File No.: 5984-19**

Dear Charlie:

As you are aware, I represent Crown Castle in regard to its pending Zoning Hearing Board application for 400 Stenton Avenue, Whitemarsh Township, Montgomery County, Pennsylvania ("Property").

Crown Castle is requesting a continuance as we review certain matters related to HARB issues and securing the SHPO determination. Crown Castle is agreeable to waiving the time requirements contained within the Municipalities Planning Code pertaining to the commencement and conduct of the Zoning Hearing Board hearings, provided that the application is heard no later than May 13, 2020 (to allow it to be placed on either the May 6 or May 13 agenda). This continuance also covers the Township's obligation to process telecommunications applications within the time frame established by the Declaratory Ruling of the Federal Communications Commission issued on November 18, 2009. Therefore, please accept this letter as confirmation of the waiver of all applicable time requirements applying to this application through and including May 13, 2020.

Thank you for your attention to this matter. If you require any further information, please do not hesitate to contact me.

Very truly yours,

Nicholas A. Cucé, Jr.

NAC/kw

Enclosures

cc: Michael Furey, Esquire, Zoning Hearing Board Solicitor (via e-mail)  
Sarah Brown (via e-mail)

ZHB APPEAL #2020-05  
SUMMARY

**APPLICANTS:** Christopher Quarino & Natalie DiFulvio

**PROPERTY LOCATION:** Parcel #65-00-12454-00-9  
Block 022A, Unit 008  
4038 N. Warner Road  
Lafayette Hill, PA 19444

**ZONING DISTRICT:** B-Residential District

**SUMMARY OF RELIEF REQUEST:**

The applicants are proposing to construct a 1-story, 160 s.f. addition for additional kitchen/living space. The following relief is requested:

1. **Variance from Section 116-202.B.** to allow less than the 10' minimum/25' required aggregate side yard. The renovations will maintain the 10' minimum side yard requirement, however it will not conform with the 25' aggregate requirement; the proposed aggregate total will be 21'-3". The side yard setback is regulated by this section of the Zoning Ordinance because this house was built prior to June 23, 1966 (it was originally built in 1950).

**PRIOR DECISIONS:**

None

Respectfully Submitted,



Charles L. Guttenplan, AICP  
Director of Planning and Zoning/Zoning Officer

APPEAL TO ZONING HEARING BOARD  
WHITEMARSH TOWNSHIP  
COMMONWEALTH OF PENNSYLVANIA

APPEAL NO: 2020-05

**Applicant/Appellant:** Christopher Quarino & Natalie DiFulvio

**Address:** 4038 N Warner Road, Lafayette Hill, PA 19444

**Phone #:** [REDACTED] **Cell Number:** [REDACTED] **E-Mail:** [REDACTED]

**Owner:** Christopher Quarino & Natalie DiFulvio

**Address:** 4038 N Warner Road, Lafayette Hill, PA 19444

**Phone #:** [REDACTED] **Cell Number:** [REDACTED] **E-Mail:** [REDACTED]

**Location of the Property Involved:** 4038 N Warner Road, Lafayette Hill, PA 19444

**Block #:** 022A **Unit #:** 008 **Parcel #:** 65-00-12454-00-9

**NATURE OF APPLICATION (Describe proposed use and/or construction: type of appeal requested and specific section(s) of Whitemarsh Township Zoning Code which is (are) relied upon):**

This application is being presented to appeal the zoning code referenced as 116-202B in order to construct a 1 story, 160 sf addition. The proposed use of the addition is additional kitchen/living space. The side yard setback requirement is 10 ft. per side with a 25 ft. aggregate requirement. The renovation plans will maintain the 10 ft per side requirement, however do not conform with the 25 ft aggregate requirement. The proposed aggregate total is 21'4. Therefore, the appeal is for consideration of an additional 3'8.

**GROUND(S) FOR APPEAL (State reasons for appeal and nature of hardship, if claimed):**  
**\*\*Attach additional sheets if necessary**

In order to renovate/expand our kitchen for modern day use and without taking away from already limited living space we require adding square footage outwards towards our driveway from the original footprint of the home. The dwelling is located on an undersized lot and therefore the current setbacks are difficult to work within. In order to achieve the aforementioned we are requesting a variance to ordinance 116-202B.

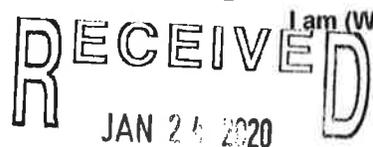
**Legal Counsel (if represented):** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Phone #:** \_\_\_\_\_ **E-Mail:** \_\_\_\_\_

**My (Our) signature(s) authorize(s) permission to pose my (our) property and permission to the Zoning Hearing Board and their representative to enter thereon for inspection purposes.**

**I (We) certify the information provided on this application and supporting documentation and plans are true and correct to the best of my (our) knowledge, information, and belief. You are required to submit proof that you are one of the following:**



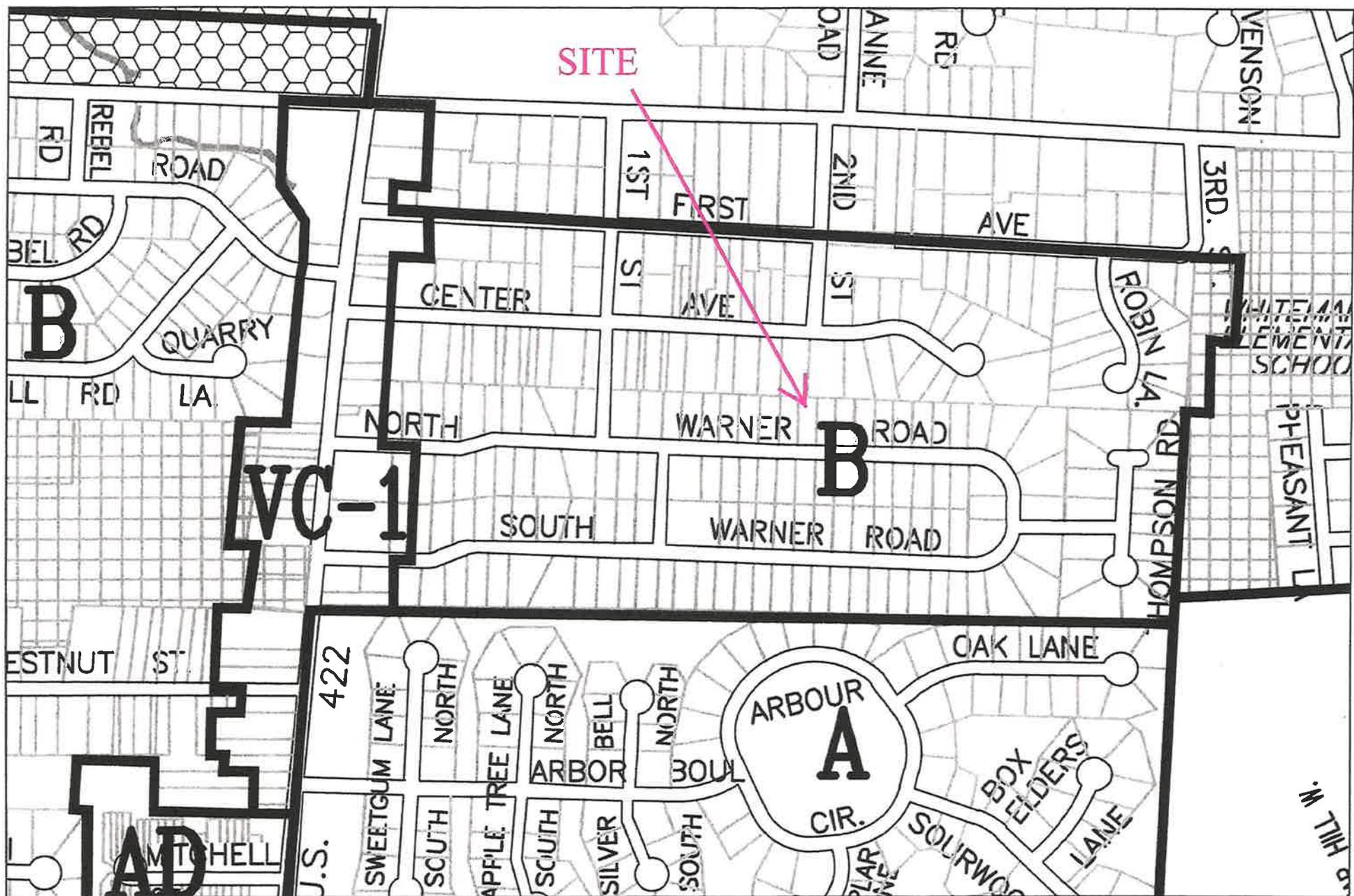
I am (We are)

- Owner(s) of Legal Title
- Owner(s) of Equitable Title
- Tenant(s) with permission of Owner(s) of Title (Enclose letter attesting to same)

**WHITEMARSH TOWNSHIP  
ZONING & ENGINEERING**  
Date: 1/15/20

[Signature]  
Signature of Applicant/Appellant:

[Signature]  
Signature of Applicant/Appellant:



