



**Wayne C. Luker, President**  
**Steven N. Kline, Vice President**  
**Michael LeFevre, Manager**  
**Jay W. Blumenthal, Treasurer**

**1176 Old York Road Abington PA 19001-3713 Telephone: 267-536-1000**

## **Zoning Hearing Notice**

Notice is hereby given that the Zoning Hearing Board of the Township of Abington will hold a meeting as required by the Township's Zoning Ordinance at the Abington Township Administration Building, 1176 Old York Road, Abington, Pennsylvania, on:

**Tuesday, December 15 2015** at 7:00 p.m., at which time a public hearing will commence on the following application:

**15-15:** This is the application of **Cellco Partnership d/b/a Verizon Wireless**, applicants for the property located at 2442 Old Welsh Road, Willow Grove, Pa. The property is currently in use as the home of Fox Fuel. The applicant seeks approval to install a 100 foot high tower for use by Verizon Wireless equipment. The tower is proposed to be placed inside a 50 foot by 50 foot fenced area with a perimeter landscaped buffer. The applicant seeks dimensional and use variances from Section 304.2 of the Zoning Ordinance, Ordinance #1793 and Ordinance #1800 of the Township of Abington. Dimensional relief is required for setbacks from the property line and the adjoining residential district. A use variance is required due to the fact that a portion of the property is zoned within the R-4 Residential District.

The property is zoned within the (SC) Special Commercial and (R-4) Residential District of Ward #5 of the Township of Abington. A copy of the application and site plan are on file with the Planning & Zoning Office and is available for review during normal business hours.

By Order of the Zoning Hearing Board.

Mark A. Penecale  
Planning & Zoning Officer

**Note:** There is a 30 day period after the date the decision is rendered for any and all aggrieved persons to file an appeal in the appropriate court to contest the actions of the Zoning Hearing Board. Applicants that take action on a Zoning Hearing Board Approval during the 30 day appeal period, do so at their own risk. If there are questions that you may have, please feel free to contact the Zoning Officer at 267-536-1017. If you are unable to attend the hearing, written comment may be entered into the record by submitting them in advance of the hearing to the Planning & Zoning Officer.



**Zoning Hearing Board Application**



Abington Township, PA

1176 Old York Road, Abington PA 19001, Fax: 215-884-8271, Telephone: 267-536-1000

This application must be accompanied by a minimum of ten (10) copies of the plot plan of the property, prepared and signed by a registered land surveyor or professional engineer. The plan must include lot area, lot dimensions, coverage percentages, existing structures, other improvements, proposed improvements, off-street parking, buffers and all characteristics on the site.

The Undersigned herein makes application for:

- Request for Variance from the Zoning Ordinance.
- Request for a Special Exception as provided by the Zoning Ordinance.
- Appeal from the actions of the Zoning Officer.

1. Name and address of the owner of the land: Phone number:  
Malcolm H. Fox  
2450 Old Welsh Road  
Willow Grove, PA 19090
  
2. Name and address of the applicant: Phone number: 610-420-0775  
Cellco Partnership, d/b/a Verizon Wireless  
5175 Campus Drive  
Plymouth Meeting, PA 19462
  
3. Name and address of the attorney: Phone number: 610-458-4400  
Nicholas A. Cuce, Jr., Esquire  
Riley Riper Hollin & Colagreco  
717 Constitution Drive, P.O. Box 1265  
Exton, PA 19341
  
4. If the applicant is not the owner of the property, list the applicant's interest in filing this application.  
Example: equitable owner, agent, lessee, etc.  
Lessee - Letter of Authorization included with Application
  
5. Description of the property:  
Address/location 2442 Old Welsh Road, Willow Grove, PA (Tax Parcel Nos. 30-00-49012-00-8 & 30-00-49016-00-4)  
Present use Vacant parcels  
Proposed improvement Wireless telecommunications facility

**Zoning Hearing Board Application**



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6. State briefly the reasons for which the proposed improvements or use does not meet the requirements of the Zoning Ordinance, and the nature of relief you are seeking:

See Addendum "A" attached hereto and incorporated herein.

7. List the specific section of the Zoning Ordinance upon which the application for a variance or special exception is based:

See Addendum "A" attached hereto and incorporated herein.

8. Describe in detail the grounds for the appeal, or the reasons both in law and in fact for the granting of the variance or special exception, describing in detail the nature of the unique circumstances, and the specific hardship justifying your request for approval of the application.

See Addendum "A" attached hereto and incorporated herein.

