

**EAST GOSHEN TOWNSHIP
PLANNING COMMISSION
Meeting Agenda
Wednesday, September 7, 2011
7:30 PM**

- A. Call to Order / Pledge of Allegiance / Moment of Silence
- B. Chairman will ask if anyone is going to record the meeting
- C. Review of Tracking Log / Determine need for Workshop Meeting
- D. Public Comment on Non-Agenda Items
- E. Approval of Minutes
 - 1. **Aug 3, 2011**
- F. Acknowledge Receipt of New Applications
- G. Subdivision Plans
- H. Land Development Plans
- I. Conditional Uses, Variances & Special Exceptions
 - 1. **New Cingular Wireless PCS, LLC d/b/a AT&T Mobility, 21 Edgewood Rd. (CU)**
 - 2. **QVC, Presentation of Application, 1365 Enterprise Dr. (CU)**
 - 3. **Acero Holdings, LLC, 1340 Enterprise Drive (CU)**
 - 4. **Galik, 41 Sherman Drive (V)**
- J. Ordinance Amendments
 - 1. **Sign Ordinance Amendment Discussion**
 - 2. **Misc Ord. Amendments (NIHBB, Act 102, Brush, WCF Height)**
- K. Old Business
- L. New Business
- M. Any Other Matter
- N. Meeting Dates of Importance

September 8, 2011	Farmer's Market	3:00 pm
	Historical Commission	7:00 pm
September 12, 2011	Municipal Authority	7:00 pm
September 13, 2011	Board of Supervisors -	7:00 pm
	C/U Hearing – New Cingular/ATT	
September 14, 2011	Conservancy Board	7:00 pm
September 15, 2011	Police Commission	8:00 am
	Farmer's Market	3:00 pm
September 20, 2011	Park & Rec w/s	10:00 am
	Board of Supervisors	7:00 pm
September 21, 2011	Friends of East Goshen 501c3	7:00 pm
September 22, 2011	Farmer's Market	3:00 pm
September 27, 2011	Board of Supervisors	7:00 pm
September 29, 2011	Farmer's Market	3:00 pm
October 1, 2011	Fall Newsletter Delivered	
- O. Correspondence / Liaison Reports
- P. Goals
- Q. Adjournment

• **Bold Items indicate new information to review for that topic.**

REMINDER – Winter Newsletter:

Article Submission Due Date

November 2, 2011

Delivery Date

January 1, 2012

Planning Commission Application Tracking Log

Application Name	Application (CU, LD, O, SD, ZHB, SE, CA)	Type (Sk, P, F)	Date Filed	Start Date	Date to Verkes/Consultant	Date to CCPC	Date to Abutting Prop. / ABC's	Extension	PC NLT Action Date	BOS NLT Action Date	Hearing Date	Drop Dead date
New Cingular Wireless / ATT 21 Eedgewood Rd.	CU	Sk	7/8/11	7/8/11	7/22/11	na	7/22/11	1	9/7/11	10/4/11	9/13/11	10/6/11
QVC Inc. / 1670 Enterprise Drive	CU	Sk	8/9/11	8/9/11	8/16/11	na	8/16/11		9/7/11	10/4/11	10/4/11	10/8/11
Acero Holdings LLC / 1340 Enterprise Drive	CU	Sk	8/18/11	8/18/11	8/18/11	na	8/31/11		10/5/11	10/11/11	10/11/11	10/17/11
Mark Galic / 41 Sherman Drive	ZHB	Sk	8/30/2011	8/30/11	ma	na	8/31/11		9/7/11	10/12/11	10/12/11	10/29/11

Bold = New Application or PC action required

draft
EAST GOSHEN TOWNSHIP
PLANNING COMMISSION MEETING
August 3, 2011

The East Goshen Township Planning Commission held their regularly scheduled meeting on August 3, 2011 at the East Goshen Township building. Members present were: Chairman George Martynick, Jim McRee, Susan Carty, Al Zuccarello, Peter Mylonas, and Megann Hedgecock. Also present were Mark Gordon, Township Zoning Officer, Don McConathy (Supervisor), and Erich Meyer (Park & Recreation Board).

WORKSHOP SESSION – 7:00pm

- A. The minutes of July 6, 2011 were reviewed.
- B. The various agenda items were reviewed.

FORMAL SESSION

A. Pledge of Allegiance & Announcements

George called the meeting to order at 7:40 pm and Megann lead the Pledge of Allegiance. There was a moment of silence to remember our armed forces.

George asked if anyone would be recording the meeting. There was no response.

George asked those in attendance if there were any non-agenda items to be discussed. No response.

George announced that there would not be a workshop in July.

B. Approval of Minutes

Al moved to approve the minutes of the July 6, 2011 meeting. Sue seconded the motion. The motion passed unanimously.

C. Acknowledge Receipt of New Applications - None

D. Subdivision/Land Development Plans – None

E. Conditional Use and Variances

1. Tru-Team Inc. (Adaptive Reuse of Historic Resource) 1422 Paoli Pike (CU). There were no representatives for the applicant at the meeting. Mark reported that he has received nothing from the applicant. Peter made a motion to recommend that the Planning Commission again ratify and reaffirm its motion from the July 6, 2011 meeting including the 6 recommendations as previously identified, especially since the applicant has made no effort to pursue this application further. Megann seconded the motion. The motion passed unanimously.

2. New Cingular Wireless PCS, LLC d/g/a ST&T Mobility, 21 Edgewood Rd, (CU). Representatives for the applicant were: Nicholas A Cucé, Jr., Attorney; Gerald R. Tate, Sr. RF Engineer for AT&T; and Sheri Lampher, Engineer. Mark explained that this is an upgrade to existing equipment at the site. Nick explained that AT&T currently has 6 antennas and wants to upgrade to 9 and install an additional equipment rack. On July 29, 2011, they received a review letter from Yerkes but don't have revised plans yet. Gerry can answer any questions.

George commented that in the past, concerns were size, height, color, cabinets on the base and noise.

Nick stated that the existing antenna and the new ones will be painted the same color as the water tank.

Mark pointed out that the equipment is enclosed and a noise study was done by Metro who agreed to install fencing material which diminished the noise complaints.

Sheri showed the Commission a photo of what it will look like. Gerry stated that they remove the old equipment when they upgrade so the height will remain the same. They will only have 2 antennas per sector which is less than the normal 4 per sector. They are upgrading to LTE, a new data technology on a 700 mhz

band for which they just received approval from the government. Also, they are putting in multi-frequencies instead of more antennas. This upgrade will not increase their area of coverage, so they did not do a propagation study. It will give better, more current coverage. They are one of 2 cell tower sites in East Goshen and are only 80 ft high. Nick stated they will provide a propagation study for the next meeting. Mark pointed out that a hearing is scheduled for August 23, 2011. He asked them to give the township a 60-day extension which will go into September.

F. Ordinance Amendments

1. Sign Ordinance – George asked that this be tabled to another meeting.
2. No Impact Home Based Business (NIHBB) – Mark explained that a resident in Summit House is requesting a permit from the Township which she needs in order to get a permit with the USDA. She will spend 2 hours each evening making candy, which she will sell to other businesses. Commission members voiced concern about odors, trash, noise, etc. Mark stated that if a neighbor calls with a complaint, he will investigate. If it is determined to be out of the scope of the ordinance, the permit will be revoked and he will notify the USDA. Currently the township code is more stringent regarding NIHBBs than MCP regulations. Peter moved that the Planning Commission direct Mark Gordon to prepare a draft text amendment for review at the next meeting. Sue seconded the motion. There was no further comment or discussion. The motion passed.

G. Old Business - None

H. New Business

None

I. Liaison Reports

1. Willistown – Megann reported that work has started on the improvement to the intersection.
2. Conservancy Board – Mark will attend their meeting next week to discuss meadows.

J. Any Other Matter –

1. YMCA Landscape Plan – George commented that the weather currently is not conducive to planting. People are parking in the new lot during the day. Don asked if the Conservancy Board will be shown the revised Landscape Plan. Mark reported that the final revision is underway and will finalize the new replacement trees. The Conservancy Board will be able to review it.
2. 2012 Budget – Deb Beury is requesting any comments so she can wrap up the 2012 budget.

H. Adjournment

There being no further business, a motion to adjourn the meeting was made by Sue and seconded by Megann. The meeting adjourned at 8:30 p.m.

Respectfully submitted,

Ruth Kiefer, Recording Secretary

DEBRA A SHULSKI
Debbie@RRHC.com
Extension 210

RILEY
RIPER
HOLLIN &
COLAGRECO
ATTORNEYS AT LAW

Please reply to Exton

August 4, 2011

via E-mail and First Class Mail

Mark Gordon, Zoning Officer
East Goshen Township
1580 Paoli Pike
West Chester, PA 19380

Re: New Cingular Wireless PCS, LLC d/b/a AT&T Mobility
Site Address: 21 Edgewood Road
Our File: 4029-189

Dear Mark:

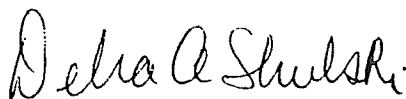
This is to confirm that New Cingular Wireless PCS, LLC d/b/a AT&T Mobility agrees to an extension of time from which the East Goshen Township Board of Supervisors has to hold a hearing pursuant to the Municipalities Planning Code to permit the conditional use hearing to be held on September 13, 2011.

Given that notices have already been provided, it is my understanding that the Board of Supervisors will be opening the hearing on August 23, 2011 strictly for the purpose of continuing the hearing until September 13, 2011. It is further my understanding that we do not need to be present at the August 23rd Board of Supervisors' meeting for the continuance.

As you know, we will be revising the plans and resubmitting shortly and are planning on attending the Planning Commission's September 7, 2011 meeting. We look forward to being before the Planning Commission at that time.

Thank you for your attention to this matter and your assistance in this regard.

Very truly yours,



DEBRA A. SHULSKI

DAS/kch

cc: Pete Sikora (via email only)
Nicholas A. Cucé, Jr., Esquire (via email only)

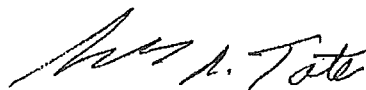
Affidavit of Non-Interference

Re: New Cingular Wireless PCS, LLC
d/b/a AT&T Mobility
Site: East Goshen Water Tank
Address: Edgewood Rd. & Cherry St.
West Chester, PA 19380

New Cingular Wireless PCS, LLC d/b/a AT&T Mobility ("AT&T") is a provider of wireless communication services and is licensed by the Federal Communications Commission ("FCC") to operate at a specific radio frequency in a certain geographic area which includes East Goshen Township.

As part of their FCC License, AT&T is required to comply with all applicable FCC regulations including safety guidelines and emission standards relating to the use of the radio frequency spectrum and with respect to non-interference. The proposed antennas will operate fully within those FCC standards. The proposed facility will not interfere with the reception or transmission of other legally licensed commercial or private facilities, including emergency services, located on or adjacent to the site. The antennas will also not interfere with any surrounding electronic equipment such as television, radio or hand-held telephones.

Respectfully Submitted,



Gerald R. Tate
Radio Frequency Engineer
New Cingular Wireless PCS, LLC
d/b/a AT&T Mobility

DEBRA A SHULSKI
Debbie@RRHC.com
Extension 210

RILEY
RIPER &
HOLLIN
COLAGRECO
ATTORNEYS AT LAW

Please reply to Exton

August 19, 2011

via First Class Mail

Mark Gordon, Zoning Officer
East Goshen Township
1580 Paoli Pike
West Chester, PA 19380

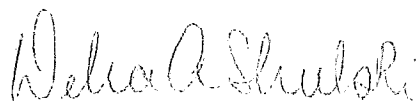
Re: New Cingular Wireless PCS, LLC d/b/a AT&T Mobility
Site Address: 21 Edgewood Road
Our File: 4029-189

Dear Mark:

At the last Planning Commission meeting we attended on August 3, 2011, the Planning Commission asked to see the propagation plans for the existing and proposed coverage for this site with the LTE upgrade. As advised, the LTE upgrade is for purposes of increased capacity and enhanced data services and, therefore, the proposed coverage is the same as the existing coverage as shown on the enclosed propagation plan (10 copies of which are enclosed).

Kindly distribute to the Planning Commission for their review. Thank you for your attention to this matter. Please feel free to give me a call if you have any questions regarding the enclosed.