SITE

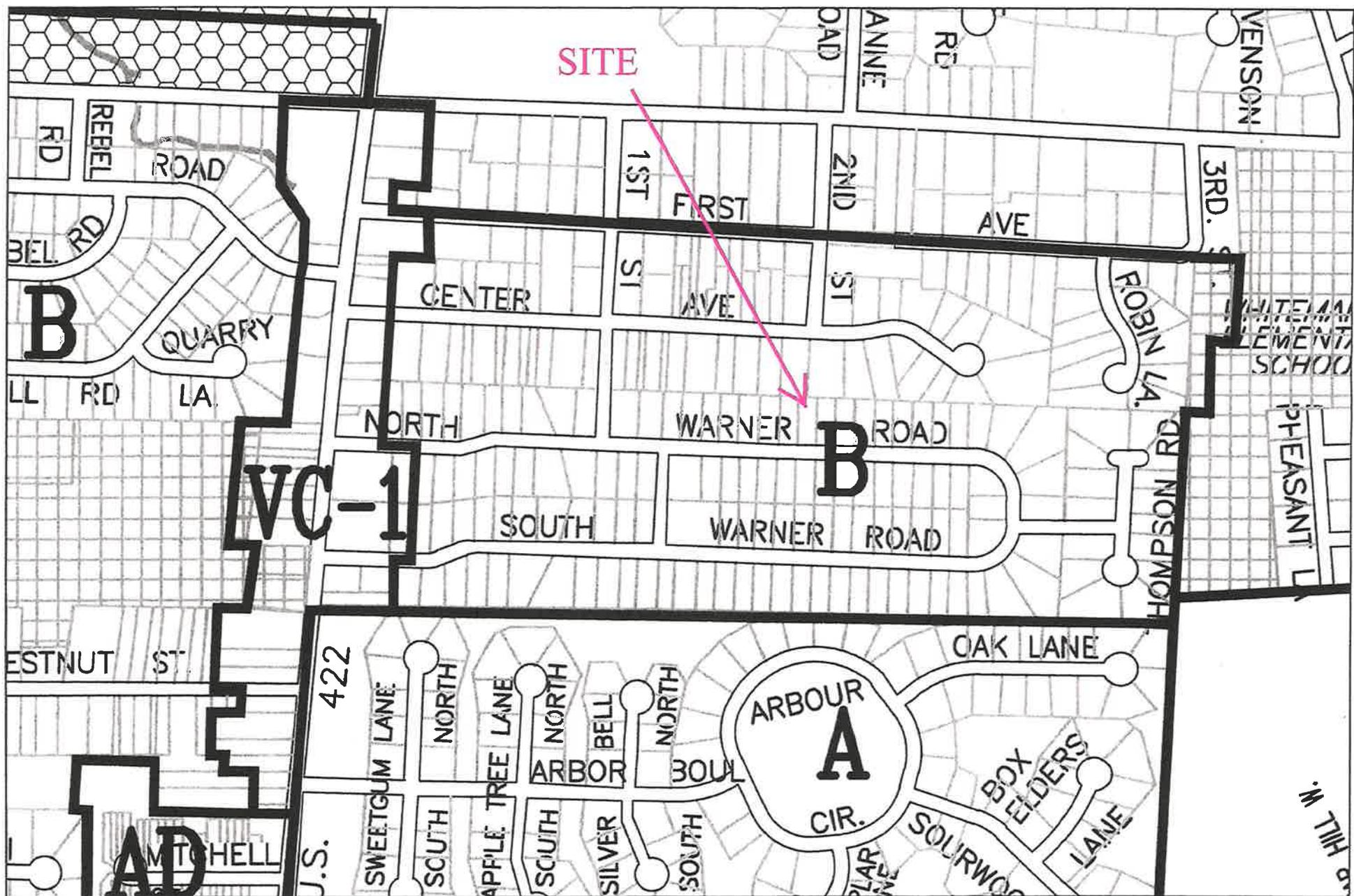
**B**

**VC-1**

**B**

**A**

**AD**



SITE

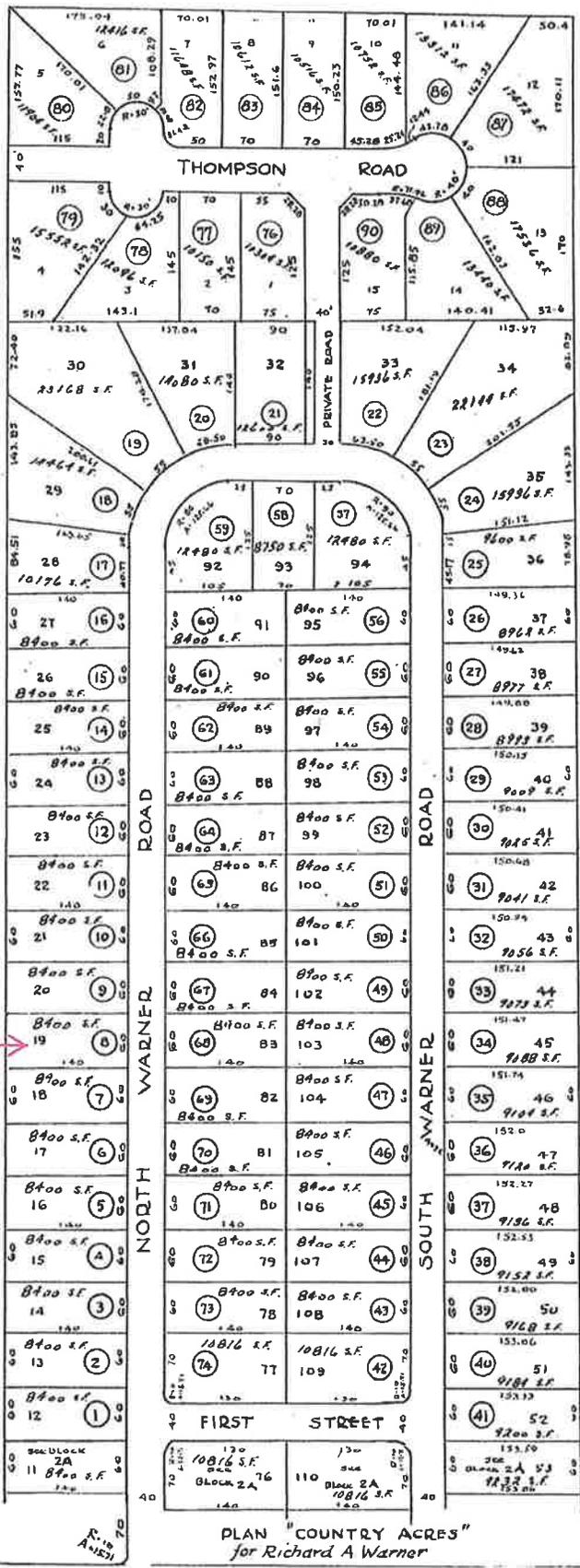
**B**

**VC-1**

**B**

**A**

**AD**



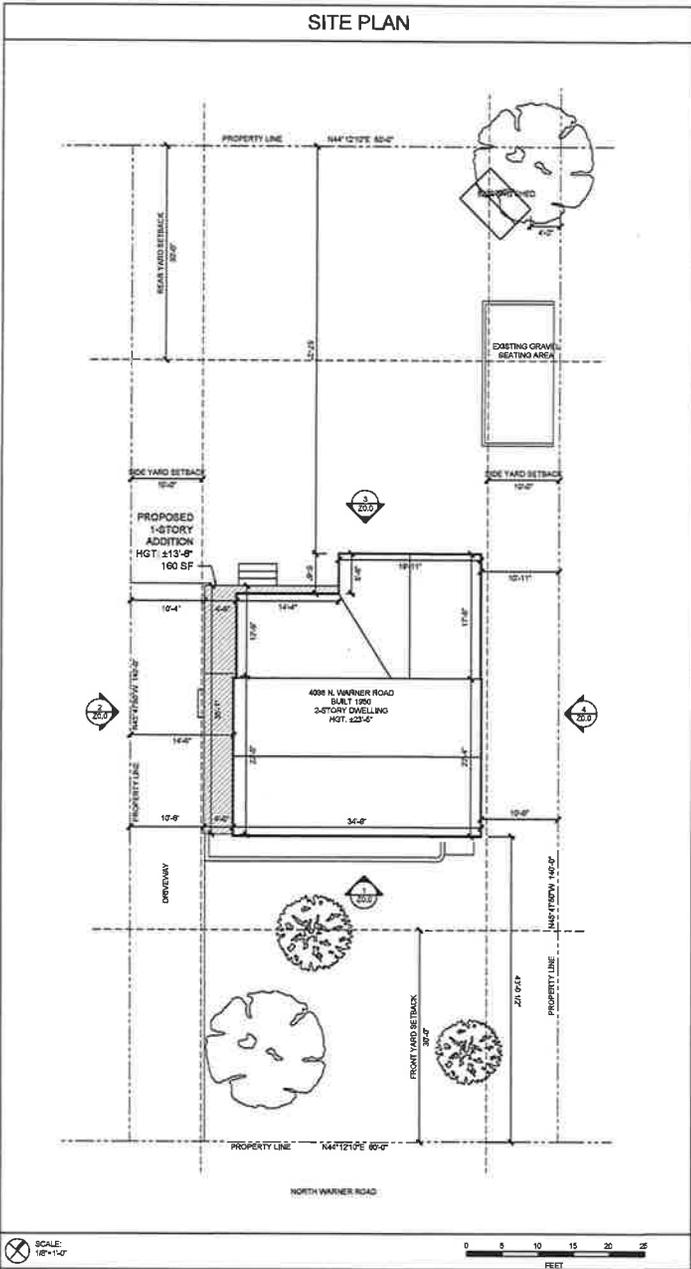
SITE

WHITEMARSH TOWNSHIP  
BLOCK 22-A

PLAN "COUNTRY ACRES"  
for Richard A Warner

Scale 1" = 60 FT

**SITE PLAN**



**ZONING INFO**

**WHITEMARSH TOWNSHIP ZONING DISTRICT B**

	REQUIRED	EXISTING	PROPOSED
FRONT YARD SET BACK:	30 FEET	42 FEET	NO CHANGE
SIDE YARD SET BACK:	10 FEET PER SIDE, 25 FT TOTAL	WEST SIDE YARD: 14'-0" EAST SIDE YARD: 10'-0"	WEST SIDE YARD: 10'-0" EAST SIDE YARD: NO CHANGE
REAR YARD SET BACK:	30 FEET	57 FEET	NO CHANGE
LOT WIDTH MINIMUM:	65 FEET	65 FEET	NO CHANGE
LOT AREA MINIMUM:	10,000 SQ. FT.	6,400 SQ. FT.	NO CHANGE
<b>BLDG AREA MAXIMUM COVERAGE:</b>	<b>20%</b>	<b>15.5%</b>	<b>17.4%</b>
<b>IMPERVIOUS SURFACE MAXIMUM:</b>	<b>30%</b>	<b>27.7%</b>	<b>28.5%</b>

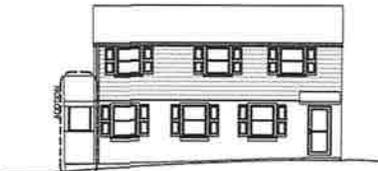
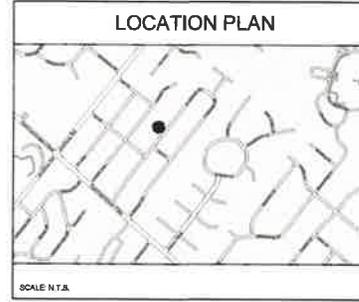
**LOT COVERAGE CALCULATION**

LOT AREA	= 8,400 SF
EXISTING HOUSE AREA	= 1256 SF
EXISTING SHED AREA	= 48 SF
PROPOSED ADDITION AREA	= 160 SF (1.9%)
<b>TOTAL BLDG AREA</b>	<b>= 1,464 SF (17.4%)</b>

**IMPERVIOUS SURFACE CALCULATION**

LOT AREA	= 8,400 SF
EXISTING HOUSE AREA	= 1256 SF
EXISTING SHED AREA	= 48 SF
DRIVEWAY AREA (66 SF OF DRIVEWAY GIVEN TO ADDITION)	= 730 SF
REAR YARD GRAVEL AREA	= 200 SF
ADDITION	= 160 SF
<b>TOTAL</b>	<b>= 2,384 SF (28.5%)</b>

**LOCATION PLAN**



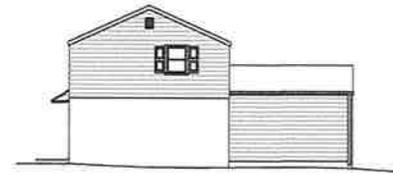
1 SOUTH ELEVATION  
1/8" = 1'-0"



2 WEST ELEVATION  
1/8" = 1'-0"



3 NORTH ELEVATION  
1/8" = 1'-0"



4 EAST ELEVATION  
1/8" = 1'-0"



THESE PLANS ARE A PRELIMINARY DESIGN AND NOT TO BE USED FOR CONSTRUCTION OR FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT. THE ARCHITECT ASSUMES NO LIABILITY FOR ANY DAMAGE OR INJURY TO PERSONS OR PROPERTY ARISING FROM THE USE OF THESE PLANS.