9. List any and all prior Zoning Hearing Board action regarding the property. List the date, case number and the nature of the zoning relief granted.

None to the best of Applicant's knowledge.

10. List any and all additional information, records, transcripts which may be helpful to the Zoning Hearing Board in rendering a decision: A minimum of eight (8) copies are required to be submitted.

See accompanying cover letter

By:

Signature of Applicant  
Nicholas A. Cuce, Jr., Esquire  
Attorney for Applicant

Signature of Owner *Attorney-in-Fact*

Internal Validation:

Date Received: *11/19/15*

Fee Paid: *\$1,000.00*

Case: *15-15*

*Check 61950  
62052.*

RECEIVED  
NOV 19 2015

BY:

Signature of the Zoning Officer

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

**IN RE: ZONING HEARING BOARD APPLICATION OF  
CELLCO PARTNERSHIP, D/B/A VERIZON WIRELESS  
PHI SATURN COW  
2442 Old Welsh Road, Willow Grove, PA**

**ADDENDUM "A" TO ZONING HEARING BOARD APPLICATION**

**I. BACKGROUND**

The subject property is owned by Malcom H. Fox and is located at 2442 Old Welsh Road in Abington Township, which is located at the intersection of Old Welsh Road and Park Avenue and is further identified as Tax Parcel Nos. 30-00-49012-00-8 and 30-00-49016-00-4 (collectively, "Property"). The Property is split-zoned between the SC Special Commercial Zoning District and the R-4 Residential High Density Zoning District and is currently a vacant lot.

Cellco Partnership, d/b/a Verizon Wireless ("Applicant") has need for wireless coverage and additional capacity in this area of the Township. Applicant proposes the installation of a **temporary** wireless telecommunications facility at the Property. The portion of the Property on which the facility is proposed to be installed is located in the R-4 District. The proposed facility will remain at the Property only until Applicant secures a permanent replacement location.

The proposed temporary facility would consist of a cell-on-wheels ("COW") and ballast mounted monopole, which would be enclosed within a 50' x 50' fenced compound surrounded by a 4' wide landscape buffer. The proposed monopole would be mounted on four (4) concrete ballasts and measure 100' in height with a 5' lighting rod. The antennas would be mounted thereto at a RAD center height of 96'. The ballast frame surrounding the monopole would measure 24' x 24'. The proposed COW would measure 40' in length. The facility would be accessed by a proposed 6' wide gravel access walkway with an entrance from Park Avenue.

**II. REQUESTS FOR RELIEF**

Applicants request the following:

1. A use variance from Section 304.2 (*Use Regulations*) of the Abington Township Zoning Ordinance, as amended ("Zoning Ordinance") and Ordinance No. 1793, to permit the installation of a wireless telecommunications facility on the portion of the Property located in the R-4 Zoning District.

2. A variance from Ordinance No. 1800, Section 6(b)(4)(i) to permit the tower to be setback a distance less than 75% of the height from any adjoining lot line.

3. A variance from Ordinance No. 1800, Section 6(b)(5)(i) to permit the tower to be located within a residential district and not comply with the separation requirements

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

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

2. The addition of a telecommunications 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 it is temporary in nature and will be removed upon securing a permanent location.

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 overcrowd 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. 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.

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

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

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

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

16. 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.

17. 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, Verizon 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 all of the reasons stated above, Verizon requests the above referenced relief.

Respectfully submitted,

RILEY RIPER HOLLIN & COLAGRECO

Date: 10/30/15

By:   
\_\_\_\_\_  
Nicholas A. Cucé, Jr., Esquire  
Attorney for Applicant

October 26, 2015

Abington Township  
1176 Old York Road  
Abington, PA 19001

**RE: PHI-SATURN COW for Verizon Wireless**

**2450 Welsh Road, Abington Township, Montgomery County, PA**

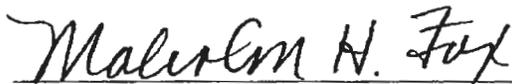
Tax Parcel Nos. 30-00-49012-00-8; 30-00-49016-00-4; and 30-00-49020-00-9

To Whom It May Concern:

Please be advised that we are the legal owner of the property listed below. We have agreed to permit Cellco Partnership d/b/a Verizon Wireless to construct a wireless communications facility on our property. Please allow this letter to serve as the necessary authorization for Cellco Partnership d/b/a Verizon Wireless to apply for all necessary approvals and permits required for the installation and construction.

Thank you for your assistance in this matter.

Sincerely,



By: Malcolm H Fox

Fox Oil, 2450 Old Welsh Road, Willow Grove