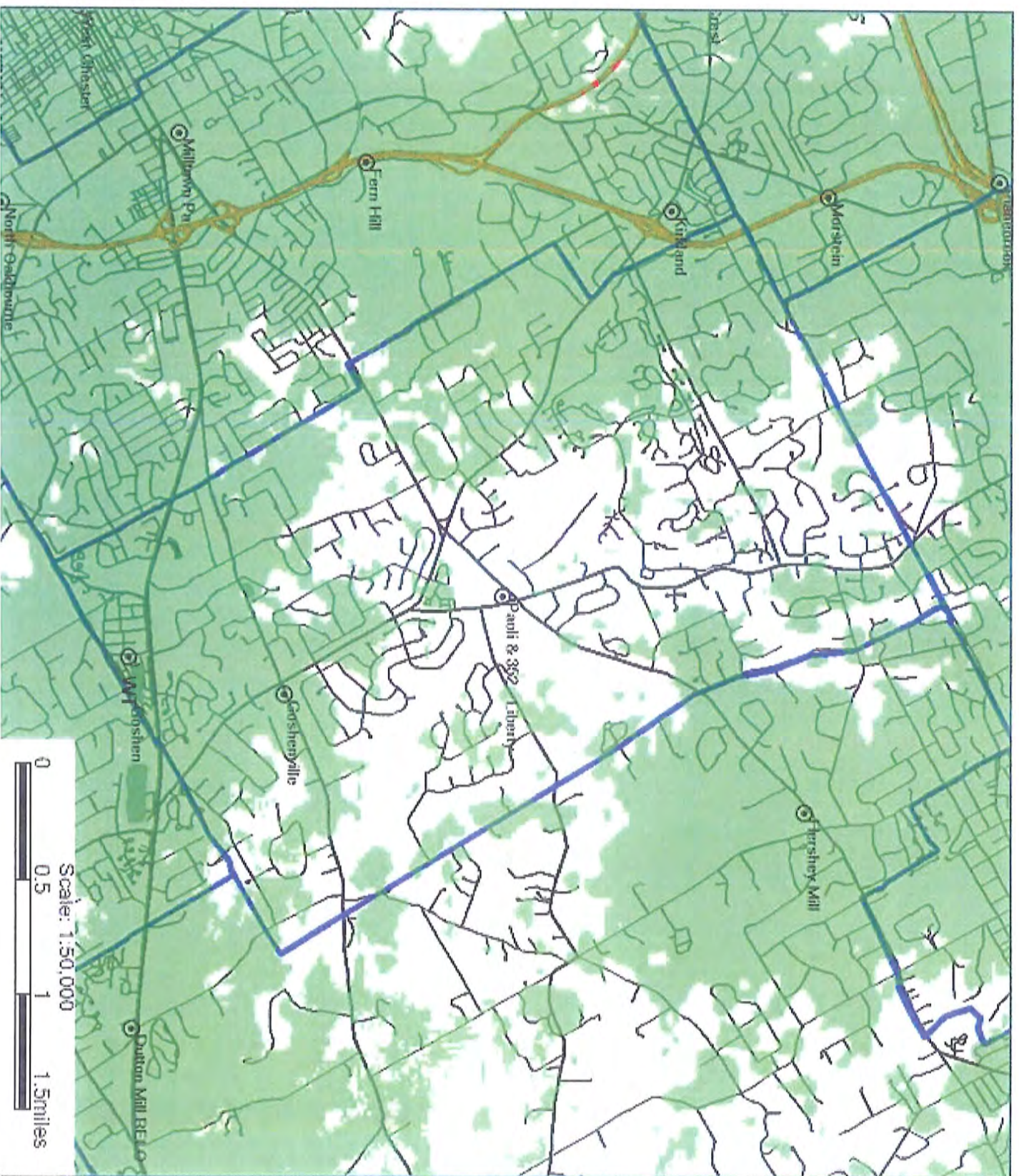
Very truly yours,



DEBRA A. SHULSKI

DAS/kch
Enclosures

East Goshen Current and Predicted AT&T Reliable Coverage



DEBRA A SHULSKI
dbie@RRHC.com
Extension 210

RILEY
RIPER
&
HOLLIN
COLAGRECO
ATTORNEYS AT LAW

Please reply to Exton

August 11, 2011

VIA OVERNIGHT MAIL

Mark Gordon, Zoning Officer
East Goshen Township
1580 Paoli Pike
West Chester, PA 19380

Re: New Cingular Wireless PCS, LLC d/b/a AT&T Mobility
Site Address: 21 Edgewood Road
Our File: 4029-189

Dear Mark:

Enclosed please find ten (10) sets of the revised plans with respect to the above-mentioned conditional use application. The plans have been revised to address the comments set forth in the Township Engineer's review letter dated July 29, 2011 ("Review Letter"). The following are our responses to the items in that Review Letter with the number of our response corresponding to the number of the item in the Review Letter:

1. Comment requiring no response.
2. A note has been added indicating that the water tower was constructed in 1969, prior to the Ordinance requirement of April 7, 1998. [See Note 7 on Sheet Z-2].
3. A Structural Analysis dated June 24, 2011 was previously submitted to the Township on July 26, 2011. Please advise if additional copies are needed.
4.
 - a. The overall height of the water tank has been added to the plans on Sheet Z-3. As shown on the elevation, the overall height is 106 feet beneath the 120 feet requirement (although this requirement appears to only apply to new communications antenna support structures as opposed to existing facilities).
 - b. A description of the anticipated maintenance needs is referenced in Note 5 on Sheet Z-2 of the plans. The facility is an unmanned facility and occupancy is limited to periodic maintenance trips by 1-2 technicians in an SUV-type vehicle approximately twice a month. The periodic maintenance trips have minimal, if any, impact on safety and noise.
 - c. A note has been added indicating that the facility will be demolished or removed if abandoned or discontinued for a period of six (6) months. [See Note 8 on Sheet Z-2.]

- d. Notification to all property owners within 1,000 feet is provided by the Township and we understand that the notices have, in fact, been sent.
- e. A Note has been added to the plans confirming there will be no interference caused by this facility and, in fact, such interference is prohibited under AT&T's FCC License. [See Note 9 on Sheet Z-2.]
- f. A Note has been added indicating that the Applicant will submit an annual report in accordance with the applicable Ordinance requirements. [See Note 10 on Sheet Z-2.]
- g.
 - i. Signature blocks have been added to the plan. [See Sheet T-1.]
 - ii. A block for the Recorder of Deeds office has been added to the plans. [See Sheet T-1.]
 - iii. A scale has been added to the relevant plan sheets.
 - iv. A waiver request from having to provide a topography survey has been added to the plans (as supported by the Township Engineer). [See Note 11 on Sheet Z-2.]
 - v. A partial waiver is being requested from having to show the location of all utilities on the property, however the plans have been revised to show the utilities relevant to AT&T's telecommunications facility. [See Note 15 on Sheet Z-2 confirming the partial waiver request.] As noted on the plans, there will be no ground disturbance as a part of this application. [See Notes 14 and 15 on Sheet Z-2.] In addition, the applicant has added the one-call system logo to the plans and has also added a note confirming that the contractor shall make the utility one call to locate all utilities prior to construction if applicable. [See Note 16 on Sheet Z-2.]
 - vi. A waiver is being requested from having to provide a landscape plan (as supported by the Township Engineer) given the nominal improvements proposed as a part of this application. [See Note 12 on Sheet Z-2.]
 - vii. A waiver is being requested from having to provide a stormwater management plan (as supported by the Township Engineer) given the nominal improvements proposed as a part of this application. [See Note 13 on Sheet Z-2.]

Mark Gordon, Zoning Officer
East Goshen Township
August 11, 2011
Page 3 of 3

Also enclosed as part of this resubmission are ten (10) copies of the following document:

- (1) Radio Frequency Emissions Report prepared by Site Safe dated August 2, 2011 confirming that the upgrade will be compliant with all applicable FCC standards relating to electromagnetic fields and radiofrequency emissions.

Lastly, per the Planning Commission's request, we will be providing under separate cover the propagation plans showing the existing and proposed coverage for this site. As previously advised, the upgrade is proposed for purposes of increased capacity and enhanced data services and not for coverage and therefore the existing and proposed coverage will be the same.

By copy of this letter we have provided a set of the revised plans, structural analysis and Radio Frequency Emissions Report directly to Mike Conrad, P.E..

We understand that we will be back before the Planning Commission at their meeting on September 7, 2011. We look forward to being before them at that time.

In the meantime, if you have any questions, please feel free to give me a call.

Very truly yours,



DEBRA A. SHULSKI

DAS/srk
Enclosures

cc: Pete Sikora (via email only)
Nicholas A. Cucé, Jr., Esquire (via email only)
Mike Conrad, P.E. (w/Encl.) (via overnight mail)

**Bechtel on behalf of AT&T Mobility, LLC
Site FA - 10115301
Site ID - PAL01320
Site Compliance Report**

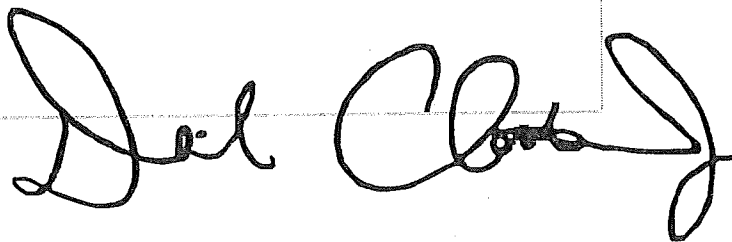
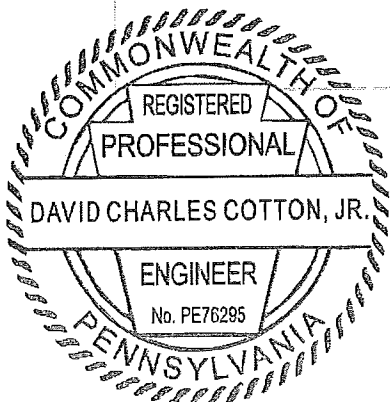
**21 Edgewood Road
West Chester, PA 19382
Chester County**

Latitude: N39-57-50.18
Longitude: W75-32-18.35
Structure Type: Water Tank

Report generated date: August 2, 2011
Report by: Kevin Smith
Customer Contact: Pete Sikora

**AT&T Mobility, LLC will be Compliant based on
FCC Rules and Regulations.**

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A handwritten signature in black ink, appearing to read "David Cotton", written over a horizontal line.

**David Charles Cotton, Jr.
Registered Professional Engineer
Commonwealth of Pennsylvania, PE076295
Date: 2011-Aug-02**



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1 Executive Summary

Bechtel on behalf of AT&T Mobility, LLC has contracted with Sitesafe, Inc. (Sitesafe), an independent Radio Frequency (RF) regulatory and engineering consulting firm, to determine whether the proposed communications site, 10115301 - PAL01320, located at 21 Edgewood Road, West Chester, PA, is in compliance with Federal Communication Commission (FCC) Rules and Regulations for RF emissions.

This report contains a detailed summary of the RF environment at the site including:

- diagram of the site;
- inventory of the make / model of all antennas
- theoretical MPE based on modeling.

This report addresses exposure to radio frequency electromagnetic fields in accordance with the FCC Rules and Regulations for all individuals, classified in two groups, "Occupational or Controlled" and "General Public or Uncontrolled."

AT&T Mobility, LLC site will be compliant with the FCC rules and regulations, as described in OET Bulletin 65.

This document and the conclusions herein are based on the information provided by AT&T Mobility, LLC.

If you have any questions regarding RF safety and regulatory compliance, please do not hesitate to contact Sitesafe's Customer Support Department at (703) 276-1100.



2 Regulatory Basis

2.1 FCC Rules and Regulations

In 1996, the Federal Communication Commission (FCC) adopted regulations for the evaluating of the effects of RF emissions in 47 CFR § 1.1307 and 1.1310. The guideline from the FCC Office of Engineering and Technology is Bulletin 65 ("OET Bulletin 65"), *Evaluating Compliance with FCC Guidelines for Human Exposure to Radio Frequency Electromagnetic Fields*, Edition 97-01, published August 1997. Since 1996 the FCC periodically reviews these rules and regulations as per their congressional mandate.

FCC regulations define two separate tiers of exposure limits: Occupational or "Controlled environment" and General Public or "Uncontrolled environment". The General Public limits are generally five times more conservative or restrictive than the Occupational limit. These limits apply to accessible areas where workers or the general public may be exposed to Radio Frequency (RF) electromagnetic fields.

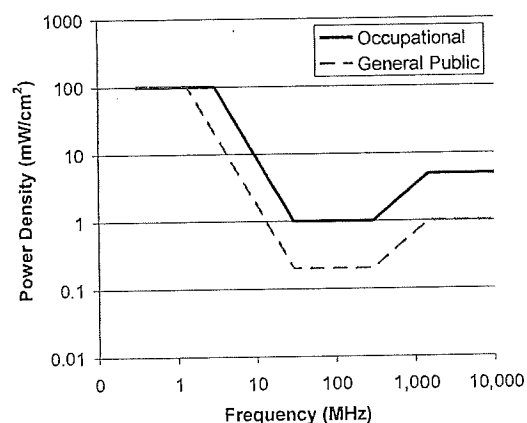
Occupational or Controlled limits apply in situations in which persons are exposed as a consequence of their employment and where those persons exposed have been made fully aware of the potential for exposure and can exercise control over their exposure.

An area is considered a Controlled environment when access is limited to these aware personnel. Typical criteria are restricted access (i.e. locked or alarmed doors, barriers, etc.) to the areas where antennas are located coupled with proper RF warning signage. A site with Controlled environments is evaluated with Occupational limits.

All other areas are considered Uncontrolled environments. If a site has no access controls or no RF warning signage it is evaluated with General Public limits.

The theoretical modeling of the RF electromagnetic fields has been performed in accordance with OET Bulletin 65. The Maximum Permissible Exposure (MPE) limits utilized in this analysis are outlined in the following diagram:

FCC Limits for Maximum Permissible Exposure (MPE)
Plane-wave Equivalent Power Density





Limits for Occupational/Controlled Exposure (MPE)

Frequency Range (MHz)	Electric Field Strength (E) (V/m)	Magnetic Field Strength (H) (A/m)	Power Density (S) (mW/cm ²)	Averaging Time E ² , H ² or S (minutes)
0.3-3.0	614	1.63	(100)*	6
3.0-30	1842/f	4.89/f	(900/f ²)*	6
30-300	61.4	0.163	1.0	6
300-1500	--	--	f/300	6
1500-100,000	--	--	5	6

Limits for General Population/Uncontrolled Exposure (MPE)

Frequency Range (MHz)	Electric Field Strength (E) (V/m)	Magnetic Field Strength (H) (A/m)	Power Density (S) (mW/cm ²)	Averaging Time E ² , H ² or S (minutes)
0.3-1.34	614	1.63	(100)*	30
1.34-30	824/f	2.19/f	(180/f ²)*	30
30-300	27.5	0.073	0.2	30
300-1500	--	--	f/1500	30
1500-100,000	--	--	1.0	30

f = frequency in MHz *Plane-wave equivalent power density

2.2 OSHA Statement

The General Duty clause of the OSHA Act (Section 5) outlines the occupational safety and health responsibilities of the employer and employee. The General Duty clause in Section 5 states:

(a) Each employer –

- (1) shall furnish to each of his employees employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his employees;
- (2) shall comply with occupational safety and health standards promulgated under this Act.

(b) Each employee shall comply with occupational safety and health standards and all rules, regulations, and orders issued pursuant to this Act which are applicable to his own actions and conduct.

OSHA has defined Radiofrequency and Microwave Radiation safety standards for workers who may enter hazardous RF areas. Regulation Standards 29 CFR § 1910.147 identify a generic Lock Out Tag Out procedure aimed to control the unexpected energization or start up of machines when maintenance or service is being performed.



3 Site Compliance

3.1 Site Compliance Statement

Upon evaluation of the cumulative RF emission levels from all operators at this site, Sitesafe has determined that:

AT&T Mobility, LLC site will be compliant with the FCC rules and regulations, as described in OET Bulletin 65.