**QUARINODIVULVIO RESIDENCE**

4038 N. WARNER ROAD  
LAFAYETTE HILL PA 19444

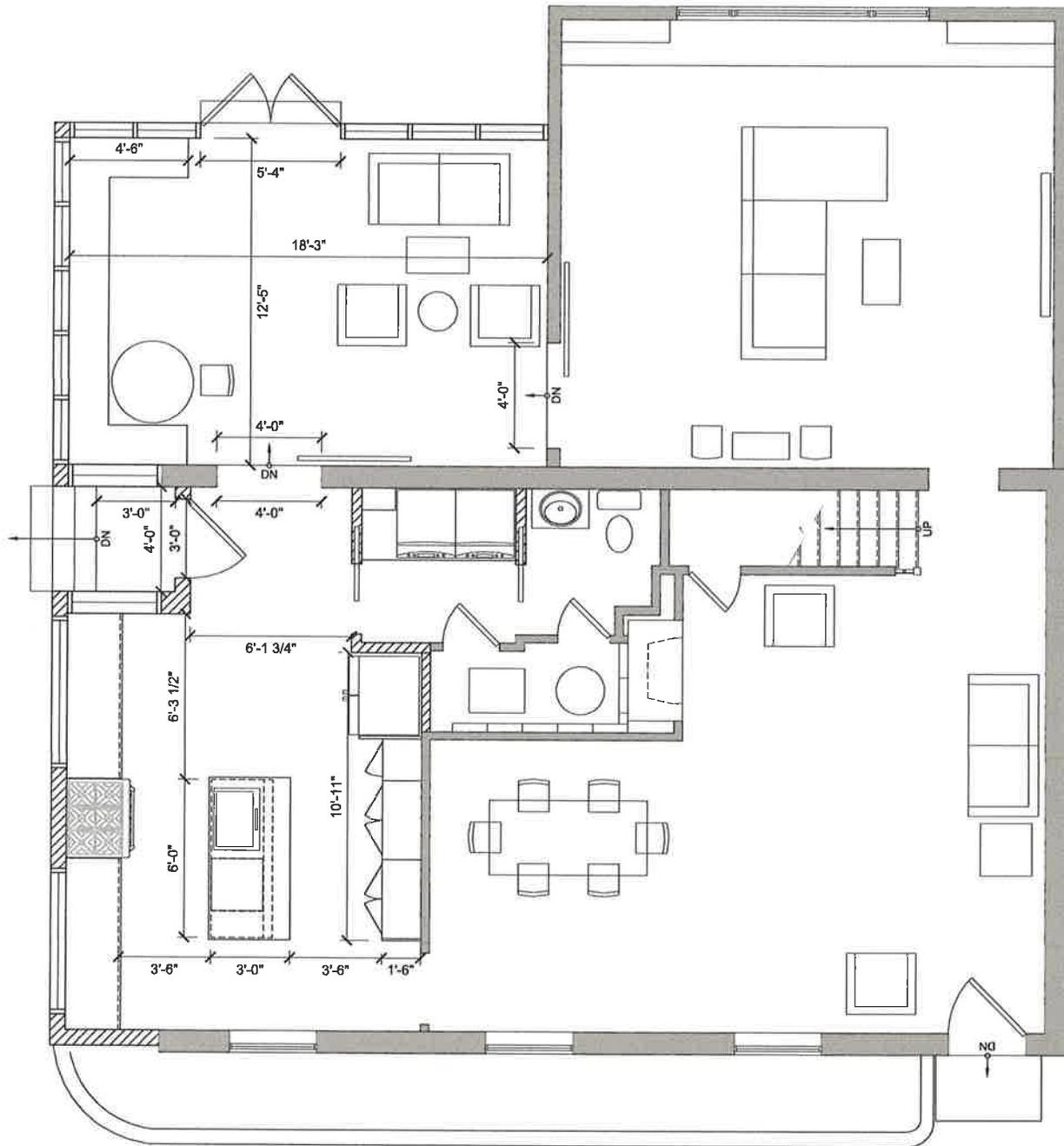
CLIENT:  
CHRISTOPHER QUARINO  
4038 N. WARNER ROAD  
LAFAYETTE HILL PA 19444

PROJECT NUMBER:	1928
PROJECT PHASE:	—
PROJECT MANAGER:	—
DRAWN BY:	HW
CHECKED BY:	JD
SCALE:	AS NOTED
DATE:	11/21/18

REVISIONS & SUBMISSIONS:	
1	—
2	—
3	—
4	—
5	—
6	—

SHEET NAME:  
ZONING

SHEET NUMBER:  
**Z0.0**

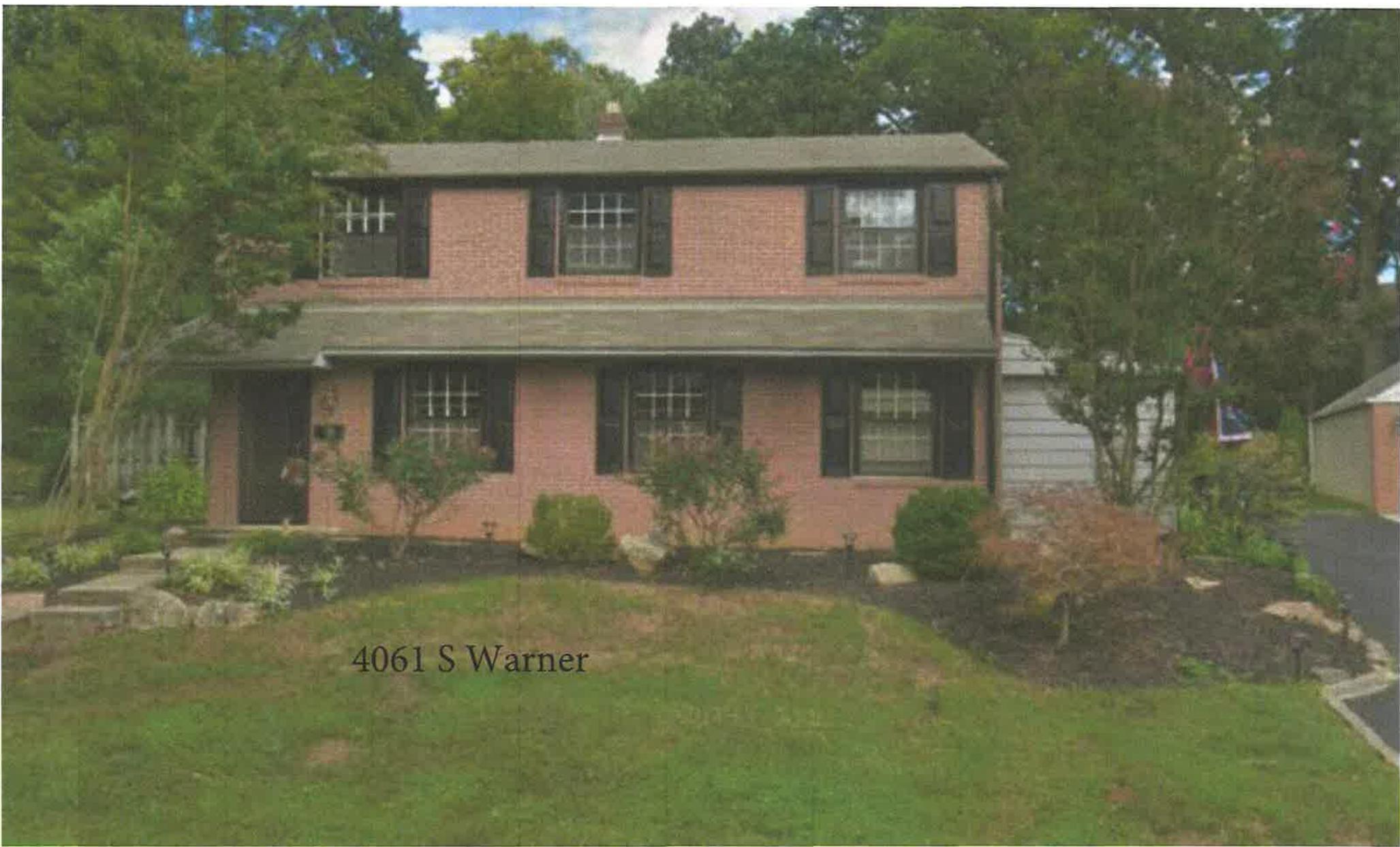


4052 N. Warner





4053 N Warner



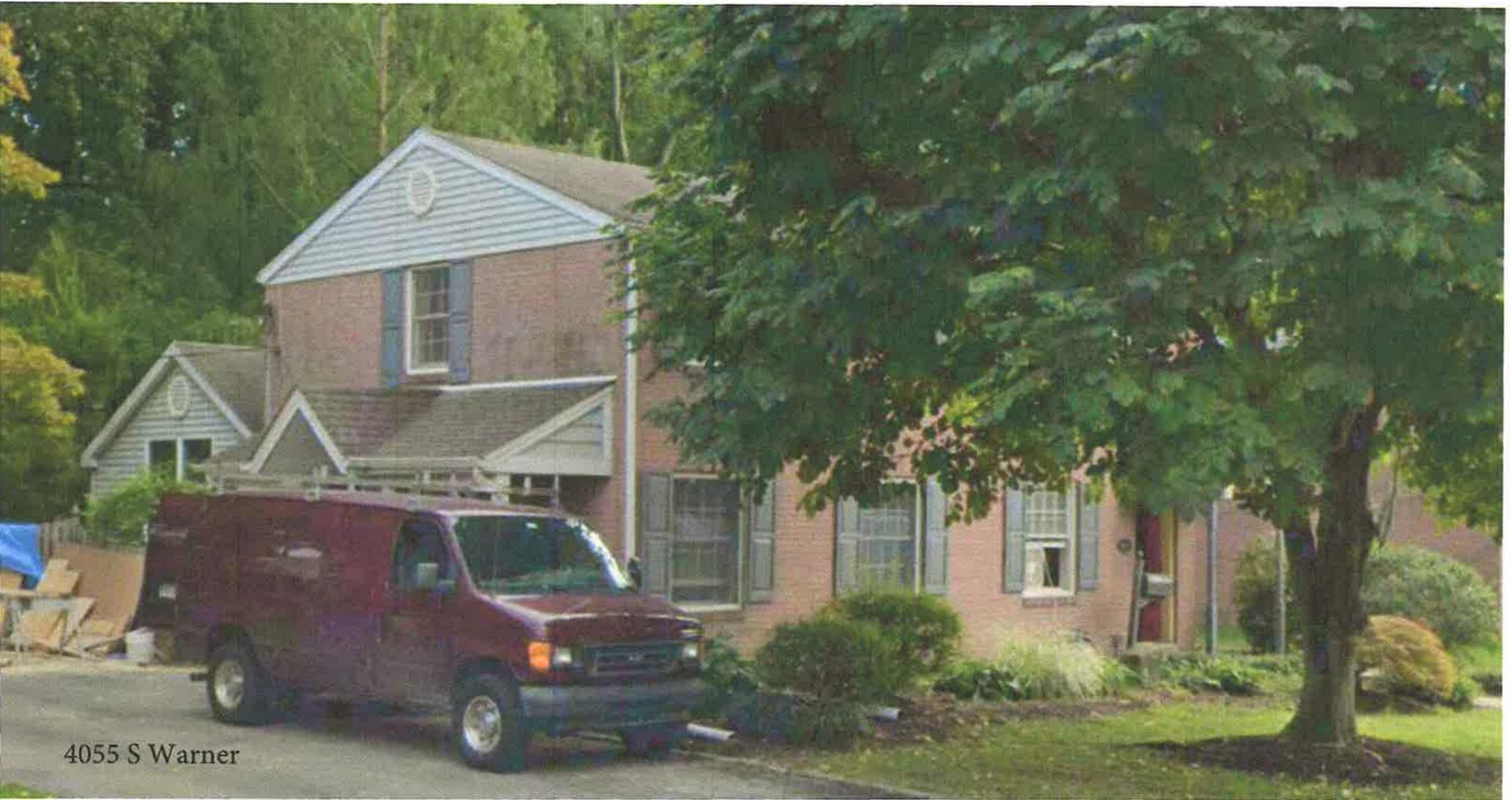
4061 S Warner



4035 S Warner



4064 N Warner



4055 S Warner

ZHB APPEAL #2020-06  
SUMMARY

**APPLICANT:** Crown Castle

**PROPERTY LOCATION:** Parcel #65-00-06370-50-4  
Block 052, Unit 009  
400 Stenton Avenue  
Plymouth Meeting, PA 19462

**ZONING DISTRICT:** AA-Residential District

**SUMMARY OF RELIEF REQUEST:**

Crown Castle owns a 80'-6" unipole at the property location, outside of the existing fenced equipment compound. Celco Partnership d/b/a Verizon Wireless ("Verizon") has coverage/capacity issues in this area of the Township. In order to meet Verizon's objectives and not propose an additional pole, Crown proposes to remove its 80'-6" unipole and foundation and replace it with an 88' unipole which would house the existing T-Mobile antennas and the proposed Verizon antennas. Additionally, the proposed unipole will be relocated within the fenced equipment compound, which will not be expanded.

The following relief is requested:

1. **Variance from Section 116-48.** (Permitted Uses in the AA-Residential District) to allow the placement of the wireless telecommunications facility in an AA Residential District.
2. **Variance from Section 116-302.A.(I)** to allow for the relocation of a wireless telecommunications facility within the AA-Residential District and within 500 feet of a lot in residential use/district boundary.
3. **Variance from Section 116-302.A.(4)(c)** to allow the relocated telecommunications facility to be within 500 ft. of a lot in residential use or residential district boundary.
4. **Variance from Section 116-302.G.(1)** to allow the installation of ground-mounted equipment above ground.

**PRIOR DECISIONS:**

ZHB #2005-38 (Flagpole/Public Utility Facility)--Withdrawn  
Settlement Agreement 10.1.1998 of case ZHB #97-34 (Proposed Cell Tower)

Respectfully Submitted,



Charles L. Guttenplan, AICP  
Director of Planning and Zoning/Zoning Officer

APPEAL TO ZONING HEARING BOARD  
WHITEMARSH TOWNSHIP  
COMMONWEALTH OF PENNSYLVANIA

APPEAL NO: 220-06

Applicant/Appellant: Crown Castle

Address: 6325 Ardrey Kell Road, Suite 600, Charlotte, NC 28277

Phone #: \_\_\_\_\_ Cell Number: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Owner: Joshua House Associates

Address: 400 Stenton Avenue, Plymouth Meeting, PA 19462

Phone #: \_\_\_\_\_ Cell Number: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Location of the Property Involved: South of the intersection of Joshua Road & Stenton Avenue

Block #: 52 Unit #: 9 Parcel #: 65-00-06370-50-4

**NATURE OF APPLICATION (Describe proposed use and/or construction: type of appeal requested and specific section(s) of Whitemarsh Township Zoning Code which is (are) relied upon):**

Relocation of a wireless telecommunications facility already existing on the property with additional carrier. See Exhibit "A" attached hereto and incorporated by reference.

**GROUND(S) FOR APPEAL (State reasons for appeal and nature of hardship, if claimed):**

**\*\*Attach additional sheets if necessary**

See Exhibit "A" attached hereto and incorporated by reference.

Legal Counsel (if represented): Nicholas A. Cuce, Jr., Esquire

Address: 717 Constitution Drive, Suite 201, Exton, PA 19341

Phone #: 610-458-4400 E-Mail: nickc@rrhc.com

My (Our) signature(s) authorize(s) permission to pose my (our) property and permission to the Zoning Hearing Board and their representative to enter thereon for inspection purposes.

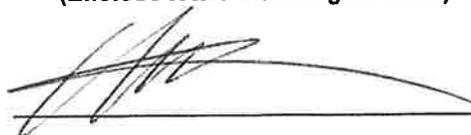
I (We) certify the information provided on this application and supporting documentation and plans are true and correct to the best of my (our) knowledge, information, and belief. You are required to submit proof that you are one of the following:

RECEIVED  
JAN 27 2020  
I am (We are)

- Owner(s) of Legal Title
- Owner(s) of Equitable Title
- Tenant(s) with permission of Owner(s) of Title (Enclose letter attesting to same)

WHITEMARSH TOWNSHIP  
ZONING & ENGINEERING

Date: 1/24/2020



Signature of Applicant/Appellant:

Signature of Applicant/Appellant:

**BEFORE THE ZONING HEARING BOARD  
OF WHITEMARSH TOWNSHIP**

**IN RE: ZONING HEARING BOARD APPLICATION OF  
CROWN CASTLE  
JOSHUA HOUSE  
400 Stenton Avenue**

**ADDENDUM "A" TO ZONING APPLICATION**

**I. BACKGROUND**

The subject property is owned by Joshua House Associates and is located at 400 Stenton Avenue, Whitmarsh Township, Montgomery County, Pennsylvania. The property is further identified as Tax Parcel No. 65-00-06370-50-4 and is presently zoned AA Residential District. The property is roughly 3.07 acres in area and is improved by an existing building, parking lot and wireless telecommunications facility.

Crown Castle ("Crown") currently owns and maintains a wireless telecommunications facility on the property consisting of a 80'-6" unipole that sits outside the existing fenced equipment compound – both of which are located at the E/SE corner of the parking lot.

By way of history, Omnipoint Communications Enterprises, Inc. (Now T-Mobile) in or about 1998 was denied zoning relief by the Whitmarsh Township Zoning Hearing Board to place the above-referenced facility on the subject property. The zoning Hearing Board Decision was appealed to the U.S. District Court for the Eastern District of Pennsylvania. At that point, the parties (Applicant and Township) entered into a Settlement Agreement and the facility as described above was constructed and has remained for over 20 years.

