

RESOLUTION GRANTING VERIZON
A WAIVER OF THE NOVEMBER 12, 2008 SCARCE RESOURCE RESTRAINT
ON HIGHLANDS MUNICIPALITIES
MONTVILLE TOWNSHIP, MORRIS COUNTY
COAH DOCKET #09-2139

WHEREAS, on November 12, 2008, the Council on Affordable Housing (COAH) passed a “Resolution Granting Extension of Time to File Third Round Petition for Substantive Certification and Imposing Scarce Resources Restraint” (Resolution); and

WHEREAS, pursuant to the Resolution, Montville Township (Montville or Township), submitted to COAH a Notice of Intent to Petition in accordance with the Highlands Council’s Plan Conformance Guidelines and a duly adopted resolution notifying COAH of its intent to petition COAH for substantive certification of Montville’s housing element and fair share plan no later than December 8, 2009; and

WHEREAS, as a result of submitting the required documents, Montville received an extension from COAH of the December 31, 2008 third round petition deadline; and

WHEREAS, pursuant to the Resolution, Montville became subject to a scarce resource restraint that applies to any and all municipal actions associated with development approvals, water allocation and wastewater allocation so that scarce land, water, and sewer resources are reserved for the production of affordable housing; and

WHEREAS, on August 12, 2009, COAH adopted a resolution granting Highlands municipalities an additional extension of time, until June 8, 2010, to file third round petitions; and

WHEREAS, E2 Project Management (E2PM) submitted a waiver request on behalf of New York SMSA Partnership d/b/a Verizon Wireless (Verizon) pursuant to N.J.A.C. 5:96-13.1 for relief from the COAH scarce resource restraint waiver to install telecommunication antennas on an existing 101 - foot tall monopole and place support equipment in a proposed equipment shelter within an existing wireless compound located at 10 Cooks Lane, Montville Township, Morris County; and

WHEREAS, Verizon proposes to mount twelve wireless antennas at a centerline elevation of approximately 77 feet above ground level on the existing monopole, to locate support equipment in a proposed 12 - foot by 30 - foot equipment shelter within the existing

wireless compound that is enclosed by a six - foot high chain link fence, and to provide access to the wireless facility from an existing access road located at Cooks Lane; and

WHEREAS, the existing monopole is owned by Towerco, 5000 Valleystone Drive, Cary, North Carolina; and

WHEREAS, the property is zoned industrial (I-1A) and Figure 1 (attached) provides the site area map and Figure 2 (attached) shows the geographical location of the site; and

WHEREAS, the site of the proposed wireless facility is located within a parcel of land that has been previously developed with an existing wireless compound and is utilized as a storage area for landscaping materials that include mulch, soil and stone; and

WHEREAS, according to the Highlands Council Interactive Mapping system, the site is located within the Planning Area of the New Jersey Highlands within a Planned Community Zone/Specially Planned Area land use capability; and

WHEREAS, no opposition was received; and

WHEREAS, a task force convened on August 22, 2009 to discuss Verizon's waiver request; and

WHEREAS, the task force recommended that the waiver request be granted, finding that the facility will not be using sewer or water resources and will not be occupying a site likely to be used for affordable housing.

NOW THEREFORE BE IT RESOLVED that that the Council finds that Verizon is entitled to a limited waiver of the Scarce Resource Restraint imposed upon the Highlands; and

BE IT FURTHER RESOLVED Verizon will not be using land water or sewer resources that would otherwise be used for the production of affordable housing.

I hereby certify that this Resolution was duly adopted by the Council on Affordable Housing at its meeting on September 9, 2009

A handwritten signature in cursive script that reads "Renee Reiss". The signature is written in black ink and is positioned above the printed name and title.

Renee Reiss
Council Secretary