AT&T Mobility, LLC is predicted to contribute **greater than 5%** of the maximum permissible exposure (MPE) based on theoretical modeling using parameters supplied by the client. A detailed explanation of the 5% rule can be found in the Definition section of Appendix B.

The compliance determination is based on General Public MPE levels based on theoretical modeling, RF signage placement recommendations, proposed antenna inventory and the level of restricted access to the antennas at the site. Any deviation from the AT&T Mobility, LLC's proposed deployment plan could result in the site being rendered non-compliant.

3.2 Actions for Site Compliance

Based on common industry practice and our understanding of FCC and OSHA requirements, this section provides a statement of recommendations for site compliance. RF alert signage recommendations have been proposed based on theoretical analysis of MPE levels. Barriers can consist of locked doors, fencing, railing, rope, chain, paint striping or tape, combined with RF alert signage.

AT&T Mobility, LLC site will be compliant with the FCC rules and regulations. However, because AT&T Mobility, LLC is predicted to contribute greater than 5% of the maximum permissible exposure (MPE), *should the site be subsequently deemed non-compliant for any reason, any wireless operator(s) who contribute greater than 5% of the maximum permissible energy would be jointly liable for bringing the site into compliance.*



Sitesafe found one or more issues that led to our determination. The site will be made compliant if the following changes are implemented:

Site Access Location

No action required.

AT&T Mobility, LLC Proposed Alpha Sector Location

No action required.

AT&T Mobility, LLC Proposed Beta Sector Location

No action required.

AT&T Mobility, LLC Proposed Gamma Sector Location

No action required.

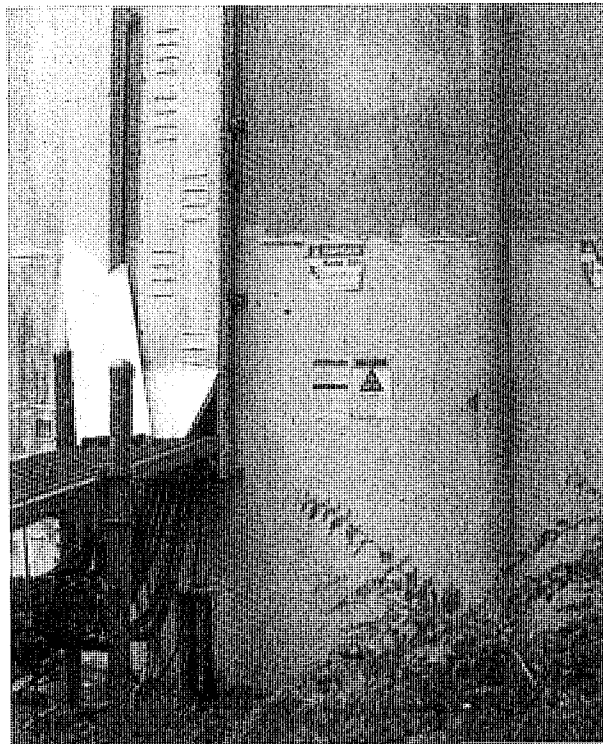


Figure 1: Water Tank Access Restricted with RF Signage



4 Safety Plan and Procedures

The following items are general safety recommendations that should be administered on a site by site basis as needed by the carrier.

General Maintenance Work: Any maintenance personnel required to work immediately in front of antennas and / or in areas indicated as above 100% of the Occupational MPE limits should coordinate with the wireless operators to disable transmitters during their work activities.

Training and Qualification Verification: All personnel accessing areas indicated as exceeding the General Population MPE limits should have a basic understanding of EME awareness and RF Safety procedures when working around transmitting antennas. Awareness training increases a workers understanding to potential RF exposure scenarios. Awareness can be achieved in a number of ways (e.g. videos, formal classroom lecture or internet based courses).

Physical Access Control: Access restrictions to transmitting antennas locations is the primary element in a site safety plan. Examples of access restrictions are as follows:

- Locked door or gate
- Alarmed door
- Locked ladder access
- Restrictive Barrier at antenna (e.g. Chain link with posted RF Sign)

RF Signage: Everyone should obey all posted signs at all times. RF signs play an important role in properly warning a worker prior to entering into a potential RF Exposure area.

Assume all antennas are active: Due to the nature of telecommunications transmissions, an antenna transmits intermittently. Always assume an antenna is transmitting. Never stop in front of an antenna. If you have to pass by an antenna, move through as quickly and safely as possible thereby reducing any exposure to a minimum.

Maintain a 3 foot clearance from all antennas: There is a direct correlation between the strength of an EME field and the distance from the transmitting antenna. The further away from an antenna, the lower the corresponding EME field is.

Site RF Emissions Diagram: Section 5 of this report contains an RF Diagram that outlines various theoretical Maximum Permissible Exposure (MPE) areas at the site. The modeling is a worst case scenario assuming a duty cycle of 100% for each transmitting antenna at full power. This analysis is based on one of two access control criteria: General Public criteria means the access to the site is uncontrolled and anyone can gain access. Occupational criteria means the access is restricted and only properly trained individuals can gain access to the antenna locations.



5 Analysis

5.1 RF Emissions Diagram

The RF diagram(s) below display theoretical spatially averaged percentage of the Maximum Permissible Exposure for all systems at the site unless otherwise noted. These diagrams use modeling as proscribed in OET Bulletin 65 and assumptions detailed in Appendix B.

The key at the bottom of each diagram indicates if percentages displayed are referenced to FCC Occupational or General Public Maximum Permissible Exposure (MPE) limits. Color coding on the diagram is as follows:

- a) Composite Exposure Levels
 - Areas indicated as Green are below 100% of the MPE limits.
 - Blue represents areas predicted to be between 100% and 500% of the MPE limits.
 - Yellow represents areas predicted to be between 500% and 5000% of the MPE limits.
 - Red areas indicated predicted levels greater than 5000% of the MPE limits.
- b) AT&T Mobility 5% Exposure Levels:
 - Areas indicated as Green are below 5% of the MPE limits.
 - Purple represents areas predicted to be greater than 5% of the MPE limits.

The theoretical analysis identified the maximum predicted MPE levels to be:

Maximum Theoretical General Public or Uncontrolled MPE level:	72.0%
Maximum Theoretical Occupational or Controlled MPE Level:	14.4%
AT&T Maximum Theoretical General Public or Uncontrolled MPE level:	1.0%
AT&T Maximum Theoretical Occupational or Controlled MPE level:	0.2%

General Population diagrams are specified when an area is accessible to the public; i.e. personnel that do not meet Occupational or RF Safety trained criteria, could gain access.

If trained occupational personnel require access to areas that are delineated as Red or above 100% of the limit, Sitesafe recommends that they utilize the proper personal protection equipment (RF monitors), coordinate with the carriers to reduce or shutdown power, or make real-time power density measurements with the appropriate power density meter to determine real-time MPE levels. This will allow the personnel to ensure that their work area is within exposure limits.

The key at the bottom also indicates the level or height of the modeling with respect to the main level. The origin is typically referenced to the main rooftop level, or ground level for a structure without access to the antenna level. For example:

Average from 0 feet above to 6 feet above origin

and



Average from 20 feet above to 26 feet above origin

The first indicates modeling at the main rooftop (or ground) level averaged over 6 feet. The second indicates modeling at a higher level (possibly a penthouse level) of 20 feet averaged over 6 feet.

Abbreviations used in the RF Emissions Diagrams

PH=##'	Penthouse at ## feet above main roof
--------	--------------------------------------

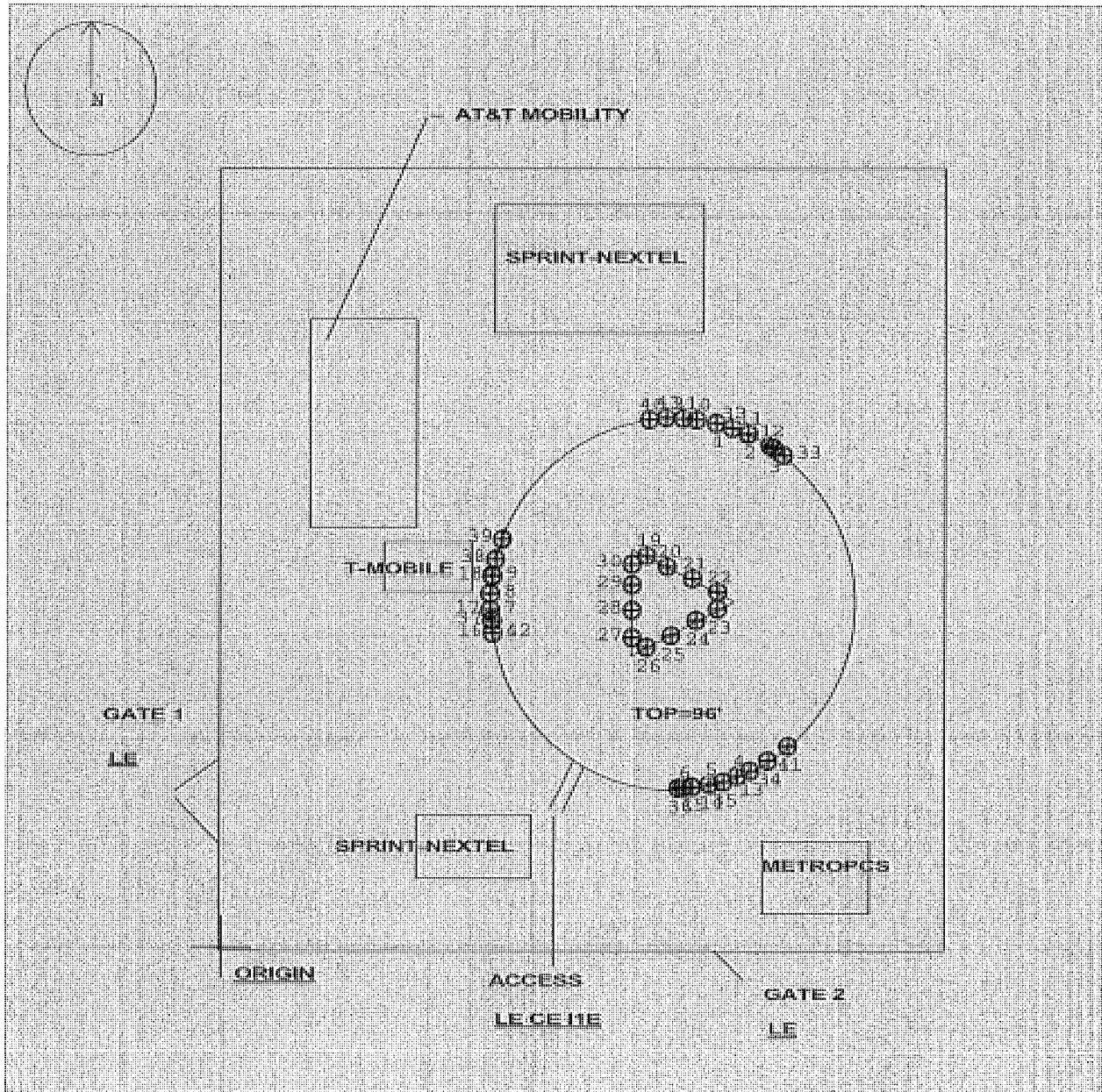
Additional Information in the RF Emissions Diagrams Key

The RF emissions diagram provides indications of RF signage, barriers and locked doors. The table below lists the abbreviations used to indicate locked doors, signs and barriers:

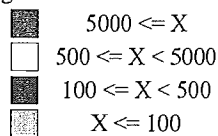
Table 1: RF Signage and Barrier Key					
RF Signage			Barriers		
Type	Existing Location	Recommended Location	Type	Existing Location	Recommended Location
Notice	<u>NE</u>	<u>NR</u>	Locked Door	<u>LE</u>	<u>LR</u>
Caution	<u>CE</u>	<u>CR</u>	Fencing	<u>RE</u>	<u>RR</u>
Warning	<u>WE</u>	<u>WR</u>	Rope Chain		
Info Sign 1	<u>I1E</u>	<u>I1R</u>	Paint Stripes		
Info Sign 2	<u>I2E</u>	<u>I2R</u>	Tape		
Info Sign 3	<u>I3E</u>	<u>I3R</u>			
Info Sign 4	<u>I4E</u>	<u>I4R</u>			