Cellco Partnership d/b/a Verizon Wireless ("Verizon") has coverage/capacity issues in this area of the Township. In order to meet its objectives and not propose an additional pole in this area of the Township, Verizon seeks to utilize this existing facility. To that end, Crown proposes to remove its 80'-6" unipole and foundation and replace it with an 88' unipole which would house the existing T-Mobile antennas at 73' (centerline) and the proposed Verizon antennas at 83' (centerline). The current unipole is 1'-3" (at the pole) and 2'-3" (at the T-Mobile antenna shroud). The proposed unipole will be 4' in width. All antennas will remain inside the unipole and screened from view. Additionally, the proposed unipole will be relocated within a fenced compound offering additional security and assisting with the health, safety and welfare of the community. Verizon's equipment and standby generator will be housed within the fenced compound. There will be no expansion of the compound.

**II. REQUEST FOR RELIEF**

Applicant requests the following:

1. The grant of a variance from Section 116-48 (Permitted Uses) of the Whitemarsh Township Zoning Ordinance, as amended, (the "Ordinance") to allow for the placement of the wireless telecommunications facility in an AA Residential District.
2. The grant of a variance from Section 116-302(A)(1) to allow for the relocation of a wireless telecommunications facility within the AA Residential District and within 500 feet of a lot in residential use/district boundary.
3. The grant of a variance from Section 116-302(A)(4)(c) of the Ordinance to allow the relocated telecommunications facility to be within 500 ft. of a lot in residential use or residential district boundary.
4. The grant of a variance from Section 116-302(G)(1) to allow the installation of ground-mounted equipment above ground.
5. Applicant requests any and all additional variances, relief or waivers as may be determined by the Zoning Hearing Board.

**III. REASONS WHY ZONING RELIEF 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 Applicant to provide telecommunications service in accordance with its Federal Communications commission license and the Telecommunications Act of 1996.
2. 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.
3. 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.

4. 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.

5. 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.

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

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

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

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

10. The relief, if authorized, will represent the minimum relief necessary in order for Applicant 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.

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

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

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

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

15. 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.

16. 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, Applicant requests the above referenced relief and any other relief the Board deems necessary.

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

Respectfully submitted,

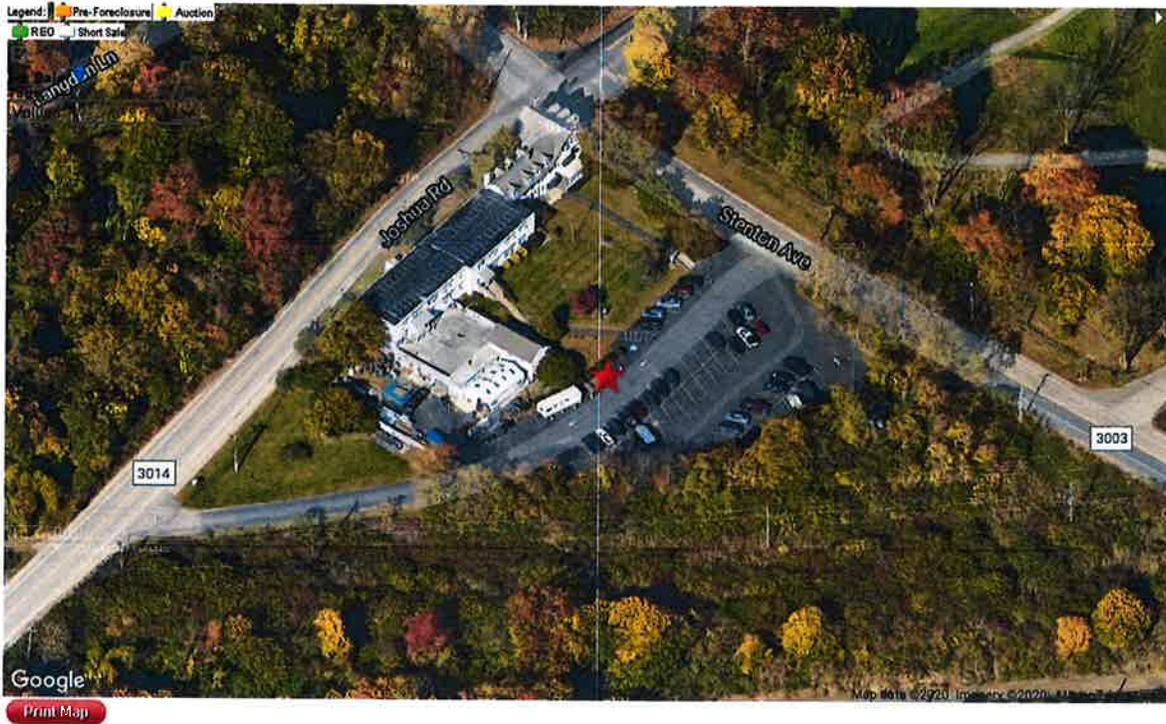
RILEY RIPER HOLLIN & COLAGRECO

Date: 1/24/2020

By:

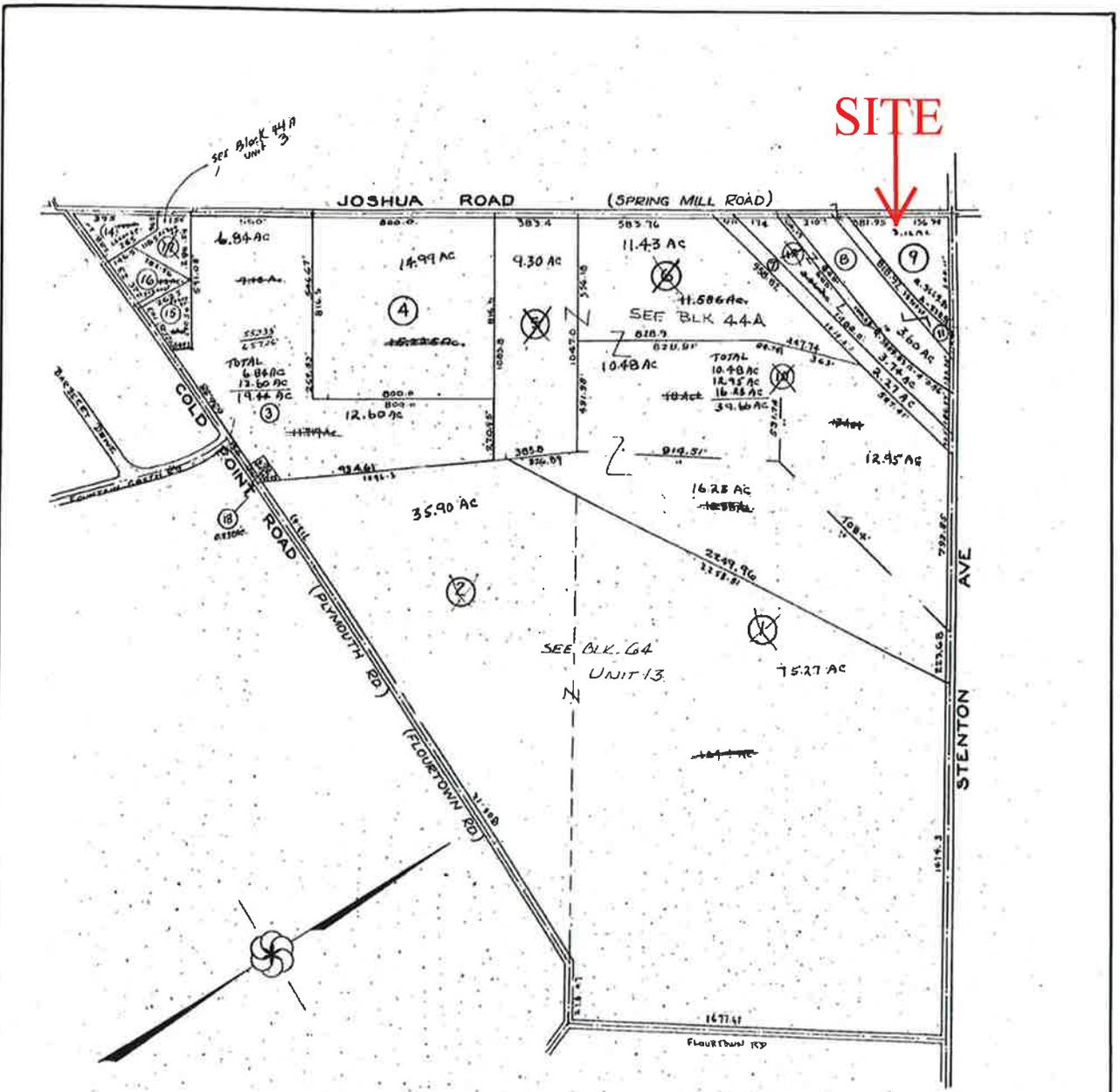


Nicholas A. Cucé, Jr., Esquire  
Attorney for Applicant





**SITE**



WHITEMARSH TOWNSHIP

BLOCK No. 52

Scale - 1" = 300'



# CROWN BUSINESS UNIT #824932

## SITE NAME: JOSHUA HOUSE

**Tectonic**  
 Tectonic Engineering & Surveying Consultants P.C.  
 75 Pleasant Hill Road  
 P.O. Box 23  
 Monticello, NY 10853  
 Phone: (845) 534-8038  
 Fax: (845) 534-8531  
 www.tectoniceng.com  
 Project Contact: 1279 Route 300  
 Newburgh, NY 12550  
 Phone: (845) 567-8856

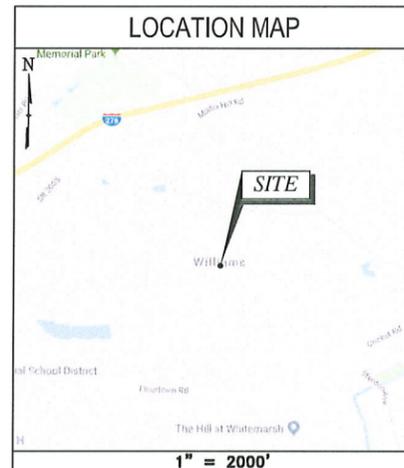


CROWN CASTLE \_\_\_\_\_  
 LANDLORD \_\_\_\_\_  
 LEASING \_\_\_\_\_  
 RF \_\_\_\_\_  
 CONSTRUCTION \_\_\_\_\_

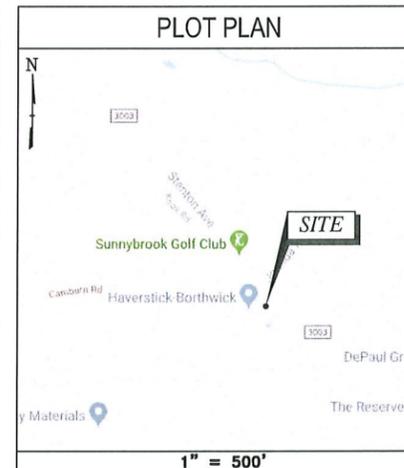
PROJECT NUMBER: 8446.JOSHUAHOUSE  
 DRAWN BY: GT

NO. DATE ISSUE  
 01/13/20 ISSUED FOR COMMENTS

SITE INFORMATION	
OWNER:	JOSHUA HOUSE ASSOCIATES 400 STENTON AVENUE, PLYMOUTH MEETING, PA 19462
SITE MANAGER:	CROWN CASTLE 6325 ARDREY KELL ROAD SUITE 600 CHARLOTTE, NC 28277 SARAH BROWN (704) 405-6623
APPLICANT:	CROWN CASTLE 2000 CORPORATE DRIVE, CANONSBURG, PA 15317
BUSINESS UNIT #:	824932
SITE ADDRESS:	400 STENTON AVENUE PLYMOUTH MEETING, PA 19462
COUNTY:	MONTGOMERY
TOWNSHIP:	PLYMOUTH, WHITEMARSH
PARCEL ID#:	65-00-06370-50-4
LOT ACREAGE:	3.07 ACRES±
LAND USE:	C - OFFICE: MULTI-STORY 15000-50000 SF
LATITUDE:	40° 06' 34.308" N
LONGITUDE:	75° 14' 36.204" W
ELEVATION:	210'± AMSL (PER GOOGLE EARTH)
ENGINEER:	TECTONIC ENGINEERING & SURVEYING CONSULTANTS P.C. 1279 ROUTE 300 NEWBURGH, NY 12550 PHONE: (845) 567-6656 FAX: (845) 567-8703



- ### GENERAL NOTES
- ALL WORK SHALL CONFORM TO THE EXISTING BUILDING CODE OF PENNSYLVANIA STATE.
  - INSTALLATION SHALL BE IN ACCORDANCE WITH CROWN CASTLE STANDARDS.
  - PROVIDE A PORTABLE FIRE EXTINGUISHER WITH A RATING OF NOT LESS THAN 2-A OR 2-A/10-BC WITHIN 75 FEET TRAVEL DISTANCE TO ALL PORTIONS OF THE WORK AREA DURING CONSTRUCTION.
  - THESE PLANS SHALL NOT BE UTILIZED AS CONSTRUCTION DOCUMENTS UNTIL ISSUANCE OF A BUILDING PERMIT AND ALL SHEETS HAVE BEEN ISSUED "FOR CONSTRUCTION".