RF Emissions Diagram for: PAL01320

Ground Level

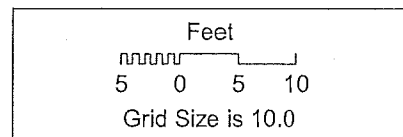


% of FCC Public Exposure Limit
Average from 0 feet above to 6 feet above origin



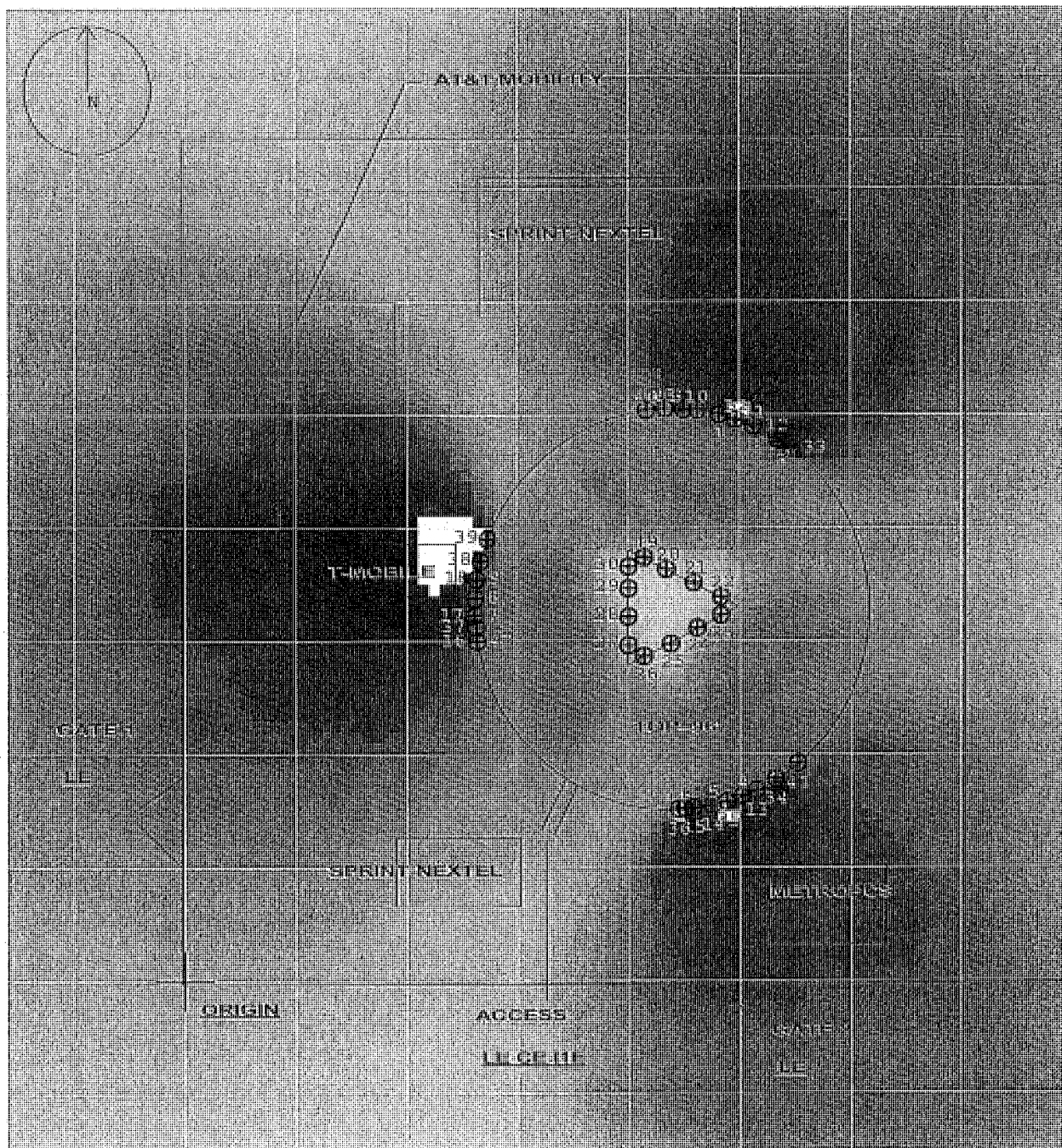
site
www.sitesafe.com
Sitesafe ID# 74322
Site Name: PAL01320

Sitesafe Inc. assumes no responsibility for modeling results not verified by Sitesafe personnel.
Contact Sitesafe Inc. for modeling assistance (F03) 276-1100.
Sitesafe VTC Version 2.81.00
8/27/2011

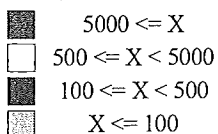


RF Emissions Diagram for: PAL01320

Top of Tank = 96'

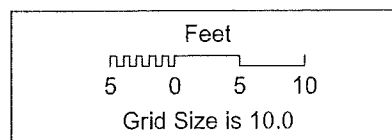


% of FCC Public Exposure Limit
Average from 96 feet above to 102 feet above origin

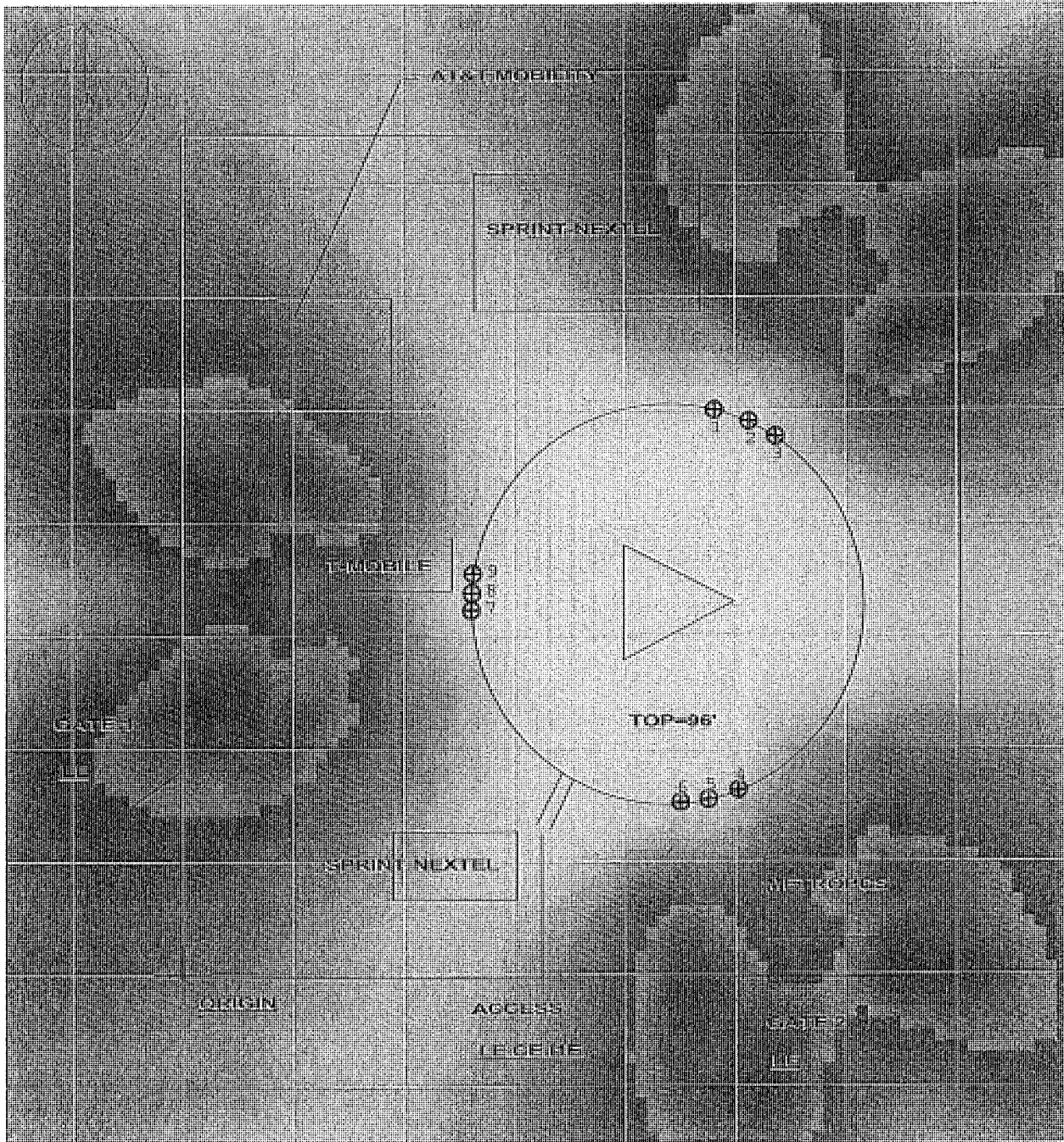


www.sitesafe.com
Sitesafe ID# 74322
Site Name: PAL01320

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Sitesafe V2 Version 2.81.00
6/27/2011



RF Emissions Diagram for: PAL01320
 AT&T Mobility, LLC 5% Contribution - Top of Tank = 96'

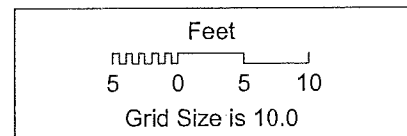


% of FCC Public Exposure Limit
 Average from 96 feet above to 102 feet above origin

■ 5 <= X
 □ X <= 5

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 Sitesafe ID# 74322
 Site Name: PAL01320

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 Contact Sitesafe Inc. for modeling assistance (703) 276-1100.
 Sitesafe Version 2.81.00
 6/27/2011





6 Site Audit

6.1 Antenna Inventory

The Antenna Inventory shows all transmitting antennas at the site. This inventory was provided by the customer, and was utilized by Sitesafe to perform theoretical modeling of RF emissions. The inventory coincides with the site diagrams in this report, identifying each antenna's location at 10115301 - PAL01320. The antenna information collected includes the following information:

- Licensee or wireless operator name
- Frequency or frequency band
- Transmitter power – Effective Radiated Power ("ERP"), or Equivalent Isotropic Radiated Power ("EIRP") in Watts
- Antenna manufacturer make, model, and gain

For other carriers at this site, the use of "Generic" as an antenna model, or "Unknown" for an operator means the information with regard to carrier, their FCC license and/or antenna information was not available nor could it be secured while on site. Equipment, antenna models and nominal transmit power were used for modeling, based on past experience with radio service providers.

The following antenna inventory, on this and the following page, were utilized to create the site model diagrams:

Table 3: Antenna Inventory										
Ant #	Operated By	Tx Freq (MHz)	ERP (Watts)	Antenna Gain (dBd)	Az (Deg)	Antenna Model	Ant Type	Len (ft)	Horizontal Half Power Beamwidth (Deg)	Location
										X Y Z
1	AT&T Mobility, LLC	869/1930	200/1500	11.36/14.66	30	Powerwave RA21.7770.00	Panel	5	85/85	48' 50' 80'
2	AT&T Mobility, LLC	869/1930	400/800	11.36/14.66	30	Powerwave RA21.7770.00	Panel	5	85/85	51' 49' 80'
3	AT&T Mobility, LLC (Proposed)	734/2100	650/0*	14.30/15.40	30	Powerwave P65-17-XLH-RR-0ET	Panel	8	65/65	54' 48' 80'
4	AT&T Mobility, LLC	869/1930	200/1500	11.36/14.66	150	Powerwave RA21.7770.00	Panel	5	85/85	50' 16' 80'
5	AT&T Mobility, LLC	869/1930	400/800	11.36/14.66	150	Powerwave RA21.7770.00	Panel	5	85/85	48' 16' 80'
6	AT&T Mobility, LLC (Proposed)	734/2100	650/0*	14.30/15.40	150	Powerwave P65-17-XLH-RR-0ET	Panel	8	65/65	45' 15' 80'
7	AT&T Mobility, LLC	869/1930	200/1500	11.36/14.66	270	Powerwave RA21.7770.00	Panel	5	85/85	26' 32' 80'
8	AT&T Mobility, LLC	869/1930	400/800	11.36/14.66	270	Powerwave RA21.7770.00	Panel	5	85/85	26' 34' 80'
9	AT&T Mobility, LLC (Proposed)	734/2100	650/0*	14.30/15.40	270	Powerwave P65-17-XLH-RR-0ET	Panel	8	65/65	26' 35' 80'
10	T-Mobile	1900	500	15.36	30	EMS RR65-18-00DPL2	Panel	5	65	46' 50' 86'
11	T-Mobile	2100	1000	16.26	30	RFS APX16DW-16DWV	Panel	4	65	51' 49' 86'
12	T-Mobile	1900	500	15.36	30	EMS RR65-18-00DPL2	Panel	5	65	53' 48' 86'
13	T-Mobile	1900	500	15.36	150	EMS RR65-18-00DPL2	Panel	5	65	51' 17' 86'
14	T-Mobile	2100	1000	16.26	150	RFS APX16DW-16DWV	Panel	4	65	48' 16' 86'
15	T-Mobile	1900	500	15.36	150	EMS RR65-18-00DPL2	Panel	5	65	46' 15' 86'
16	T-Mobile	1900	500	15.36	270	EMS RR65-18-00DPL2	Panel	5	65	26' 30' 86'
17	T-Mobile	2100	1000	16.26	270	RFS APX16DW-16DWV	Panel	4	65	26' 32' 86'
18	T-Mobile	1900	500	15.36	270	EMS RR65-18-00DPL2	Panel	5	65	26' 35' 86'
19	Sprint-Nextel	862	126	11.00	0	Antel LPD-7905-4	Panel	4	92	41' 37' 104'
20	Sprint-Nextel	862	126	11.00	0	Antel LPD-7905-4	Panel	4	92	43' 36' 104'
21	Sprint-Nextel	862	126	11.00	0	Antel LPD-7905-4	Panel	4	92	46' 35' 104'
22	Sprint-Nextel	862	126	11.00	0	Antel LPD-7905-4	Panel	4	92	48' 34' 104'
23	Sprint-Nextel	862	126	11.00	120	Antel LPD-7905-4	Panel	4	92	48' 32' 104'
24	Sprint-Nextel	862	126	11.00	120	Antel LPD-7905-4	Panel	4	92	46' 31' 104'
25	Sprint-Nextel	862	126	11.00	120	Antel LPD-7905-4	Panel	4	92	44' 30' 104'

Table 3: Antenna Inventory

Ant #	Operated By	TX Freq (MHz)	ERP (Watts)	Antenna Gain (dBd)	Az (Deg)	Antenna Model	Ant Type	Len (ft)	Horizontal Half Power Beamwidth (Deg)	Location		
										X	Y	Z
26	Sprint-Nextel	862	126	11.00	120	Antel LPD-7905-4	Panel	4	92	41'	29'	104'
27	Sprint-Nextel	862	126	11.00	240	Antel LPD-7905-4	Panel	4	92	40'	30'	104'
28	Sprint-Nextel	862	126	11.00	240	Antel LPD-7905-4	Panel	4	92	40'	32'	104'
29	Sprint-Nextel	862	126	11.00	240	Antel LPD-7905-4	Panel	4	92	40'	35'	104'
30	Sprint-Nextel	862	126	11.00	240	Antel LPD-7905-4	Panel	4	92	40'	37'	104'
31	Clearwire	2500	355	15.25	30	KMW AM-X-WM-17-65-00T-000T	Panel	4	65	45'	50'	98'
32	Sprint-Nextel	1900	1000	14.90	30	DAPA U58200	Panel	4	89	50'	50'	98'
33	Sprint-Nextel	1900	1000	14.90	30	DAPA U58200	Panel	4	89	55'	47'	98'
34	Clearwire	2500	355	15.25	150	KMW AM-X-WM-17-65-00T-000T	Panel	4	65	53'	18'	98'
35	Sprint-Nextel	1900	1000	15.70	150	ANDREW 980F65T2E-M	Panel	4	65	49'	16'	98'
36	Sprint-Nextel	1900	1000	15.70	150	ANDREW 980F65T2E-M	Panel	4	65	45'	15'	98'
37	Clearwire	2500	355	15.25	270	KMW AM-X-WM-17-65-00T-000T	Panel	4	65	26'	31'	98'
38	Sprint-Nextel	1900	1000	10.96	270	EMS RR65-12-05DBL	Panel	4	65	27'	37'	98'
39	Sprint-Nextel	1900	1000	10.96	270	EMS RR65-12-05DBL	Panel	4	65	27'	39'	98'
40	MetraPCS	2130	800	17.10	0	ANDREW HBX-6517DS-VTM	Panel	6	65	42'	50'	94'
41	MetraPCS	2130	800	17.10	120	ANDREW HBX-6517DS-VTM	Panel	6	65	55'	19'	94'
42	MetraPCS	2130	800	17.10	240	ANDREW HBX-6517DS-VTM	Panel	6	65	26'	30'	94'
43	Clearwire	11225	306	40.92	10	Generic Dish	Dish	2	2	43'	51'	98'

NOTE: X, Y and Z indicate relative position of the antenna to the origin location on the site, displayed in the model results diagram. Specifically, the Z reference indicates antenna height above the main site level unless otherwise indicated. ERP values provided by the client and used in the modeling may be greater than are currently deployed. For other carriers at this site the use of "Generic" as an antenna model or "Unknown" for a wireless operator means the information with regard to carrier, their FCC license and/or antenna information was not available nor could it be secured while on site. Equipment, antenna models and nominal transmit power were used for modeling, based on past experience with radio service providers.