### DRAWING INDEX

SHEET NO.	SHEET TITLE	REV.	DATE
T-1	TITLE SHEET	0	01/13/20
C-1	SITE PLAN	0	01/13/20
C-2	SITE DETAIL PLAN	0	01/13/20
C-3	ELEVATION & DETAILS	0	01/13/20
G-1	GROUNDING DETAILS	0	01/13/20

### DO NOT SCALE DRAWINGS

THESE DRAWINGS ARE FORMATTED FOR 24"x36". OTHER SIZED VERSIONS ARE NOT PRINTED TO THE SCALE SHOWN. CONTRACTOR SHALL VERIFY ALL PLANS & EXISTING DIMENSIONS & CONDITIONS ON THE JOB SITE & SHALL IMMEDIATELY NOTIFY THE ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME.

### CONTACT INFORMATION

ENGINEER:	TECTONIC ENGINEERING & SURVEYING CONSULTANTS P.C. 1279 ROUTE 300 NEWBURGH, NY 12550
CONTACT:	RITU SALOT
PHONE:	(845) 567-6656 (EXT. 2817)

- ### STRUCTURAL STEEL NOTES
- ALL STEEL WORK SHALL BE HOT-DIP GALVANIZED IN ACCORDANCE WITH ASTM A123 AND IN ACCORDANCE WITH THE DESIGN AND CONSTRUCTION SPECIFICATIONS.
  - STEEL PIPE SHALL CONFORM TO ASTM A53 PIPE, STEEL BLACK AND HOT DIPPED ZINC-COATED WELDED AND SEAMLESS, GRADE B (ALL SIZES SHOWN ARE NOMINAL).
  - BOLTED CONNECTIONS SHALL USE BEARING TYPE ASTM A325 BOLTS (3/4" DIA) AND SHALL HAVE MINIMUM OF TWO BOLTS UNLESS NOTED OTHERWISE.
  - CONCRETE EXPANSION ANCHORS AND EPOXY ANCHORS SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S REQUIREMENTS. SPECIAL INSPECTIONS, REQUIRED BY GOVERNING CODES, SHALL BE PERFORMED IN ORDER TO MAINTAIN MANUFACTURER'S MAXIMUM ALLOWABLE LOADS. MANUFACTURER'S MINIMUM CONCRETE EDGE DISTANCE SHALL BE MAINTAINED DURING INSTALLATION.
  - ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE DESIGN AND CONSTRUCTION SPECIFICATIONS.
  - ALL HOLES TO BE ADDED IN THE FIELD SHALL BE PUNCHED OR DRILLED. NO HOLE BURNING SHALL BE ALLOWED. RE-PAINT OR COLD GALVANIZE EXIST STEEL MEMBERS WHERE DISTURBED.

- ### SITE NOTES
- ALL SITE WORK SHALL BE AS INDICATED ON THE DRAWINGS.
  - RUBBISH, STUMPS, DEBRIS, STICKS, STONES AND OTHER REFUSE SHALL BE REMOVED FROM THE SITE AND DISPOSED OF LEGALLY.
  - ALL EXISTING ACTIVE SEWER, WATER, GAS, ELECTRIC, AND OTHER UTILITIES WHERE ENCOUNTERED IN THE WORK, SHALL BE PROTECTED AT ALL TIMES, AND WHERE REQUIRED FOR THE PROPER EXECUTION OF THE WORK, SHALL BE RELOCATED AS DIRECTED BY ENGINEERS. EXTREME CAUTION SHOULD BE USED BY THE CONTRACTOR WHEN EXCAVATING OR PIER DRILLING AROUND OR NEAR UTILITIES.
  - ALL EXISTING INACTIVE SEWER, WATER, GAS, ELECTRIC AND OTHER UTILITIES, WHICH INTERFERE WITH THE EXECUTION OF THE WORK, SHALL BE REMOVED AND/OR CAPPED, PLUGGED OR OTHERWISE DISCONTINUED AT POINTS WHICH WILL NOT INTERFERE WITH THE EXECUTION OF THE WORK, SUBJECT TO THE APPROVAL OF ENGINEERING.
  - CONTRACTOR SHALL MINIMIZE DISTURBANCE TO EXISTING SITE DURING CONSTRUCTION. EROSION CONTROL MEASURES, IF REQUIRED DURING CONSTRUCTION, SHALL BE IN CONFORMANCE WITH THE PENNSYLVANIA STATE STANDARDS AND SPECIFICATIONS FOR SEDIMENT AND EROSION CONTROL.
  - ALL RESTORATION ISSUES SHALL BE COMPLETED WITHIN 72 HOURS OF THE COMPLETION OF THE WORK ACTIVITY OR WITHIN A REASONABLE AMOUNT OF TIME AS DIRECTED BY THE CONSTRUCTION MANAGER/ENGINEER.
  - ALL AREAS DISTURBED BY THE CONTRACTOR WITHOUT AUTHORIZATION SHALL BE RESTORED BY THE CONTRACTOR.
  - IN THE EVENT THE CONTRACTOR DAMAGES AN EXISTING UTILITY SERVICE CAUSING AN INTERRUPTION IN SAID SERVICE, HE SHALL IMMEDIATELY COMMENCE WORK TO RESTORE SERVICE AND MAY NOT CONTINUE HIS WORK OPERATION UNTIL SERVICE IS RESTORED.

### DRIVING DIRECTIONS

DIRECTIONS FROM CANONSBURG, PA:  
 GET ON I-79 S FROM CORPORATE DR. HEAD WEST. TURN LEFT TOWARD CORPORATE DR. TURN RIGHT ONTO CORPORATE DR. TURN LEFT ONTO SOUTHPOINTE BLVD. TURN RIGHT TO MERGE ONTO I-79 S. TAKE I-76 E TO PLYMOUTH RD IN PLYMOUTH MEETING. TAKE EXIT 333 FROM I-276 E. MERGE ONTO I-79 S. KEEP LEFT TO STAY ON I-79 S, FOLLOW SIGNS FOR INTERSTATE 70 E/INTERSTATE 79 S/NEW STANTON/MORGANTOWN. CONTINUE ONTO I-70 E. TAKE THE EXIT ONTO I-70 E/I-76 E TOWARD HARRISBURG. CONTINUE TO FOLLOW I-76 E. CONTINUE ONTO I-276 E. TAKE EXIT 333 TOWARD NORRISTOWN. TAKE FLOURTOWN RD AND JOSHUA RD TO STENTON AVE IN WHITEMARSH TOWNSHIP. TURN RIGHT ONTO PLYMOUTH RD. CONTINUE ONTO FLOURTOWN RD. TURN LEFT ONTO JOSHUA RD. TURN RIGHT ONTO STENTON AVE/CONFIDENTIAL. DESTINATION WILL BE ON THE RIGHT



CROWN BUN: 824932  
 JOSHUA HOUSE  
 400 STENTON AVENUE  
 PLYMOUTH MEETING,  
 PA 19462

SHEET TITLE  
 TITLE SHEET

SHEET NUMBER  
 T-1



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0 1 2 3  
 ORIGINAL SIZE IN INCHES



NORTH NOTE:  
NORTH IS APPROXIMATE.  
VERIFY TRUE NORTH PRIOR TO  
INSTALLATION OF ANTENNAS.

**GENERAL NOTES**

1. EXISTING SITE FEATURES AND PROPERTY LINES BASED ON A DRAWING BY OMNI POINT COMMUNICATIONS ENTERPRISES, L.P., DATED JULY 07, 1997, A FIELD INSPECTION COMPLETED BY TECTONIC ENGINEERING & SURVEYING CONSULTANTS P.C. DATED 01/03/20, & THE ONLINE MONTGOMERY COUNTY PA GIS DATABASE.
2. TRUE NORTH DETERMINED AS REFERENCED IN NOTE #1 (APPROXIMATE).
3. THE EXISTING FACILITY IS UNMANNED, AND THEREFORE DOES NOT REQUIRE A MEANS OF WATER SUPPLY OR SEWAGE DISPOSAL.
4. THE EXISTING FACILITY IS MINIMAL, AND WILL CREATE NO ADDITIONAL STORM WATER RUNOFF AND WILL THEREFORE NOT IMPACT THE EXISTING STORM WATER DRAINAGE SYSTEM.
5. THE EXISTING FACILITY DOES NOT INCLUDE OUTDOOR STORAGE OR ANY SOLID WASTE RECEPTACLES.
6. DESIGN AND CONSTRUCTION OF ANTENNA SUPPORTS SHALL CONFORM TO ANSI/TIA-222-H "STRUCTURAL STANDARDS FOR STEEL ANTENNA TOWERS AND ANTENNA SUPPORTING STRUCTURES". DESIGN WIND SPEED = 115 MPH. (40 MPH IN CONJUNCTION WITH 2 INCHES RADIAL ICE)
7. THE FACILITY INCLUDES SIGNS IN ACCORDANCE WITH FCC RULES ON RADIO FREQUENCY EMISSIONS 47 CFR 1.1307(B) AND EMERGENCY CONTACTS.
8. THE EXISTING UNMANNED FACILITY WILL REQUIRE MAINTENANCE VISITS OF APPROXIMATELY ONCE PER MONTH FOR GENERALLY AN HOUR AT A TIME. ADEQUATE PARKING EXISTS FOR THESE MAINTENANCE.
9. NO COMMERCIAL OR RETAIL SIGNS ARE PROPOSED.
10. NO TOWN-REGULATED STEEP SLOPES ARE PROPOSED TO BE DISTURBED.

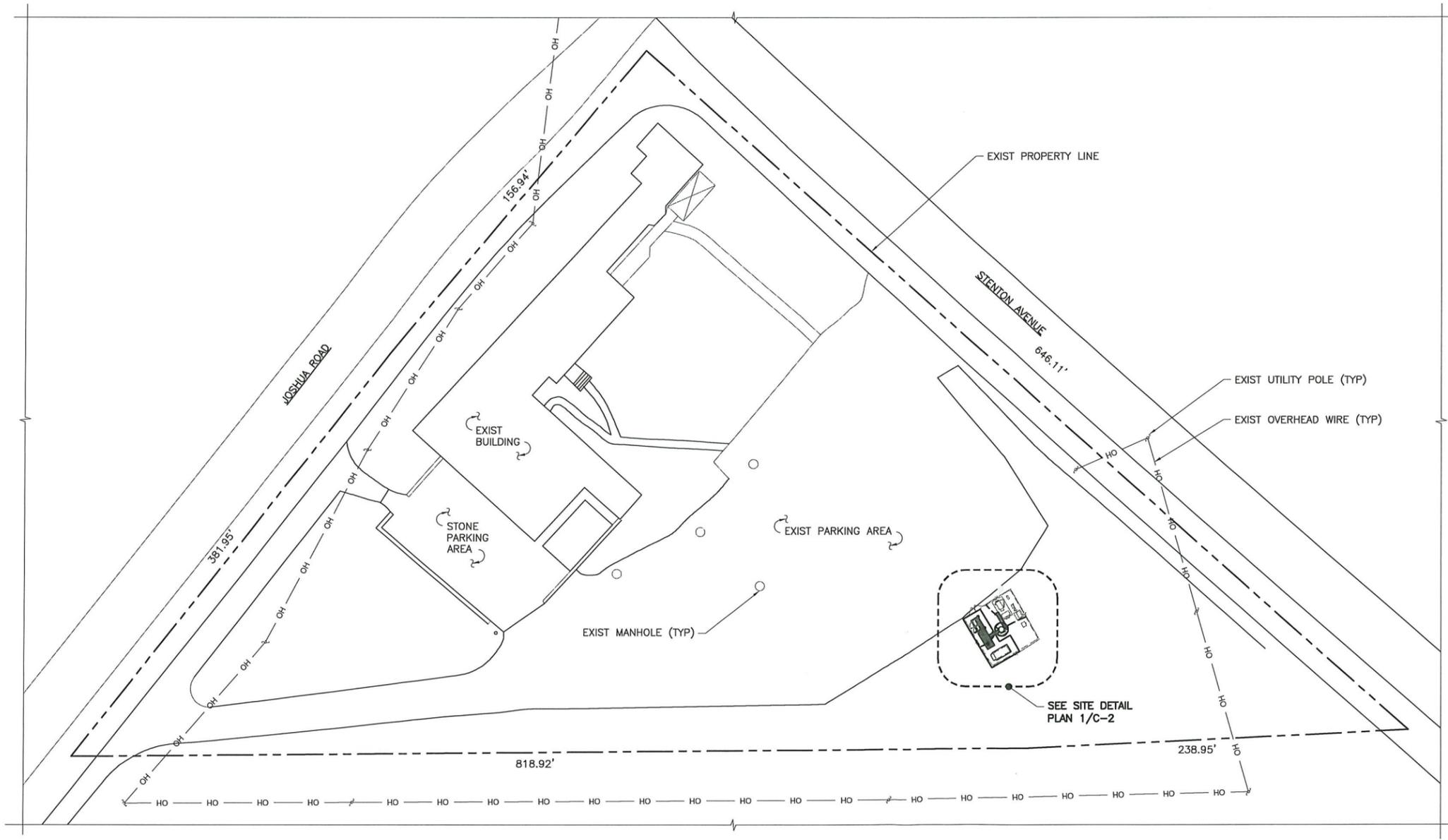
**Tectonic**  
TECTONIC ENGINEERING & SURVEYING CONSULTANTS P.C.  
75 Pleasant Hill Road Phone (845) 634-5350  
P.O. Box 37 Phone (800) 626-5531  
Lancaster, NY 17603 www.tectoniceng.com  
Project Contact: Jim 1278 Route 300  
Newburgh, NY 12550 Phone: (845) 567-8858