* AT&T Mobility, LLC is not currently operating in the AWS band.

Note: Sitesafe has used antenna data collected on a recent site visit for the other carriers collocated on this site.



7 Engineer Certification

The professional engineer whose seal appears on the cover of this document hereby certifies and affirms that:

I am registered as a Professional Engineer in the jurisdiction indicated in the professional engineering stamp on the cover of this document; and

That I am an employee of Sitesafe, Inc., in Arlington, Virginia, at which place the staff and I provide RF compliance services to clients in the wireless communications industry; and

That I am thoroughly familiar with the Rules and Regulations of the Federal Communications Commission (FCC) as well as the regulations of the Occupational Safety and Health Administration (OSHA), both in general and specifically as they apply to the FCC Guidelines for Human Exposure to Radio-frequency Radiation; and

That I have thoroughly reviewed this Site Compliance Report and believe it to be true and accurate to the best of my knowledge as assembled by and attested to by Kevin Smith.

August 2, 2011



Appendix A – Statement of Limiting Conditions

Sitesafe will not be responsible for matters of a legal nature that affect the site or property. The property was visited under the premise that it is under responsible ownership and management and our client has the legal right to conduct business at this facility.

Due to the complexity of some wireless sites, Sitesafe performed this visit and created this report utilizing best industry practices and due diligence. Sitesafe cannot be held accountable or responsible for anomalies or discrepancies due to actual site conditions (i.e., mislabeling of antennas or equipment, inaccessible cable runs, inaccessible antennas or equipment, etc.) or information or data supplied by AT&T Mobility, LLC, the site manager, or their affiliates, subcontractors or assigns.

Sitesafe has provided computer generated model(s) in this Site Compliance Report to show approximate dimensions of the site, and the model is included to assist the reader of the compliance report to visualize the site area, and to provide supporting documentation for Sitesafe's recommendations.

Sitesafe may note in the Site Compliance Report any adverse physical conditions, such as needed repairs, observed during the survey of the subject property or that Sitesafe became aware of during the normal research involved in performing this survey. Sitesafe will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because Sitesafe is not an expert in the field of mechanical engineering or building maintenance, the Site Compliance Report must not be considered a structural or physical engineering report.

Sitesafe obtained information used in this Site Compliance Report from sources that Sitesafe considers reliable and believes them to be true and correct. Sitesafe does not assume any responsibility for the accuracy of such items that were furnished by other parties. When conflicts in information occur between data provided by a second party and physical data collected by Sitesafe, the physical data will be used.



Appendix B – Assumptions and Definitions

General Model Assumptions

In this site compliance report, it is assumed that all antennas are operating at **full power at all times**. Software modeling was performed for all transmitting antennas located on the site. Sitesafe has further assumed a 100% duty cycle and maximum radiated power.

The site has been modeled with these assumptions to show the maximum RF energy density. Sitesafe believes this to be a worst-case analysis, based on best available data. Areas modeled to predict emissions greater than 100% of the applicable MPE level may not actually occur, but are shown as a worst-case prediction that could be realized real time. Sitesafe believes these areas to be safe for entry by occupationally trained personnel utilizing appropriate personal protective equipment (in most cases, a personal monitor).

Thus, at any time, if power density measurements were made, we believe the real-time measurements would indicate levels below those depicted in the RF emission diagram(s) in this report. By modeling in this way, Sitesafe has conservatively shown exclusion areas – areas that should not be entered without the use of a personal monitor, carriers reducing power, or performing real-time measurements to indicate real-time exposure levels.

Use of Generic Antennas

For the purposes of this report, the use of "Generic" as an antenna model, or "Unknown" for an operator means the information about a carrier, their FCC license and/or antenna information was not provided and could not be obtained while on site. In the event of unknown information, Sitesafe will use our industry specific knowledge of equipment, antenna models, and transmit power to model the site. If more specific information can be obtained for the unknown measurement criteria, Sitesafe recommends remodeling of the site utilizing the more complete and accurate data. Information about similar facilities is used when the service is identified and associated with a particular antenna. If no information is available regarding the transmitting service associated with an unidentified antenna, using the antenna manufacturer's published data regarding the antenna's physical characteristics makes more conservative assumptions.

Where the frequency is unknown, Sitesafe uses the closest frequency in the antenna's range that corresponds to the highest Maximum Permissible Exposure (MPE), resulting in a conservative analysis.



Definitions

5% Rule – The rules adopted by the FCC specify that, in general, at multiple transmitter sites actions necessary to bring the area into compliance with the guidelines are the shared responsibility of all licensees whose transmitters produce field strengths or power density levels at the area in question in excess of 5% of the exposure limits. In other words, any wireless operator that contributes 5% or greater of the MPE limit in an area that is identified to be greater than 100% of the MPE limit is responsible taking corrective actions to bring the site into compliance.

Compliance – The determination of whether a site is safe or not with regards to Human Exposure to Radio Frequency Radiation from transmitting antennas.

Decibel (dB) – A unit for measuring power or strength of a signal.

Duty Cycle – The percent of pulse duration to the pulse period of a periodic pulse train. Also, may be a measure of the temporal transmission characteristic of an intermittently transmitting RF source such as a paging antenna by dividing average transmission duration by the average period for transmission. A duty cycle of 100% corresponds to continuous operation.

Effective (or Equivalent) Isotropic Radiated Power (EIRP) – The product of the power supplied to the antenna and the antenna gain in a given direction relative to an isotropic antenna.

Effective Radiated Power (ERP) – In a given direction, the relative gain of a transmitting antenna with respect to the maximum directivity of a half wave dipole multiplied by the net power accepted by the antenna from the connecting transmitter.

Gain (of an antenna) – The ratio of the maximum intensity in a given direction to the maximum radiation in the same direction from an isotropic radiator. Gain is a measure of the relative efficiency of a directional antennas as compared to an omni directional antenna.

General Population/Uncontrolled Environment – Defined by the FCC, as an area where RFR exposure may occur to persons who are **unaware** of the potential for exposure and who have no control of their exposure. General Population is also referenced as General Public.

Generic Antenna – For the purposes of this report, the use of "Generic" as an antenna model means the antenna information was not provided and could not be obtained while on site. In the event of unknown information, Sitesafe will use our industry specific knowledge of antenna models to select a worst case scenario antenna to model the site.

Isotropic Antenna – An antenna that is completely non-directional. In other words, an antenna that radiates energy equally in all directions.



Maximum Measurement – This measurement represents the single largest measurement recorded when performing a spatial average measurement.

Maximum Permissible Exposure (MPE) – The rms and peak electric and magnetic field strength, their squares, or the plane-wave equivalent power densities associated with these fields to which a person may be exposed without harmful effect and with acceptable safety factor.

Occupational/Controlled Environment – Defined by the FCC, as an area where Radio Frequency Radiation (RFR) exposure may occur to persons who are **aware** of the potential for exposure as a condition of employment or specific activity and can exercise control over their exposure.

OET Bulletin 65 – Technical guideline developed by the FCC's Office of Engineering and Technology to determine the impact of Radio Frequency radiation on Humans. The guideline was published in August 1997.

OSHA (Occupational Safety and Health Administration) – Under the Occupational Safety and Health Act of 1970, employers are responsible for providing a safe and healthy workplace for their employees. OSHA's role is to promote the safety and health of America's working men and women by setting and enforcing standards; providing training, outreach and education; establishing partnerships; and encouraging continual process improvement in workplace safety and health. For more information, visit www.osha.gov.

Radio Frequency Radiation – Electromagnetic waves that are propagated from antennas through space.

Spatial Average Measurement – A technique used to average a minimum of ten (10) measurements taken in a ten (10) second interval from zero (0) to six (6) feet. This measurement is intended to model the average energy an average sized human body will absorb while present in an electromagnetic field of energy.

Transmitter Power Output (TPO) – The radio frequency output power of a transmitter's final radio frequency stage as measured at the output terminal while connected to a load.



Appendix C – Rules & Regulations

Explanation of Applicable Rules and Regulations

The FCC has set forth guidelines in OET Bulletin 65 for human exposure to radio frequency electromagnetic fields. Specific regulations regarding this topic are listed in Part 1, Subpart I, of Title 47 in the Code of Federal Regulations. Currently, there are two different levels of MPE - General Public MPE and Occupational MPE. An individual classified as Occupational can be defined as an individual who has received appropriate RF training and meets the conditions outlined below. General Public is defined as anyone who does not meet the conditions of being Occupational. FCC and OSHA Rules and Regulations define compliance in terms of total exposure to total RF energy, regardless of location of or proximity to the sources of energy.

It is the responsibility of all licensees to ensure these guidelines are maintained at all times. It is the ongoing responsibility of all licensees composing the site to maintain ongoing compliance with FCC rules and regulations. Individual licensees that contribute less than 5% MPE to any total area out of compliance are not responsible for corrective actions.

OSHA has adopted and enforces the FCC's exposure guidelines. A building owner or site manager can use this report as part of an overall RF Health and Safety Policy. It is important for building owners/site managers to identify areas in excess of the General Population MPE and ensure that only persons qualified as Occupational are granted access to those areas.

Occupational Environment Explained

The FCC definition of Occupational exposure limits apply to persons who:

- are exposed to RF energy as a consequence of their employment;
- have been made aware of the possibility of exposure; and
- can exercise control over their exposure.

OSHA guidelines go further to state that persons must complete RF Safety Awareness training and must be trained in the use of appropriate personal protective equipment.

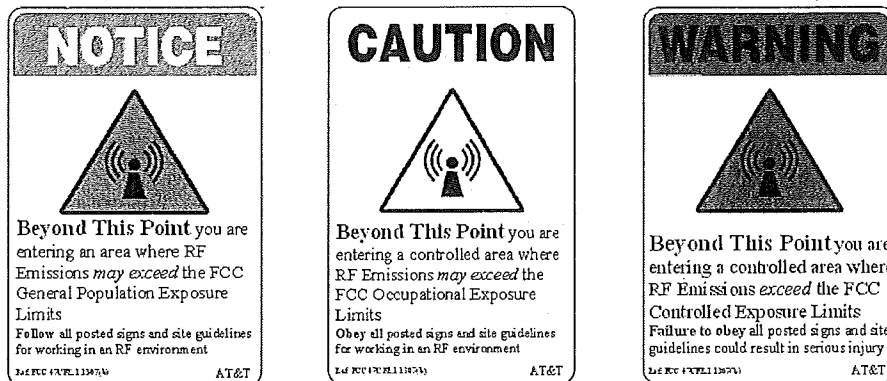
In order to consider this site an Occupational Environment, the site must be controlled to prevent access by any individuals classified as the General Public. Compliance is also maintained when any non-occupational individuals (the General Public) are prevented from accessing areas indicated as Red or Yellow in the attached RF Emissions diagram. In addition, a person must be aware of the RF environment into which they are entering. This can be accomplished by an RF Safety Awareness class, and by appropriate written documentation such as this Site Compliance Report.

All AT&T Mobility, LLC employees who require access to this site must complete RF Safety Awareness training and must be trained in the use of appropriate personal protective equipment.

Appendix D – General Safety Recommendations

The following are *general recommendations* appropriate for any site with accessible areas in excess of 100% General Public MPE. These recommendations are not specific to this site. These are safety recommendations appropriate for typical site management, building management, and other tenant operations.

1. All individuals needing access to the main site (or the area indicated to be in excess of General Public MPE) should wear a personal RF Exposure monitor, successfully complete proper RF Safety Awareness training, and have and be trained in the use of appropriate personal protective equipment.
2. All individuals needing access to the main site should be instructed to read and obey all posted placards and signs.
3. The site should be routinely inspected and this or similar report updated with the addition of any antennas or upon any changes to the RF environment including:
 - adding new antennas that may have been located on the site
 - removing of any existing antennas
 - changes in the radiating power or number of RF emitters
4. Post the appropriate **NOTICE**, **CAUTION**, or **WARNING** sign at the main site access point(s) and other locations as required. Note: Please refer to RF Exposure Diagrams in Appendix B, to inform everyone who has access to this site that beyond posted signs there may be levels in excess of the limits prescribed by the FCC. The signs below are examples of signs meeting FCC guidelines.



5. Ensure that the site door remains locked (or appropriately controlled) to deny access to the general public if deemed as policy by the building/site owner.
6. For a General Public environment the four color levels identified in this analysis can be interpreted in the following manner:
 - a) Composite Exposure Levels
 - Areas indicated as Green are below 100% of the MPE limits or below.
 - Blue represents areas predicted to be between 100% and 500% of the MPE limits.



- Yellow represents areas predicted to be between 500% and 5000% of the MPE limits.
 - Red areas indicated predicted levels greater than 5000% of the MPE limits.
- b) AT&T Mobility 5% Exposure Levels:
- Areas indicated as Green are below 5% of the MPE limits or below.
 - Purple represents areas predicted to be greater than 5% of the MPE limits.

7. Use of a Personal Protective Monitor: When working around antennas, Sitesafe strongly recommends the use of a Personal Protective Monitor (PPM). Wearing a PPM will properly forewarn the individual prior to entering an RF exposure area.

Keep a copy of this report available for all persons who must access the site. They should read this report and be aware of the potential hazards with regards to RF and MPE limits.