**CROWN CASTLE**

CROWN CASTLE \_\_\_\_\_  
LANDLORD \_\_\_\_\_  
LEASING \_\_\_\_\_  
RF \_\_\_\_\_  
CONSTRUCTION \_\_\_\_\_

PROJECT NUMBER 8446.JOSHUAHOUSE DRAWN BY GT

NO.	DATE	ISSUE
1	01/13/20	ISSUED FOR COMMENTS



RELEASED BY: [Signature] DATE: 12/30/20  
REGISTERED PROFESSIONAL ENGINEER  
ANTONIO A. GUALTIER  
ENGINEER PE045164-E  
PENNSYLVANIA

CROWN BUN: 824932  
JOSHUA HOUSE  
400 STENTON AVENUE  
PLYMOUTH MEETING,  
PA 19462

SHEET TITLE  
SITE PLAN

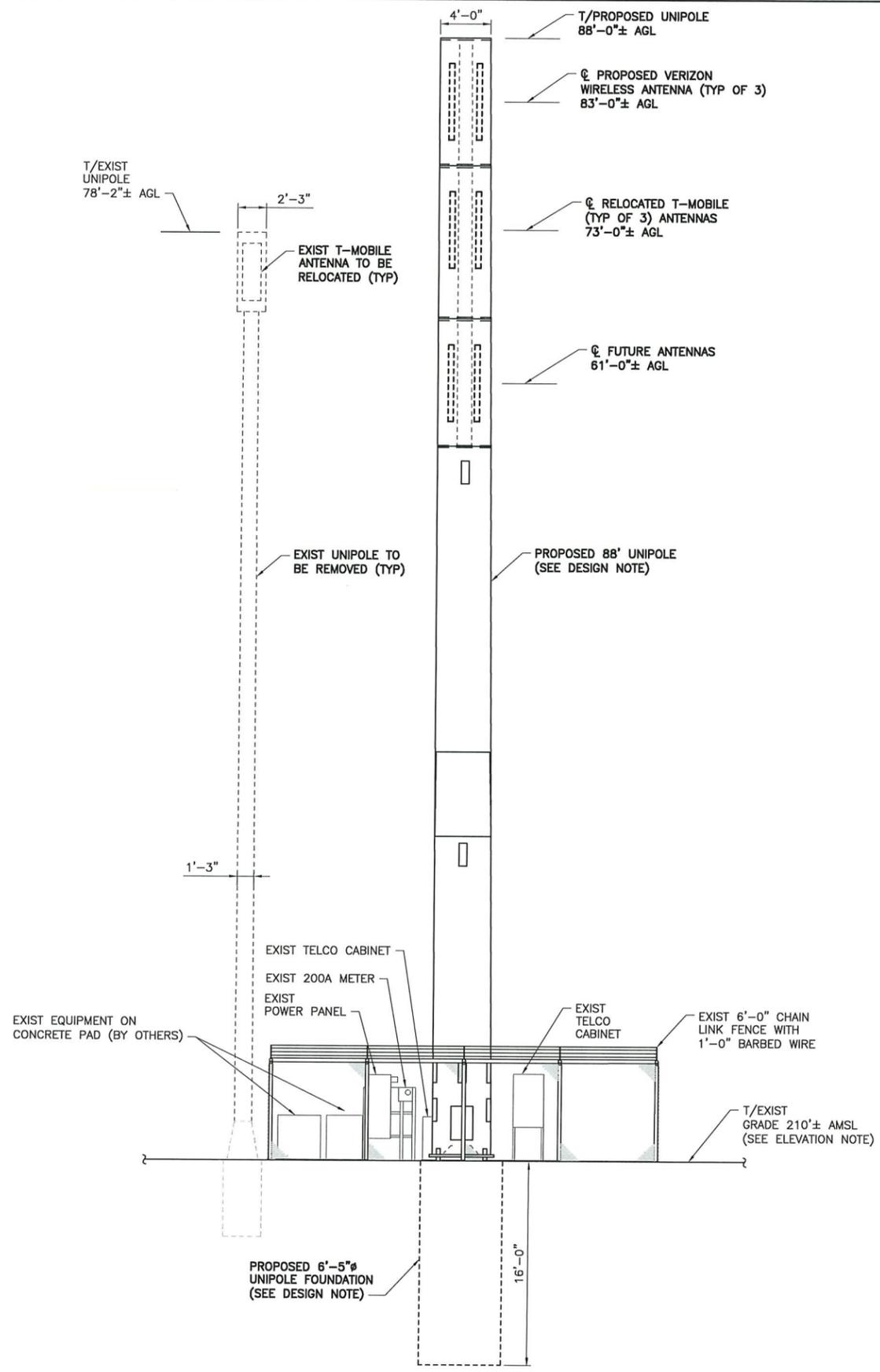
SHEET NUMBER  
C-1

1 SITE PLAN  
C-1 SCALE: 1" = 30'

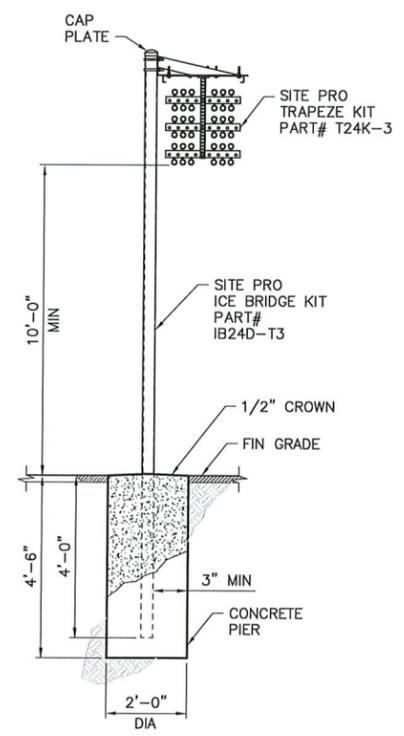
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ORIGINAL SIZE IN INCHES





1 ELEVATION  
SCALE: 1" = 4'



NOTE:  
CABLE BRIDGE TO BE STRUCTURALLY ANALYZED BY A PROFESSIONAL ENGINEER LICENSED IN THE STATE OF NEW YORK

2 CABLE BRIDGE DETAIL  
SCALE: 1/2" = 1'-0"

ELEVATION NOTE:  
ELEVATION OF PROPOSED MONOPOLE HAS BEEN ASSIGNED AS EL 298'±. THIS IS APPROXIMATELY 88.0'± ABOVE GRADE LEVEL WHICH WAS DETERMINED AS EL 210'± BASED ON GOOGLE EARTH.

DESIGN NOTE:  
THE PROPOSED UNIPOLE & FOUNDATION DESIGN IS BASED UPON A STRUCTURAL ANALYSIS PREPARED BY LARSON DATED, 12/10/19 & DRAWINGS PREPARED BY LARSON DATED 12/11/19.

**Tectonic**  
Tectonic Engineering & Surveying Consultants P.C.  
70 Pleasant Hill Road Phone: (645) 534-8608  
P.O. Box 37 (603) 828-6531  
Southbury, CT 06488 www.tectoniceng.com  
Project Contact: Bob 1279 Route 300  
Newburgh, NY 12550 Phone: (645) 587-8608



CROWN CASTLE \_\_\_\_\_  
LANDLORD \_\_\_\_\_  
LEASING \_\_\_\_\_  
RF \_\_\_\_\_  
CONSTRUCTION \_\_\_\_\_

PROJECT NUMBER	DRAWN BY
8446.JOSHUAHOUSE	GT

NO.	DATE	ISSUE
1	01/13/20	ISSUED FOR COMMENTS

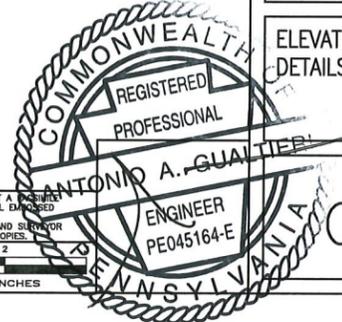
NO.	DATE	ISSUE

RELEASED BY: JMC DATE: 1/13/20

SITE INFORMATION  
CROWN BUN: 824932  
JOSHUA HOUSE  
400 STENTON AVENUE  
PLYMOUTH MEETING,  
PA 19462

SHEET TITLE  
ELEVATION & DETAILS

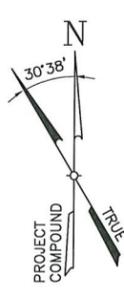
SHEET NUMBER  
C-3



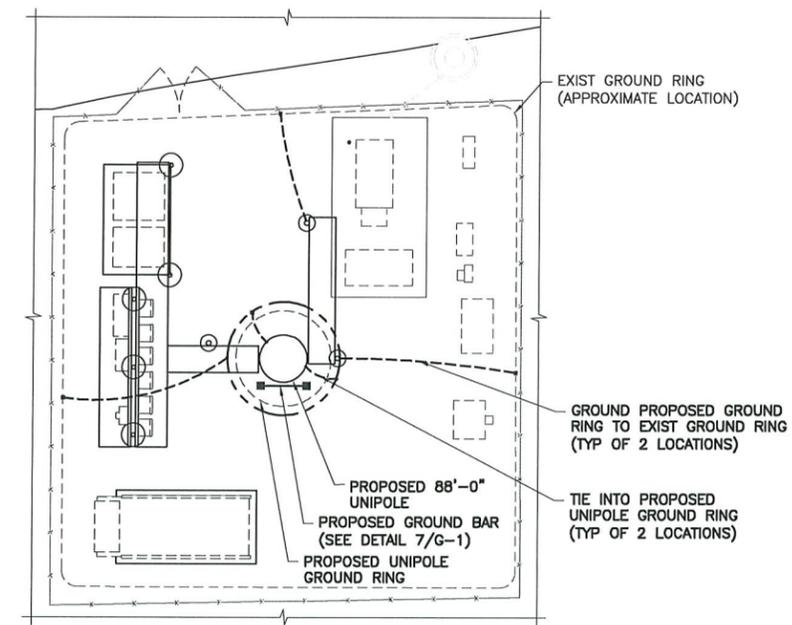
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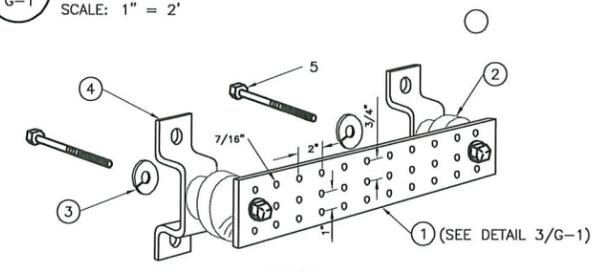
C-3



**NORTH NOTE:**  
NORTH IS APPROXIMATE. VERIFY TRUE NORTH PRIOR TO INSTALLATION OF ANTENNAS.



**1 GRONDING PLAN**  
G-1 SCALE: 1" = 2'

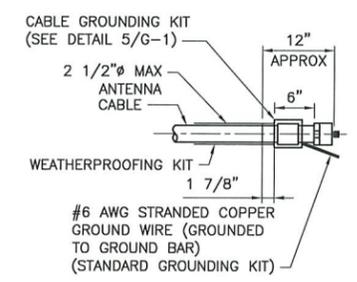


**LEGEND**

- 1- COPPER GROUND BAR, 1/4"x 4"x20 HOLE CENTERS TO MATCH NEMA DOUBLE LUG CONFIGURATION
- 2- INSULATORS
- 3- 5/8" LOCK WASHERS
- 4- WALL MOUNTING BRACKET
- 5- 5/8-11 x 1" H.H.C.S.BOLTS

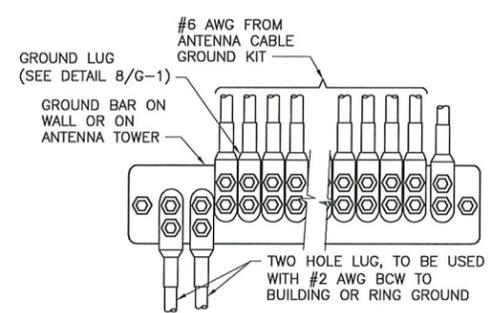
NOTE: FOR GROUNDING PLAN SEE DETAIL 1/G-1.

**4 GROUNDING BAR DETAIL**  
G-1 SCALE: NTS

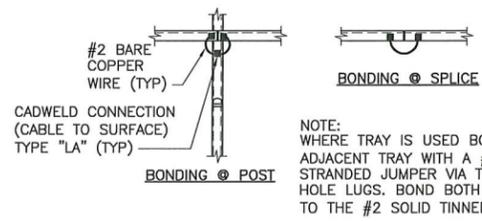


NOTE:  
DO NOT INSTALL CABLE GROUND KIT AT A BEND AND ALWAYS DIRECT GROUND WIRE DOWN TO GROUND KIT.

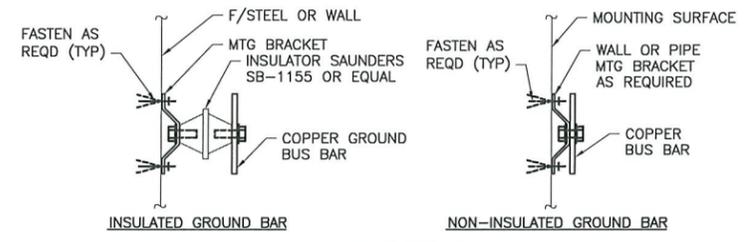
**6 CABLE GROUND KIT DETAIL**  
G-1 SCALE: 1" = 1'-0"



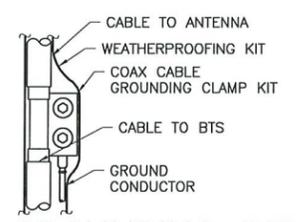
**7 GROUNDING DETAIL**  
G-1 SCALE: NTS



**2 COAX BRIDGE BONDING DETIAL**  
G-1 SCALE: NTS

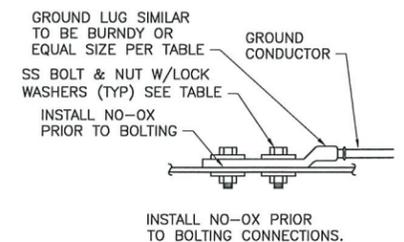


**3 SECTION**  
G-1 SCALE: 3" = 1'-0"



**5 CABLE GROUNDING DETAIL**  
G-1 SCALE: N.T.S.

WIRE SIZE	LUG #	BOLT DIA
#2	YA2CL-2TC14	1/4"
#2/0	YA25-2LN	1/2"



**8 LUG GROUND CONNECTION**  
G-1 SCALE: N.T.S.

**GROUNDING NOTES**

1. INTERIOR GROUNDING TO BE PROVIDED BY CONTRACTOR.
2. ALL ABOVE GROUND CONNECTIONS SHALL BE CADWELD, BOLT CLAMP, OR SPLIT BOLT CONNECTORS. CRIMP CONNECTORS SHALL NOT BE USED ON SOLID CONDUCTORS. CLAMPS MUST BE USED FOR FENCE AND HANDRAIL CONNECTION.
3. ALL GROUNDING CONNECTIONS TO THE GROUND BAR/ROD OR GROUND PLATE, INTAKE AND EXHAUST LOUVERS AND A/C UNIT SHALL BE MADE WITH TWO-HOLE, LONG-BARREL TYPE COMPRESSION LUGS, (BURNDY OR EQUAL). ALL LUGS ATTACHED TO BUSES USING BOLTS, NUTS, AND LOCK WASHERS.
4. ALL WIRE CONNECTORS SHALL BE THREE-CRIMP C TAP COMPRESSION, THOMAS & BETTS #54740, ORANGE.
5. ALL CONNECTORS SHALL BE CRIMPED USING HYDRAULIC CRIMPING TOOLS, T&B #TBM 8 OR EQUIVALENT.
6. ALL CONNECTIONS SHALL BE MADE TO BARE METAL. ALL PAINTED SURFACES SHALL BE FILED TO ENSURE PROPER CONTACT. NO WASHERS ARE ALLOWED BETWEEN ITEMS BEING GROUNDED. ALL CONNECTIONS ARE TO HAVE AN ANTI-OXIDIZING AGENT APPLIED PRIOR TO INSTALLATION.
7. WHERE ANY GROUNDING CONDUCTOR PASSES THROUGH METAL CONDUIT, BOTH ENDS OF CONDUIT SHALL BE GROUNDED.
8. ALL BENDS SHALL BE AS SHALLOW AS POSSIBLE, WITH NO TURNS SHORTER THAN AN 8-INCH NOMINAL RADIUS.
9. GROUNDING SYSTEM RESISTANCE SHALL NOT EXCEED 5 OHMS. IF THE RESISTANCE VALUE IS EXCEEDED, NOTIFY VERIZON FOR FURTHER INSTRUCTION ON METHODS FOR REDUCING THE RESISTANCE VALUE.
10. GROUND CONNECTORS TO ANTENNA MAST SHALL BE MADE WITH HEAVY DUTY GROUND CLAMPS SIMILAR TO THOMAS & BETTS OR APPROVED EQUAL.
11. ANTENNA CABLE INSTALLER TO PROVIDE GROUND ROD AT TOP & BOTTOM OF TOWER FOR ANTENNA CABLE GROUNDING. DOWNWARD LEADS FROM GROUNDING KITS MUST BE USED. GROUND KIT SHALL BE SIMILAR TO DETAIL 6/G-1.
12. CABLE BRIDGES ARE TO BE GROUNDED TO THE GROUND ROD WITH #6 SOLID WIRE. CONNECTIONS ARE DOUBLE LUG-BOLTED, SCREWED MECHANICAL CONNECTIONS WITH STAR WASHERS AND NO-OX GREASE.
13. GROUNDING CLAMPS SHALL BE BURNDY GAR-TC OR EQUAL. PREPARE SURFACE PER BURNDY SPECIFICATIONS.
14. AVOID DISRUPTION OF EXISTING GROUNDING SYSTEM, REPAIR ANY DAMAGE TO THE SATISFACTION OF OWNER.
15. CONTRACTOR SHALL INSTALL ALL GROUNDING IN ACCORDANCE WITH VERIZON'S SITE GROUNDING SPECIFICATIONS, LATEST EDITION.
16. THE ENTIRE ELECTRICAL INSTALLATION SHALL BE GROUNDED AS REQUIRED BY ALL APPLICABLE CODES.
17. GPS ANTENNA MOUNTS GROUNDED TO ANTENNA 'BAR NONE SOLUTION' WITH ONE #6 WIRE EACH. GPS CABLE SHALL HAVE ONE GROUND KIT INSTALLED AT THE EQUIPMENT FRAME AND ATTACH CONDUCTORS TO THE 'BAR NONE SOLUTION'.
18. ALL ANTENNA MOUNTS SHALL BE GROUNDED WITH A #2 GROUND WIRE CONNECTED TOGETHER AND SUBSEQUENTLY CONNECTED TO THE 'BAR NONE SOLUTION' AT THE EQUIPMENT FRAME. ALL CONNECTIONS ARE TO BE CAD-WELDED IF POSSIBLE.
19. PLUG ALL LB'S WITH ELECTRICAL CEMENT. PACK EPOXY AROUND ALL BOLTED LUGS. INSTALL ANTI-CORROSIVE GREASE ON ALL GROUNDING ATTACHMENTS.
20. UPON COMPLETION OF WORK, CONDUCT CONTINUITY, SHORT CIRCUIT, AND FALL OF POTENTIAL GROUNDING TESTS FOR APPROVAL. SUBMIT TEST REPORTS TO VERIZON.

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ORIGINAL SIZE IN INCHES

**Tectonic**  
Tectonic Engineering & Surveying Corporation  
20, Pleasant Hill Road, Phone: (845) 524-5259  
Sloatville, NY 10923 www.tectoniceng.com  
Project Contact: Joe Newburgh, NY 12920 Phone: (845) 587-8888

**CROWN CASTLE**

CROWN CASTLE \_\_\_\_\_  
LANDLORD \_\_\_\_\_  
LEASING \_\_\_\_\_  
RF \_\_\_\_\_  
CONSTRUCTION \_\_\_\_\_

PROJECT NUMBER 8446.JOSHUAHOUSE  
DRAWN BY GT

NO. DATE ISSUE  
01/13/20 ISSUED FOR COMMENTS

RELEASED BY: ANTONIO A. GUALTIERI  
DATE: 4/12/20

REGISTERED PROFESSIONAL ENGINEER  
ANTONIO A. GUALTIERI  
PE045164-E

CROWN CASTLE  
JOSHUA HOUSE  
400 STENTON AVENUE  
PLYMOUTH MEETING,  
PA 19462

SHEET TITLE  
GROUNDING PLAN

SHEET NUMBER  
G-1



real property at the rear of 400 Stenton Avenue in the Township (the "Joshua House Property");  
and

WHEREAS, Omnipoint also initiated a litigation by filing a protective notice of land use appeal captioned Omnipoint Communications Enterprises, Inc. v. Zoning Hearing Board of Whitemarsh Township, in the Court of Common Pleas of Montgomery County, Pennsylvania at docket number 9803007 (the "Appeal") pursuant to which Omnipoint sought to reverse the ZHB's decision denying the application of Omnipoint to construct the PCS cell site at the Joshua House Property (the Lawsuit and the Appeal are sometimes herein collectively referred to as the "Litigations"); and

WHEREAS, the Joshua House Property is located in the "AA Residential" Zoning District of the Township where "Public Utility Facilities", as defined in the Whitemarsh Township Zoning Ordinance ("Zoning Ordinance"), are permitted uses by special exception pursuant to Section 116-35(C)(1) of the Zoning Ordinance; and

WHEREAS, the Joshua House Property consists of approximately 3.5 acres of land and is identified as Tax Parcel # Block 52, Lot 9. The present improvements on the Joshua House Property consist of an historic structure which has been converted to business offices (the "Joshua House"); a commercial parking lot and a heavily landscaped and wooded area to the rear of the property; and

WHEREAS, Omnipoint proposed to erect a PCS cell site with an 80 foot high unlighted tower, without any associated building or office to the rear of the landscaped area which separates the Joshua House from an adjacent quarry operation (the "Original Site"); and

WHEREAS, Omnipoint filed an application for a hearing to the ZHB requesting a special exception and certain variances to install the PCS cell site at the Original Site; and

WHEREAS, at the conclusion of the hearing, the ZHB rendered an oral determination that Omnipoint's proposed use constituted a Public Utility Facility under the Zoning Ordinance but denied Omnipoint's requests for a special exception and variances to construct the PCS cell site; and

WHEREAS, after initiating the Litigations, Omnipoint entered into further negotiations with the owner of the Joshua House Property to install and operate a PCS cell site on another portion of the Joshua House Property; and

WHEREAS, Omnipoint submitted to the Township an amended site plan prepared by Edwards and Kelcey Wireless, L.L.C., dated July 24, 1997 and last revised June 15, 1998 (the "Amended Plan"), for an Omnipoint PCS cell site consisting of a 78 foot high unlighted unipole, without any associated building or office at a point on the Joshua House Property closer to the Joshua House than was the Original Site (the "Alternate Site"); and

WHEREAS, the Amended Plan and the unipole design have been reviewed by the Township for compliance with the Zoning Ordinance and the Subdivision and Land Development Ordinance of the Township and the applicable provisions of Municipalities Planning Code, 53 Pa.C.S.A. § 10100 *et seq.* (the "MPC"); and

WHEREAS, Omnipoint believes that an Omnipoint PCS cell site at the Alternate Site will adequately serve substantially the same area and potential personal wireless service

customers in the Township as would be served by an Omnipoint PCS cell site at the Original Site; and

WHEREAS, the Township prefers the location of a unipole and PCS cell site at the Alternate Site rather than at the Original Site; and

WHEREAS, all of the parties to this Settlement Agreement, without making or implying any admissions or concessions as to their respective positions, desire to resolve their differences amicably in order to avoid the risks, burden and expense of continued litigation;

NOW, THEREFORE, in consideration of the premises and other good and valuable consideration, receipt of which is hereby acknowledged, Omnipoint, ZHB and Township agree as follows:

1. The Township and ZHB both agree and hereby certify that the installation and operation of an Omnipoint PCS cell site constitutes a Public Utility Facility and is a use permitted by special exception pursuant to Section 116-35(C)(1) of the Zoning Ordinance.
2. The Township and ZHB both agree and hereby certify that the installation and operation of an Omnipoint PCS cell site at the Alternate Site consisting of a 78 foot unipole of substantially the same design as that depicted in the photograph attached hereto as Exhibit "A", and installed substantially where and as depicted on the Amended Plan attached hereto as Exhibit "B", shall be permitted pursuant to the following:
  - a) ZHB hereby grants a special exception under Section 116-35(C)(1) of the Zoning Ordinance;
  - b) ZHB hereby grants a variance from Section 116-49(F) of the

Zoning Ordinance; and

c) Township hereby grants a waiver of the requirement for Omnipoint to obtain land development approval.

3. Omnipoint shall file for a building permit for its PCS cell site at the Alternate Site no later than September 1, 1999.

4. Upon the filing by Omnipoint for a building permit for its PCS cell site at the Alternate Site, the Township shall, upon presentation of an application and plans by Omnipoint evidencing compliance with the Building Code, if any, of the Township, use its best efforts to issue a building permit promptly and within all legal time limits and, thereafter, will take no action which would limit and/or revoke the permit or otherwise support any challenge to the permit so long as Omnipoint complies with Township ordinances and regulations.

Omnipoint's sole requirement for issuance of the building permit for its PCS cell site at the Alternate Site shall be compliance with construction standards contained in the Township's Building Code, if any.

5. In express reliance upon the representations and actions mentioned in premises and paragraphs 1, 2 and 4 of this Settlement Agreement and within five (5) business days of the execution of this Settlement Agreement by all parties, Omnipoint shall take the steps necessary, along with ZHB, to cause the Litigations to be dismissed with prejudice by requesting the Court in the Lawsuit to enter this Settlement Agreement as an Order and by filing a Praecipe to Mark Case Settled, Discontinued and Ended in the Appeal.

6. Upon execution of this Settlement Agreement and except for any rights, duties or obligations created by this Settlement Agreement, Omnipoint does hereby remise, release and forever discharge ZHB and Township and each of their past and present, officers, agents, attorneys and employees from any and all manner of actions, causes of action, suits, debts, accounts, contracts, agreements, controversies, judgments, damages, claims, liabilities and demands of any nature whatsoever which Omnipoint ever had, now has, or hereafter can, shall or may have for, upon or by reason of any act, transaction, practice, conduct, matter, cause or thing of any kind whatsoever that arose or occurred prior to the date hereof and arose out of, related to or is based upon, in whole or in part:

- a) the Lawsuit; or
- b) the Appeal; or
- c) ZHB's decision to deny the application to construct a PCS cell Site at the Original Site.