Additional Information

Additional RF information is available by visiting both www.Sitesafe.com and www.fcc.gov/oet/rfsafety. OSHA has additional information available at: <http://www.osha-slc.gov/SLTC/radiofrequencyradiation>.

BOARD OF SUPERVISORS
EAST GOSHEN TOWNSHIP
CHESTER COUNTY
1580 PAOLI PIKE, WEST CHESTER, PA 19380-6199

August 16, 2011

Dear Property Owner:

The purpose of this letter is to inform you that the Township has received a Conditional Use Application from QVC, Inc. requesting Conditional Use Approval to allow parking in the front yard area of their property at 1365 Enterprise Drive, West Chester, 19380.

The applicant proposes to relocate four handicapped accessible parking spaces from their main parking lot to a parking lot on the eastern side of the property. This move would locate the spaces within the required 100 foot Front Yard area. Parking in the Front Yard is allowed in the Business Park (BP) Zoning District by Conditional Use approval.

Pursuant to Township ordinance all property owners within 1000 feet of the property seeking Conditional Use approval, are notified of the meeting dates when the application will be discussed. The scheduled dates of the public meetings for review and potential approval of this application are as follows:

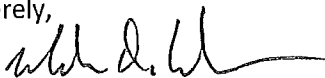
September 7, 2011 - Planning Commission meeting (workshop 7:00 pm, formal meeting at 7:30 pm)
(Presentation of Application)

October 4, 2011 - Board of Supervisors meeting (7:00 pm)
(Conditional Use Hearing)

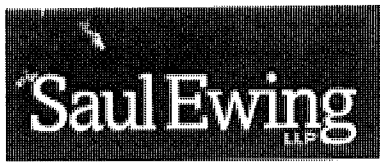
All meetings and workshops are held at the Township Building and are open to the public and subject to change. The application materials are available for review during normal business hours. If any person who wishes to attend the hearing has a disability and/or requires an auxiliary aid service or other accommodation to observe or participate in the hearing, he or she should contact the Township at 610-692-7171 to discuss how those needs may be accommodated.

Please call me if you have any questions or need additional information.

Sincerely,



Mark A. Gordon
Township Zoning Officer



Gregory J. Davis, Esquire

Phone: (610) 251-5065

Fax: (610) 408-4408

gdavis@saul.com

www.saul.com

August 9, 2011

VIA HAND DELIVERY

East Goshen Township
1580 Paoli Pike
West Chester, PA 19380
Attn: Mr. Mark Gordon, Zoning Officer

RECEIVED
BY
AUG 9 2011

Re: QVC, Inc. - Conditional Use Application
1365 Enterprise Drive (Tax Parcel Nos. 53-4-162, 163, 164, 165 & 174)

Dear Mr. Gordon:

On behalf of my client QVC, Inc. ("QVC"), I am submitting one original and ten (10) copies of the Conditional Use Application for the above-referenced property. In support of QVC's Conditional Use Application, enclosed please find the following:

1. Eleven (11) Plan Sheets entitled "Grading, Utilities & Erosion & Sedimentation Control Plan" dated 6/17/11;
2. Application Fee check in the amount of \$2,000.00, payable to "East Goshen Township"; and
3. Public Hearing Fee check in the amount of \$450.00, payable to "East Goshen Township."

Kindly advise me when this application will be placed on the Planning Commission agenda.

Thank you for your assistance with this Application and please do not hesitate to contact me should you require any additional information or have questions.

1200 Liberty Ridge, Suite 200 ♦ Wayne, PA 19087-5569 ♦ Phone: (610) 251-5050 ♦ Fax: (610) 651-5930

DELAWARE

MARYLAND

NEW JERSEY

NEW YORK

PENNSYLVANIA

WASHINGTON, DC

A DELAWARE LIMITED LIABILITY PARTNERSHIP

August 9, 2011
Page 2
East Goshen Township

Please sign below as an acknowledgment of receipt of the enclosed Conditional Use Application.

Very truly yours,



Gregory J. Davis

GJD/pad
Enclosures

RECEIVED THIS 9th DAY OF AUGUST, 2011.

BY: _____

TITLE: _____

Conditional Use Application and Checklist

East Goshen Township

To: Township Zoning Officer

Name of Applicant: QVC, Inc.

Applicant Address: 1200 Wilson Drive, West Chester, PA 19380, Attn: Pat Cassidy

Telephone Number: 610-251-5065 (Attn: Gregory J. Davis, Esq.) Fax: 610-408-4408

Email Address: gdavis@saul.com

Property Address: 1365 Enterprise Drive

Tax Parcel Number: 53-4-162, 163, 164, 165 & 174 Zoning District: BP-Business Park
Acreage: 28.228 acres

Description of Proposed Use:

Applicant recently obtained a grading permit in connection with proposed upgrades to the main entrance of its office building on the subject property, which is located in the BP Business Park zoning district. As a result of the upgrades, Applicant had to relocate eight (8) handicapped parking spaces to the east side of the building. Four (4) of the handicapped spaces must now be located within the required 100' front yard. Parking in the front yard of properties in the BP District is permitted by conditional use pursuant to Section 240-21.C(23). Impervious coverage will not exceed the 50% permitted in the BP district.

Conditional Use is provided in Zoning Ordinance Section: 240-21.C(23)

We hereby acknowledge that we have read this application and state that the above is correct and agree to comply with all provisions of the East Goshen Township Zoning Ordinance applicable to this project and property.

Gregory J. Davis August 9, 2011
By: Gregory J. Davis Attorney for Applicant Date

Attest: [Signature]

*** Review the formal Planning Commission review procedure on page three.**

Conditional Use Application and Checklist

East Goshen Township

To: Township Zoning Officer

Name of Applicant: Acero Holdings, LLC

Applicant Address: 5149 West Chester Pike, Newtown Square, PA 19073

Telephone Number: 610-356-6148 Fax: 610-356-4202

Email Address: mbartos@aceroprecision.com

Property Address: 1340 Enterprise Drive, West Chester, PA 19381

Tax Parcel Number: 53-04-0168 Zoning District: BP Acreage: 8
53-04-0169

Description of proposed use:
See attached Narrative in support of Conditional Use

Conditional Use is provided in Zoning Ordinance Section: 240-21.C.9

We hereby acknowledge that we have read this application and state that the above is correct and agree to comply with all provisions of the East Goshen Township Zoning Ordinance applicable to this project and property.

[Signature] 8-15-11
Signature of Applicant Date

Attest: Mark Bl

* Review the formal Planning Commission review procedure on page three.

BEFORE THE BOARD OF SUPERVISORS OF EAST GOSHEN TOWNSHIP

IN RE: CONDITIONAL USE APPLICATION OF ACERO
 HOLDINGS, LLC

NARRATIVE IN SUPPORT OF APPLICATION FOR CONDITIONAL USE

I. Introduction

Acero Holdings, LLC (the "Applicant") is the equitable owner of an approximately eight (8) acre property located at 1340 Enterprise Drive, East Goshen Township, Chester County, Pennsylvania (the "Property"). The Property is located in the BP- Business Park Zoning District where manufacturing of precision instruments and similar products is permitted by conditional use. The Property is improved with an approximately 75,000 square foot building, which is currently vacant. There are 157 existing parking spaces, along with other customary improvements, including mature landscaping.

The Applicant hereby requests, by and through its undersigned counsel, that the Board of Supervisors of East Goshen Township grant a conditional use approval to allow a precision manufacturing use of the existing building and the Property pursuant to Section 240-21.C(9) of the East Goshen Township Zoning Ordinance.

II. The "Proposed Use"

Acero Holdings, LLC is a real estate holdings company which will lease the subject building to Acero Precision, Inc. Acero Precision, Inc. is a manufacturer of precision instruments that are utilized primarily in the medical and motorsports industries. Manufactured products include medical implants for orthopedic surgery, precision motorsports parts, components for medical systems and general precision industrial components. These items are sold internationally. No exterior construction is proposed. Acero Precision, Inc. will utilize the existing building for its manufacturing operation. Internal modifications are proposed to outfit the interior space for the proposed use. This will include the manufacturing floor itself as

well as areas for accessory office and accessory shipping and receiving and any other necessary supporting elements.

III. Conclusion

The Applicant will establish compliance with the applicable conditional use standards during the presentation to the Planning Commission as well as during the hearing before the Board of Supervisors in support of approval of the proposed conditional use.

Respectfully submitted,



Brian L. Nagle
Attorney for the Applicant
Attorney I.D. #86924
17 West Miner Street
P.O. Box 660
West Chester, PA 19381-0660
(610) 436-0100

BOARD OF SUPERVISORS
EAST GOSHEN TOWNSHIP

CHESTER COUNTY
1580 PAOLI PIKE, WEST CHESTER, PA 19380-6199

August 31, 2011

Dear Property Owner:

The purpose of this letter is to inform you that Mr. Mark Galik, 41 Sherman Drive, Malvern, PA 19355 has submitted a Zoning Hearing Board Application for his property. Mr. Galik proposes to build an addition to his home and is requesting dimensional relief from the rear yard setback requirement of the Township Zoning Ordinance, §240-28.D.(3)(c). The Zoning ordinance requires a 35 foot rear yard setback for this property and Mr. Galik is requesting that the Zoning Hearing Board grant him relief from that ordinance requirement and allow a rear yard setback of 20 feet in order to construct an addition and deck onto the rear of his home.

Pursuant to Township policy, property owners and residents within 1000 feet of the subject property are notified of Zoning Variance applications.

The meeting dates and times scheduled for the review and discussion of this application are outlined below and subject to change.

September 7, 2011 - Planning Commission meeting (workshop at 7:00 pm, formal meeting @ 7:30 pm)
(Presentation of Application)

September 8, 2011 - Historical Commission meeting (7:00 pm) **(Presentation of Application)**

September 27, 2011 - Board of Supervisors meeting (7:00 pm) **(Presentation of Application)**

October 12, 2011 - Zoning Hearing Board meeting (7:30 pm) **(Zoning Hearing)**

All meetings are held at the Township Building and are open to the public. The plans are available for review during normal business hours. Please give me a call at or email me at mgordon@eastgoshen.org if you have any questions or need additional information.

Sincerely,



Mark A. Gordon
Township Zoning Officer

Cc: All Township Authorities, Boards and Commissions

EAST GOSHEN TOWNSHIP
ZONING HEARING BOARD APPLICATION

1580 PAOLI PIKE WEST CHESTER, PA 19380-6199
PHONE (610)-692-7171 FAX (610)-692-8950

Name of Applicant: Mark Galik

Applicant Address: 41 Sherman Drive
Malvern, PA 19355

Telephone Number: (610)296-4188 Fax Number: _____

Email Address: mark@galik.com

Property Address: 41 Sherman Drive
Malvern, PA 19355

Tax Parcel Number: 53-2-20.20 Zoning District: R-2 Acreage: .798806

Purpose of Application (check one)

- ☒ Variance (Type: ☐ Use Variance ☐ Dimensional Variance)
☐ Special Exception
☐ Appeal determination of the Zoning Officer
☐ Other _____

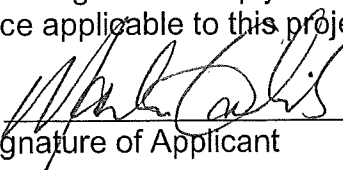
Sections of Zoning Ordinance in which relief is sought:

Rear yard setback requirement

Description of the Zoning Relief requested and the future use of the property:

Fifteen feet (15') of relief at the rear yard (4.4' for dwelling, 15' for deck) - see drawing by Chester Valley Engineers dated 8/23/2011. Old home oddly situated on lot. Kitchen small and completed by builder during renovation - new kitchen in scale with home. New stair in addition will allow larger furniture to upper floors. Existing retaining walls by old garage hazardous. Existing porch over finished space causes leaking in basement. Rear deck will allow us to take advantage of view/open space.

We hereby acknowledge that we have read this application and state that the above is correct and agree to comply with all provisions of the East Goshen Township Zoning Ordinance applicable to this project and property.


Signature of Applicant

8/30/2011
Date

***Please review the formal application and review procedures on page three.**

August 30, 2011

EAST GOSHEN TOWNSHIP

Attn: Zoning Board
1580 Paoli Pike
West Chester, PA 19380

To Whom it May Concern:

We have reviewed the plans for the addition at 41 Sherman Drive that the Galik family is hoping to build. We understand that a zoning variance is required. We fully support the approval of this variance as the addition will have a positive impact on our neighborhood's visual character and property value.

Please do not hesitate to contact us at 610 640 0912 or Jeffgin@eircom.net should you wish.

Respectfully,

A handwritten signature in cursive script, appearing to read "Jeff and Ginny Palmer".

Jeff and Ginny Palmer
42 Sherman Drive
Malvern, PA 19355

August 29, 2011

To Whom It May Concern:

We have reviewed the plans for the addition at 41 Sherman Drive and understand that a zoning variance is required. We fully support the approval of this variance as we feel that the addition will have a positive impact on our neighborhood's visual character and property value.

Sincerely,


A handwritten signature in black ink, appearing to be 'SD', with a long horizontal stroke extending to the right.

Stephanie Dunlap
43 Sherman Dr.
Malvern, PA 19355
484.318.8201

Memorandum

East Goshen Township
1580 Paoli Pike
West Chester, PA 19380

Voice: 610-692-7171
Fax: 610-692-8950
E-mail: mgordon@eastgoshen.org

Date: 9/1/2011
To: Planning Commission
From: Mark Gordon, Township Zoning Officer 
Re: Signs (Flashing, LED, LCD)

Dear Commissioners:

Here is my latest revision to the Sign Ordinance amendment we have been discussing. The main topics are:

Flashing Signs:

- I have added a definition for Flashing Signs, including LCD and LED signs within that definition.
- Flashing signs are allowed currently in the C-1 district (West Chester Pike) if you want to prohibit this type of sign we'll have to do that. I'm not proposing that change in this version.

Freestanding Signs in Commercial districts:

- I think the ordinance is too onerous here. Free standing signs in the R districts can be 32 s.f and those in commercial districts can only be 10 s.f. That just doesn't make very good planning sense to me!

Open house Signs:

- I am also suggesting a text amendment in the attached document on page five for real estate signs for Open Houses. The reasoning is that I believe that since transfer taxes are a big revenue source for the Township we should allow this type of sign in order to help realtors promote and market the available real estate in the Township. This would also save some Township staff time that we currently spend on removing these signs.

§240-6 Definitions

SIGN -- A lettered board, structure, display, illustration or other surface, or any other graphic device used to visually announce, advertise or convey information to the public for any purpose, and which is visible from outside of a building.

(1) DIRECTIONAL SIGN -- An informational sign indicating direction, entry or exit, loading or service area, fire lanes, parking, no trespassing or similar information incidental to the primary use and not itself advertising that use.

(2) FREESTANDING SIGN -- A sign and supporting structure which is self-supporting upon the ground or which is supported by means of poles, pylons or standards in the ground. A freestanding sign is not attached to a building except by secondary supports such as guy wires.

(3) FLASHING SIGN -- Any illuminated sign on which the artificial light is not maintained stationary or constant in intensity and color at all times when such sign is in use. For the purpose of this ordinance, any moving, illuminated sign shall be considered a "flashing sign"; such signs shall not be deemed to include time and temperature signs. This definition shall include LCD, LED, PLASMA, and other flat screen type signs which present moving and animated text or images.

(3) IDENTIFICATION SIGN -- A sign identifying a home occupation or identifying the use of a property, but one that has no advertisement.

(4) ILLUMINATED SIGN, DIRECT -- A sign which is designed to be illuminated by artificial light from a source adjacent to or outside of the sign in such a manner that the source of the light is not directly visible from the street or any other intended vantage point of the sign.

(5) ILLUMINATED SIGN, INDIRECT -- A sign which is designed to be illuminated by light from within the sign rather than a source adjacent to or outside of the sign.

(6) MENU BOARD -- A sign that (only) lists types and prices of food and beverage offered for sale. Such sign includes but is not limited to a bill of fare or a price list.

(7) MOVABLE SIGN -- A sign which is not secured or attached to a structure or to the ground.

(8) NAMEPLATE SIGN -- A sign indicating only the name and/or address of persons or person residing on or legally occupying the premises.

(9) OFFICIAL SIGN -- A sign erected by the state, county, Township or other legally constituted governmental body.

(10) OFF-PREMISES SIGN -- A sign which directs attention to an object, product, service, place, activity, person, institution, organization or business that is primarily offered or located at a location other than the lot upon which the sign is located. This includes signs commonly called "billboards."

(11) POLITICAL SIGN -- A sign which indicates the name, cause or affiliation of a person seeking public office or on which reference is made to an issue for which a referendum is scheduled to be held.

(12) PUBLIC SERVICES SIGN -- A sign which advertises availability of rest rooms, telephone, meeting times of service organizations or other similar public conveniences.

(13) TEMPORARY SIGN -- A sign constructed of paper, cloth, canvas, wood, metal or any lightweight material intended to be displayed for a short period of time, normally less than 30 days.

(14) TIME AND TEMPERATURE SIGNS -- A sign or portion of a sign whose sole purpose is to indicate the time and/or temperature.

(15) VEHICULAR SIGN -- A sign affixed or painted on a vehicle, trailer or similar device.

(16) WALL SIGN -- A sign posted on, painted on, suspended from or otherwise affixed to a wall or vertical surface of a building which does not project more than 12 inches from the wall or vertical surface to which it is attached.

(17) WALL-SIGNABLE AREA -- A continuous rectangular area on the wall of a building.

(18) WINDOW SIGN -- A temporary sign attached to or affixed to the interior of a window or door, or a sign which is readily visible and can be read from the exterior through a window or door from a distance of 20 feet therefrom. Such sign shall not be internally illuminated.

SIGN, HEIGHT OF -- The vertical distance measured from the average ground level immediately below a sign to the highest point of the sign and its supporting structure.

§240-22 Signs

Sign regulations applicable to all districts.

A. Scope and applicability.

(1) Permit required. A zoning permit shall be required for all signs allowed in any zoning district except for signs listed in Subsections H, I and J. All signs shall comply with the regulations of this chapter.

(2) Special permit required. A special permit(s), not to exceed 30 days in any calendar year for all special permits, may be issued for promotional devices, floodlights, flags, banners or other attention getting devices for special occasions for new or existing businesses in any commercial or industrial district.

(3) Temporary permit required. A temporary zoning permit will be required for any sign erected and maintained by a developer on a tract of ground. Permits will be valid for six months but may be renewed by the Zoning Officer. Such sign shall not exceed 32 square feet in area.

1 B. Nonconforming signs.

2 (1) Signs legally existing at the time of enactment of this chapter and which do not conform to the
3 requirements of this chapter shall be considered nonconforming signs. Any nonconforming sign which is
4 damaged in excess of 25% of its cost of replacement or is removed shall be replaced only with a
5 conforming sign. Legal nonconforming signs may be repainted or repaired (including lighting), provided
6 that such repainted or repaired sign does not exceed the dimensions of the existing sign. Wording may
7 also be changed.

8 (2) Signs advertising a use no longer in existence shall be removed or changed to advertise the new
9 use within 30 days of the cessation of the original use. Signs once removed shall be replaced only by
10 signs in conformance with this chapter.

11 (3) It is the responsibility of the owner of a sign to provide evidence that a sign is lawfully
12 nonconforming and to register such sign with the Zoning Officer.

13 C. Construction of signs. Every sign permitted in this section must be constructed of durable
14 materials and must be kept in good condition and repair. Any sign which is allowed to become
15 dilapidated may be repaired or removed by the Township at the expense of the owner or lessee of the
16 property on which it is located upon written notice to both tenant and landlord.

17 D. Abandoned signs. No person shall maintain or permit to be maintained on any premises owned
18 or controlled by him a sign which has been abandoned.

19 (1) An abandoned sign for the purpose of this chapter is a sign located on and/or related to the use
20 of a property which becomes vacant and unoccupied for a period of six months or more; any sign which
21 was erected for an occupant or business unrelated to the present occupant in business; or any sign
22 which relates to a time, event or purpose which is past.

23 (2) Any such abandoned sign shall be abated by the owner or person controlling the property within
24 30 days of the date of abandonment as herein defined.

25 E. Location of signs. The location for signs shall be governed by the following location
26 requirements:

27 (1) No sign except official signs, name plate signs, bus shelter signs, public service signs (such as
28 telephone) and directional signs shall be erected within or project over a street right-of-way.

29 (2) No sign shall be so located or arranged that it interferes with the sight distance requirements of
30 § 240-23D(11).

31 (3) No signs except official signs, political signs, public service signs, bus shelter signs or off-
32 premises signs permitted by Subsection P shall be erected on a property to which it does not relate.

33 (4) No sign except removable political signs and temporary yard or garage sale signs shall be placed
34 on any tree, official sign, rocks or other natural features.

(5) All signs erected in any zoning district, except C-1, shall comply with the side yard requirements for the district. A freestanding sign may be erected one foot from the side property line in the C-1 Commercial District.

F. Illuminated signs.

(1) The lighting of signs shall be arranged so that a bare light bulb, spotlight bulb or fluorescent bulb is not visible off the lot. Any lighting of signs shall be the minimum necessary to make the sign visible from a distance of 500 feet.

(2) No sign in any residential zoning district established in § 240-5 of this chapter shall be indirectly and/or internally illuminated unless specifically permitted by another provision of this chapter.
[Amended 11-16-1999 by Ord. No. 129-J-99]

(3) See also § 240-24H regarding light and glare control.

G. Vehicle signs. Any vehicle or structure to which a sign is affixed in such a manner that the carrying of such sign or signs no longer is incidental to the primary purpose of the vehicle or structure but becomes a primary purpose in itself shall be considered a freestanding sign and as such be subject to the provisions regarding freestanding signs in the district in which such vehicle or structure is located. All vehicles associated with a commercial establishment shall be parked in a location that precludes the vehicle from being used as a freestanding sign.

H. Menu boards, bills of fare or price lists. A menu board (as defined under "sign" in § 240-6) shall not be considered a sign within the meaning of this chapter, provided that all of the following conditions are met:

(1) Such sign is three square feet or less in area.

(2) Such sign has letters and numbers a maximum of three inches in height.

(3) Such sign is located on the building next to the entrance of the establishment or in the window next to the entrance to the establishment.

(4) Such sign shall only be permitted for use in conjunction with a restaurant.

I. Temporary signs. The following signs are permitted and do not require a zoning permit, provided that they are removed in the time specified and conform to the sign requirements of this section. Any such sign that does not meet the requirements of this section shall only be permitted if it meets the provisions for another type of permitted sign.

(1) Yard or garage sale signs, provided that they do not exceed four square feet in area and are removed within 48 hours after sale, and provided that a maximum of three such signs are posted.

(2) Signs giving notice of the sale or rental of the property on which the sign is located, provided that such sign does not exceed eight square feet in area in the R-1 (PRD Residential Area), R-2, R-3, R-4

and R-5 Zoning Districts, and 20 square feet in area in the R-1 (PRD Commercial Area), C-1, C-2, C-4, C-5, I-1, I-2 and BP Zoning Districts, and are removed within 72 hours upon settlement of the sale or upon signing of the lease of rental. Open house directional signs may be installed on the day of the open house and removed immediately following the event. [Amended 5-7-2002 by Ord. No. 129-L-02]

(3) Political signs, provided that each does not exceed eight square feet in area and are removed within seven days after the date of the election or referendum.

(4) Signs erected by a United States Internal Revenue Service recognized nonprofit or charitable entity recognized by the Zoning Officer denoting a special event, provided that they are erected no more than 15 days before the event and removed within seven days after the event and do not exceed 32 square feet in sign area.

(5) Noncommercial signs and decorations for an official or religious holiday, provided that they do not create traffic or fire hazards and are removed within seven days following the event. Such sign shall not exceed 32 square feet.

(6) Signs announcing work actively being performed on the premises by contractors, mechanics, painters, artisans, etc., not to exceed eight square feet, provided that they are removed within seven days after such work is no longer actively and continuously being pursued, except such signs may be a maximum of 32 square feet if the construction cost is over \$1,000,000.

(7) Signs advertising the temporary sale of products or goods such as Christmas trees, provided that such signs shall not exceed a total sign area on each of two sides of 12 square feet, are only posted for a maximum of 30 days and are removed within three days after the completion of sales.

J. Exempt signs. The following type of signs (as defined in § 240-6) are exempt from zoning permit requirements, within the following requirements:

(1) Official signs.

(2) Name plate signs not to exceed two square feet.

(3) Identification signs not to exceed two square feet.

(4) Directional signs not to exceed four square feet.

(5) Memorial or historic markers when approved by motion or resolution of the Board of Supervisors.

(6) Public service signs, such as those advertising availability of rest rooms, telephone, meeting times of service organizations or other similar public conveniences. Not to exceed two square feet.

(7) Temporary signs as provided in Subsection I.

K. Signs prohibited in all districts. The following signs are prohibited in all zoning districts:

(1) Banners, spinners, flags, pennants or any moving object used for commercial advertising purpose whether containing a message or not, except as permitted under Subsection A(2), and except banners or flags meeting the requirements for a permitted type of sign.

(2) Flashing, blinking, twinkling, animated or moving signs of any type, except those portions of the sign which indicate time and temperature, and except flashing signs shall be permitted in the C-1 District.

(3) Signs placed, inscribed or supported upon the roof or upon any structure which extends above the eave of the roof of any building.

(4) Signs on mobile stands which can be moved from place to place.

(5) Signs which emit smoke, visible vapors or particles, sound or odor.

(6) Signs which contain information that states or implies that a property may be used for any purpose not permitted under the provisions of this chapter in the zoning district in which the property to which the sign relates is located.

(7) Signs that are of such character, form, shape or color that it imitates or resembles any official traffic sign, signal or device, or that has any characteristics which are likely to confuse or distract the operator of a motor vehicle on a public street.

(8) Signs that outline the rooflines, doors, windows or wall edges by illuminated tubing or strings of lights for advertising purposes.

(9) Signs or displays visible from a street, sidewalk or another property that include words or images that are obscene, pornographic or that an average reasonable person would find highly offensive to public decency.

(10) Off-premises signs (as defined in § 240-6) shall be prohibited in the Township, except for official signs or as specifically permitted in the C-1 and I-2 Districts. [Amended 2-5-2002 by Ord. No. 129-G-2]

L. Signs and/or structures denoting the name of a subdivision.

(1) Signs that are freestanding or attached to walls or fences constructed of weather-resistant wood or decorative masonry designating the name of a subdivision and any accompanying logo may be erected at each entrance of a subdivision. The location of all such structures or signs shall be approved by the Township during the subdivision process and shall not contain any advertising except the name of the subdivision. A maximum of two sign faces shall be permitted, each of which shall have a maximum sign area of 50 square feet.

(2) The applicant shall prove that there will be a long-term system to ensure proper maintenance of the sign and any accompanying landscaping and that the sign will be durably constructed as to require

(2) The applicant shall prove that there will be a long-term system to ensure proper maintenance of the sign and any accompanying landscaping and that the sign will be durably constructed as to require minimal maintenance. The Zoning Officer shall issue a zoning permit upon the recommendation of the Planning Commission.

(3) These signs shall only be permitted for use in conjunction with a subdivision and shall not be permitted for use in conjunction with a land development.

L.1. Off-premises signs and structures denoting the uses in the I-2 District. [Added 2-5-2002 by Ord. No. 129-G-2; amended 2-22-2005 by Ord. No. 129-A-05]

(1) An off-premises, directly illuminated freestanding sign may be erected at the Paoli Pike entrance to the uses. The location of such sign, the materials, the method of lighting, and the content of the sign shall be approved by the Board of Supervisors during the subdivision/land development process. The sign shall have a maximum sign area of 20 square feet and a maximum height of five feet. The Zoning Officer shall issue a zoning permit upon the recommendation of the Planning Commission and approval of the Board of Supervisors.

(2) The applicant shall prove by a preponderance of evidence that there will be a long-term system to ensure proper maintenance of the sign and any accompanying landscaping.

M. Area of signs. The following regulations shall be used in computing the area of signs:

(1) The area of a sign shall be construed to include all lettering, wording and accompanying designs and symbols, together with the background, whether open or enclosed, on which they are displayed, but not including any supporting framework and bracing which are incidental to the display itself.