7. Upon execution of this Settlement Agreement and except for any rights, duties or obligations created by this Settlement Agreement, ZHB and Township do hereby remise, release and forever discharge Omnipoint and each of its past and present divisions, subsidiaries, parents, affiliates, partners, limited partners, stockholders, directors, officers, agents, attorneys and employees from any and all manner of actions, causes of action, suits, debts, accounts, contracts, agreements, controversies, judgments, damages, claims, liabilities and demands of any nature whatsoever which ZHB and Township ever had, now have, or hereafter can, shall or may have for, upon or by reason of any act, transaction, practice, conduct, matter,

cause or thing of any kind whatsoever that arose or occurred prior to the date hereof and arose out of, related to or is based upon, in whole or in part:

- a) the Lawsuit; or
- b) the Appeal; or
- c) ZHB's decision to deny the application to construct a PCS cell Site

at the Original Site.

8. The Court shall retain jurisdiction with regard to the enforcement of any terms of this Settlement Agreement.

9. Each of the parties hereto represents and warrants that each has not sold, assigned, transferred, or conveyed any claim, demand or cause of action relating to any matter covered by this Settlement Agreement.

10. This Settlement Agreement shall inure to the benefit of each of the parties hereto and their respective heirs, executors, administrators, predecessors, successors and assigns and shall be binding upon each of the parties and their heirs, executors, administrators, predecessors, successors and assigns.

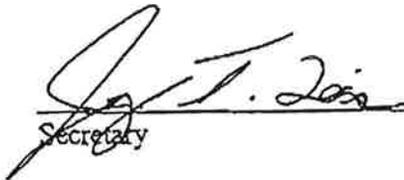
11. Each of the signatories below represents and warrants that he or she has the power and authority to bind the party for whom he or she is signing this Settlement Agreement.

12. This Settlement Agreement constitutes the sole and complete record of the understandings and agreements of the parties hereto with respect to the matters covered herein,

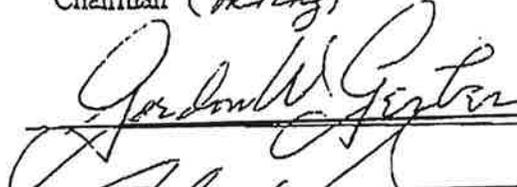
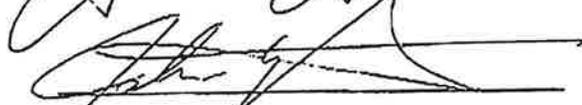
supersedes any prior agreement between the parties, and may not be modified except in a writing signed by the parties.

IN WITNESS WHEREOF, each of the parties to this Settlement Agreement, intending to be legally bound hereby, has executed this Settlement Agreement as of the day and date indicated above.

ZONING HEARING BOARD OF  
WHITEMARSH TOWNSHIP

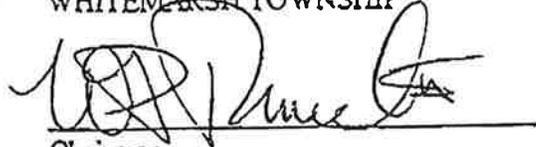
  
Secretary

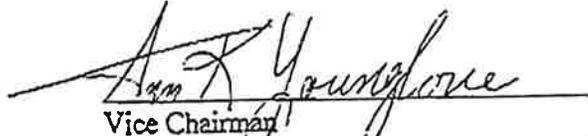
  
Chairman (Acting)

BOARD OF SUPERVISORS OF  
WHITEMARSH TOWNSHIP

  
Secretary

  
Chairman

  
Vice Chairman

  
Member

Approved as to form:

*Randy Johnson*  
Solicitor, Zoning Hearing Board

*[Signature]*  
Solicitor, Board of Supervisors

OMNIPOINT COMMUNICATIONS  
ENTERPRISES, L.P., on behalf of itself and as  
successor in interest to Omnipoint  
Communications Enterprises, Inc.:

By: *Charles Johnston*  
Name: Charles Johnston  
Title: Chief Operating Officer  
OPCS PHILADELPHIA HOLDINGS, General  
Partner of OMNIPOINT COMMUNICATIONS  
ENTERPRISES, L.P.

This case is hereby DISMISSED pursuant to the agreement of the parties set forth above, each party to bear its own costs.

SO ORDERED:

\_\_\_\_\_  
Anita B. Brody, J.

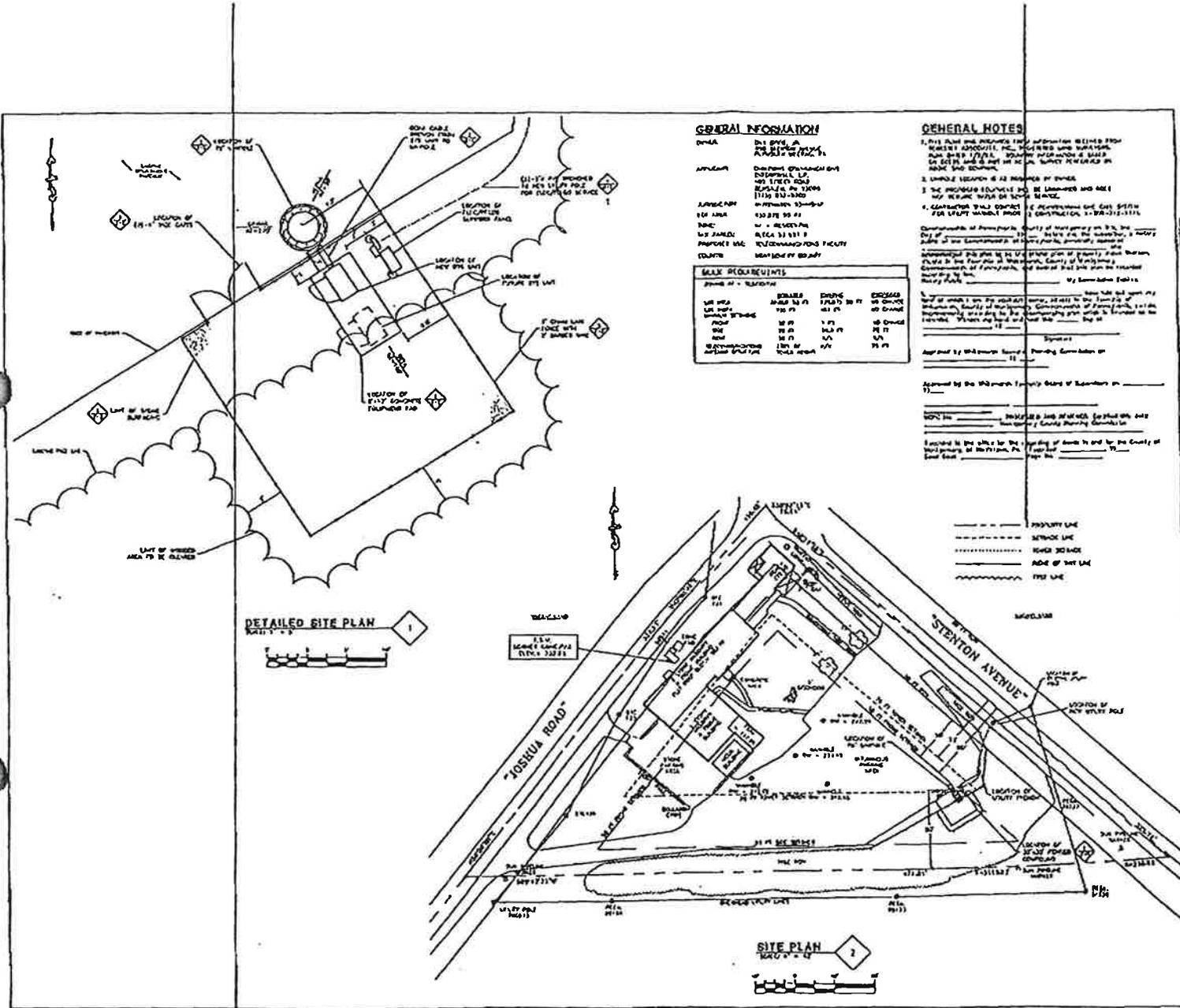
EXHIBIT "A"

Photograph of 78 Foot Unipole



EXHIBIT "B"

Amended Site Plan Prepared By Edwards and Kelcey Wireless, L.L.C.,  
Dated July 24, 1997 and Last Revised June 15, 1998



GENERAL INFORMATION

OWNER: 211 27th St  
 PHOENIX, AZ 85016  
 PROJECT: 211 27th St  
 PROJECT NO: 1110 211-27th St  
 PROJECT NAME: TELECOMMUNICATIONS FACILITY  
 COUNTY: MARICOPA COUNTY

MAXIMUM REQUIREMENTS

TYPE OF TRANSMITTER	HEIGHT	POWER	CLASSIFICATION
CELL PHONE	300 FT	100 W	Class 1
TV BROADCAST	300 FT	100 W	Class 1
FM BROADCAST	300 FT	100 W	Class 1
TV BROADCAST (LOW POWER)	300 FT	100 W	Class 1
TV BROADCAST (HIGH POWER)	300 FT	100 W	Class 1
FM BROADCAST (LOW POWER)	300 FT	100 W	Class 1
FM BROADCAST (HIGH POWER)	300 FT	100 W	Class 1
TV BROADCAST (LOW POWER)	300 FT	100 W	Class 1
TV BROADCAST (HIGH POWER)	300 FT	100 W	Class 1

GENERAL NOTES

1. THIS PLAN AND SPECIFICATIONS SHALL BE CONSIDERED AS PART OF THE CONTRACT DOCUMENTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE, AND FEDERAL AUTHORITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE, AND FEDERAL AUTHORITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE, AND FEDERAL AUTHORITIES.

WIRELESS, LLC  
 1000 N. 10TH AVENUE  
 SUITE 100  
 PHOENIX, AZ 85016  
 (602) 955-1111

PHOENIX, AZ  
 OCT 30 2004  
 SAUL EWING  
 REGISTERED PROFESSIONAL ENGINEER  
 NO. 11102  
 STATE OF ARIZONA

OMNIPONT COMMUNICATIONS ENTERPRISES, L.P.  
 100 STANTON ROAD  
 PITTSBURGH, PA 15201  
 (412) 321-1111

NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR PERMITTING	10/30/04	SAUL EWING
2	REVISED PER PERMITTING	10/30/04	SAUL EWING
3	REVISED PER PERMITTING	10/30/04	SAUL EWING
4	REVISED PER PERMITTING	10/30/04	SAUL EWING
5	REVISED PER PERMITTING	10/30/04	SAUL EWING
6	REVISED PER PERMITTING	10/30/04	SAUL EWING
7	REVISED PER PERMITTING	10/30/04	SAUL EWING
8	REVISED PER PERMITTING	10/30/04	SAUL EWING
9	REVISED PER PERMITTING	10/30/04	SAUL EWING
10	REVISED PER PERMITTING	10/30/04	SAUL EWING

SITE INFORMATION

STER 12380C  
 JONHIA  
 100 STANTON ROAD  
 PITTSBURGH, PA

DESIGN TYPE: NEW UNIPOLE

SHEET TITLE: SITE PLAN AND DETAILED SITE PLAN

SHEET NUMBER: 2-1

PAGE: 3

STER 12380C JONHIA  
 SITE 12380C JONHIA  
 SITE 12380C JONHIA

DECISION AND ORDER

WHITEMARSH TOWNSHIP ZONING HEARING BOARD

APPLICATION 97-34

Omnipoint Communications Enterprises, Inc. First Hearing 11/10/97 Decided 1/12/98 Copy Mailed 1/13/98

At a public hearing of the above application, the Zoning Hearing Board decides and orders as follows:

1. The Board decides that the monopole with communications antenna and equipment cabinet proposed to be located on a portion of the property at 400 Stanton Avenue is a public utility facility in accordance with Section 116-11 of the Whitemarsh Township Code.
2. The Special Exception in accordance with Section 116-35.C(1) necessary to allow the proposed public facility use in a residential district is hereby ~~granted~~ / denied.
3. The variance from Section 116- 49.F necessary to allow the pole to be *83* feet high is hereby ~~granted~~ / denied.
4. The Variance from Section 116-49.E of the Code necessary to allow the pole and equipment structure to invade the rear yard by *30* feet is hereby ~~granted~~ / denied.

THIS DECISION IS SUBJECT TO THE FOLLOWING CONDITIONS:

1. All use and development allowed by any granted application shall conform to the exhibits and testimony presented at the hearing unless inconsistent with these conditions in which case these conditions shall take precedence.



Two handwritten signatures are present, each written over a horizontal line. The signature on the left is written in dark ink and appears to be 'John H. [unclear]'. The signature on the right is also in dark ink and appears to be 'Gordon W. [unclear]'. A large diagonal slash is drawn over the space between the two signatures.

RICHARD KIIDE (absent)

This Decision and Order of the Board is final and any appeal of it must be filed with the Court of Common Pleas of Montgomery County within 30 days following the copy mailing date set out above.

Section 116-223 of the Whitemarsh Township Code provides that all applications granted by the Board shall automatically expire 365 days after the expiration of the last day to appeal to the Court of Common Pleas of Montgomery County or to an Appellate Court, if, during that time, the applicant has not acted upon the granted application by obtaining the granted permit and paying the required fee for same. Any request for an extension must be submitted in writing to the Board at least thirty (30) days prior to the expiration date.