(2) Where the sign consists of individual letters or symbols attached to or painted on a surface, building, wall or window, the area shall be considered to be that of the smallest rectangle or triangle, including the sign background, which encompasses all of the letters and symbols.

(3) In computing square foot area of a double-face sign, only one side shall be considered, provided that both faces are identical in size. If the interior angle formed by the two faces of the double-faced sign is greater than 45°, then both sides of such sign shall be considered in calculating the sign area.

(4) Unless otherwise specified, all square footages are maximum sizes.

N. Height of signs. No sign shall exceed the maximum height restriction for the particular type of sign structure and zoning district established below: [Amended 2-5-2002 by Ord. No. 129-G-2]

Maximum Height*

Type of sign structure	Residential Districts	Commercial Districts	Industrial and Business Park Districts
Freestanding	6	14	6
Wall	10	14	10**

*"Maximum height" shall mean the vertical distance measured from the average ground level immediately below a sign to the highest point of the sign and its supporting structure.

**Wall signs on office buildings in the I-2 District may have a maximum height of 41 feet.

O. Signs permitted in residential districts.

(1) Only the following types of signs are permitted in residential districts:

- (a) Exempt signs as provided in Subsection J.
- (b) Temporary signs as provided in Subsection I.
- (c) Subdivision signs as provided in Subsection L.

(d) The following signs are permitted for those uses permitted in residential districts by conditional uses or special exception:

[1] A wall sign not to exceed 20% of the wall-signable area or 32 square feet, whichever is less, and permitted on the front wall of the structure only.

[2] A freestanding sign not to exceed 32 square feet in area. Such sign shall not be internally illuminated. No more than one freestanding sign per road frontage.

[3] A nonilluminated window sign not to exceed 20% of window area to which it is attached.

(2) Any of the above signs that are to be associated with a proposed conditional or special exception use shall be reviewed and either be approved or denied at the same time that the conditional or special exception use is being reviewed.

(3) Signs relating to convenience commercial facilities when permitted in an apartment development in accordance with the following regulations: [Amended 11-16-1999 by Ord. No. 129-J-99]

(a) Wall sign. One shall be permitted for each establishment and shall be attached only to either the front wall, front advertising band or under the eave of the front of the main roof of the individual establishment. The top of the sign shall not be as high as the roof eave and the bottom of the sign shall be at least six feet and eight inches above the nearest finished walkway. (A parking area shall not be

(a) Wall sign. One shall be permitted for each establishment and shall be attached only to either the front wall, front advertising band or under the eave of the front of the main roof of the individual establishment. The top of the sign shall not be as high as the roof eave and the bottom of the sign shall be at least six feet and eight inches above the nearest finished walkway. (A parking area shall not be considered a walkway). Such sign shall not exceed two feet in height or be longer than 75% of the linear length of the individual commercial establishment. The maximum size of any such sign shall not exceed 24 square feet.

[1] All newly placed wall signs attached to the same building.

[a] Shall be generally consistent in proportion and format with existing signs so that consistency of signs is achieved.

[b] Shall not be box-type signs if at least 75% of the existing signs in the convenience center are not box-type signs. A "box-type" sign is a closed box with one or two faces being illuminated from within.

[c] Shall maintain common vertical and horizontal lines with other signs in a manner consistent with the architecture of the building.

[d] Should be generally consistent in materials, font style and type size with other signs attached to the same building.

[e] May be directly or indirectly illuminated.

(b) Freestanding sign. One freestanding sign shall be permitted for the convenience commercial facility. The sign shall not exceed 20 square feet in area and shall have an overall height not exceeding eight feet. Such signs may identify the names or businesses of the occupants of the convenience commercial facility.

(c) Window sign. A nonilluminated window sign not to exceed 20% of the window area to which it is attached.

(d) Design. All signs on the structures shall be of the same design, shall be lit in a similar manner and shall be architecturally compatible with the structure.

(e) Wall sign alternative. In lieu of the wall sign authorized by § 240-220(3)(a), each establishment in the building shall be permitted to erect one freestanding sign in accordance with the following requirements:

[1] Each freestanding sign shall have a maximum size of 10 square feet and a maximum height of 10 feet.

[2] Each freestanding sign shall be located immediately in front of its respective establishment.

[3] All portions of the freestanding sign shall be located no more than 10 feet from the respective establishment.

(4) See also Subsection F regarding illumination of signs in a residential district.

P. Signs permitted in commercial districts. Only the following types of signs are permitted in a commercial district:

(1) Exempt signs as provided in Subsection J.

(2) Temporary signs as provided in Subsection I.

(3) Signs relating to a principal use on a lot, including a maximum of one commercial establishment in accordance with the following regulations:

(a) Wall sign. One shall be permitted for each establishment. Such sign shall not exceed two square feet in area for each linear foot of wall-signable area, but not exceed 60 square feet.

(b) A freestanding sign not to exceed 10 square feet in area. No more than one freestanding sign shall be permitted on each street frontage. A freestanding sign not to exceed 32 square feet in area shall be permitted on each street frontage in the C-2 district for a shopping center use.

(c) A window sign not to exceed 20% of window area to which it is attached.

(4) Signs relating to a principal use on a lot, including more than one commercial establishment are permitted in accordance with the following regulations:

(a) Wall sign. One shall be permitted for each establishment. Such sign shall not exceed two feet in height or be longer than 75% of the linear length of the individual commercial establishment, with a maximum size of 32 square feet.

[1] All newly placed wall signs attached to the same building:

[a] Shall be generally consistent in proportion with existing signs.

[b] Shall not be box-type signs if at least 75% of the existing signs are not box-type signs.

[c] Shall maintain common vertical and horizontal lines with other signs in a manner consistent with the architecture of the building.

[d] Should be generally consistent in materials, font style and type size with other signs attached to the same building.

[2] An applicant for construction of a new principal building intended to include more than one establishment is strongly encouraged to submit a proposed set of standards that the building owner intends to use to control the types and colors of signs to ensure compatibility among the signs.

[3] See Subsection K which prohibits certain types of signs, such as flashing and above-the-roofline signs.

1 [3] See Subsection K which prohibits certain types of signs, such as flashing and above-the-roofline
2 signs.

3 [4] Wall sign alternative. In lieu of the wall sign referred to in Subsection P(4)(a), each
4 establishment in the structure shall be permitted to erect one freestanding sign in accordance with the
5 following requirements:

6 [a] Each freestanding sign shall have a maximum size of 10 square feet and a maximum height of 10
7 feet.

8 [b] Each freestanding sign shall be located immediately in front of its respective establishment.

9 [c] All portions of the freestanding sign shall be located no more than 10 feet from the respective
10 establishment.

11 [d] The freestanding signs shall comply with all front, rear and side yard requirements and they shall
12 comply with the setback requirements for the zoning district.

13 (b) A freestanding sign shall not exceed 10 square feet in area nor five feet in height. No more than
14 one freestanding sign shall be permitted on each street frontage.

15 (c) Window signs. The cumulative size of window signs is not to exceed 20% of the window area to
16 which it or they are attached. Such signs may contain the names or businesses of the occupants of the
17 facilities.

18 (d) All signs on the structure shall be of the same design and lit in a similar manner and shall be
19 architecturally compatible with the structure.

20 (5) Sign bonus. Each permitted 10 square feet maximum freestanding sign in a commercial district
21 may be increased in size to a maximum of 20 square feet if the sign is not internally illuminated and is
22 constructed of relief-cut wood (other than plywood).

23 (6) Off-premises signs. In addition to other permitted signs, a lot in the C-1 District may include one
24 off-premises sign (as defined in § 240-6) if the sign meets the following requirements:

25 (a) The sign shall include a maximum of one sign face, which shall not exceed a maximum of 50
26 square feet of sign area.

27 (b) The sign shall be set back a minimum of 200 feet from any other existing or previously approved
28 off-premises sign.

29 (c) The sign shall be set back a minimum of 100 square feet from the lot line of a primarily
30 residential use, except the setback shall be increased to 200 feet if the illumination of the sign would be
31 visible from an existing dwelling.

32 (d) Such sign shall have a maximum total height of 14 feet.

(7) Any sign (as defined in § 240-6, which includes but is not limited to graphics and logos) attached to or incorporated into functional elements of a building or development (including but not limited to awnings, canopies or murals) that serve an advertising or use identification purpose shall be considered to be a sign, and specifically shall be regulated by all provisions of this section for the applicable zoning district.

Q. Signs permitted in industrial and business park districts. Only the following types of signs are permitted in the industrial and business park districts: [Amended 2-5-2002 by Ord. No. 129-G-2]

(1) Exempt signs as provided in Subsection J.

(2) Temporary signs as provided in Subsection I.

(3) Subdivision signs as provided in Subsection L.

(4) Land development signs as provided in Subsection L.1.

(5) Wall sign. One shall be permitted for each establishment. Such sign shall not exceed two square feet for each linear foot of wall area (where a sign could be located) or 100 square feet, whichever is more restrictive, and shall be permitted only on the front wall of the structure. In the I-2 District each office building shall be permitted one sign, which shall not exceed 40 square feet.

(6) Freestanding sign. One sign along each street frontage, each of which shall not exceed 20 square feet in sign area.

(7) Freestanding signs in the I-2 District for an office use. [Amended 2-22-2005 by Ord. No. 129-A-05]

(a) A maximum of one freestanding, directly illuminated sign that is located on the lot that contains the office use shall be permitted for an office use in the I-2 District. The sign shall not exceed 13 square feet in area and four feet in height. The Zoning Officer shall issue a zoning permit for the sign upon the recommendation of the Planning Commission and approval of the Board of Supervisors.

(b) Off-site freestanding signs whose primary purpose is to direct persons to various uses in the I-2 Zoning District may be installed by the Township in the I-2 Zoning District. These signs shall be considered "official signs" as defined by this chapter.

(8) Freestanding signs in the I-2 District for National Register of Historic Places eligible buildings. A maximum of two freestanding, off-premises, directly illuminated signs shall be permitted. Each sign shall not exceed 24 square feet in area and five feet in height. If more than one such sign is installed, lettering and symbols shall be restricted to one side only of each sign. The applicant shall prove by a preponderance of evidence that there will be a long-term system to ensure proper maintenance of the sign and any accompanying landscaping. The Zoning Officer shall issue a zoning permit for the signs upon approval of the Board of Supervisors.

(9) Off premises freestanding signs in accordance with § 240-22L.1. [Added 2-22-2005 by Ord. No. 129-A-05]

R. Approval of signs associated with proposed conditional uses and special exception uses. Any of the signs in Subsections O through and including Q that are to be associated with a proposed conditional or special exception use shall be reviewed and either be approved or denied at the same time that the conditional or special exception use is being reviewed.

S. Display of street address numbers.

(1) Assignment of street address numbers.

(a) Street address numbers shall be assigned by the Township Manager or his/her designee to each lot, each dwelling unit and each commercial or business establishment when there is more than one such establishment on a lot.

(b) The Township Manager or his/her designee shall have the power to correct any errors with respect to the assignment of street address numbers, as and when such errors are discovered, and shall have the power to change and redesignate a street address number or numbers assigned to any lot, dwelling unit and commercial or business establishment when there is more than one such establishment on a lot and when it is deemed that such change or redesignation is necessary or desirable in order to provide street address numbers appropriate for the purposes of uniquely identifying each such lot, dwelling unit and commercial or business establishment and for reducing the time, effort and potential confusion necessitated by such identification.

(2) Application for street address number. The owner or occupant of a lot, dwelling unit and commercial or business establishment when there is more than one such establishment on a lot, to which no street address number has been previously assigned or designated or to which a duplicative number has been assigned or designated shall, prior to occupancy thereof, make application to the Township Manager or his/her designee for assignment of such street address number which, upon designation, shall be the street address number of the property.

(3) Specifications for street address number posting. The owner or occupant of each lot, each dwelling unit or each commercial or business establishment when there is more than one such establishment on a lot within the Township shall post the designated street address number on said lot, dwelling unit and commercial or business establishment in strict compliance with the following specifications and regulations:

(a) The street address numbers shall be Arabic in design and shall be constructed of a permanent and weatherproof material or possessing a permanent and weatherproof coating.

(b) Each digit constituting the posted street address number shall be not less than three inches in height.

(c) If the lot is improved with a building or buildings, the digits constituting the posted street address number shall be secured and permanently mounted to the principal building's element (e.g., front wall or porch) most proximate to the public or private vehicular accessway providing principal access to said building.

(d) Each digit constituting the posted street address number shall be mounted at a height not less than four feet nor greater than 10 feet above the grade or elevation of the adjoining principal vehicular accessway.

(e) Each digit of the posted street address number together with the structure or building element to which they are affixed shall be so designed with regard to contrasting background, arrangement, spacing, size and uniformity of digits so as to be readily legible and visible during daylight hours or when illuminated by a source of artificial light by a person possessing normal vision.

(f) Each digit of the posted street address number shall be so located so as to avoid all visual obstruction, including trees, shrubs and any other temporary or permanent structure or fixture.

(g) If the lot has a mailbox located within the street right-of-way, the digits constituting the posted street address number shall also be permanently mounted, painted or otherwise affixed on both sides to either the mailbox or the mailbox post.

(h) If the lot does not have a mailbox located within the right-of-way but does have a freestanding sign, the street address shall be placed on the freestanding sign. If the lot does not have a mailbox located within the right-of-way or have a freestanding sign, the street address shall be placed on a small freestanding sign which is located by the main entrance to the property. This freestanding sign shall not be larger than two square feet in size and not more than three feet in height.

T. Bus shelter signs. A bus shelter permitted by § 240-37 may include a single off-premises sign, which shall have a maximum of two sign faces. Such sign shall have a maximum sign area of 24 square feet on each of the two sign faces. In addition, such sign may include a sign of up to four square feet identifying the agency providing public transit service.

U. Historic wall signs. One historic wall sign shall be permitted on properties listed on the East Goshen Township Historic Resource Inventory for those uses permitted pursuant to § 240-38.5A. The sign shall be reviewed and approved by the Board of Supervisors contemporaneously with the use.
[Added 5-4-2004 by Ord. No. 129-D-04]

(1) The sign shall be a maximum size of six square feet on each of no more than two faces.

(2) The sign shall project no more than four feet from the face of the building.

(3) The top of the sign shall not exceed:

(a) One-story building: the eave height.

(b) Two- or three-story building: the height of the second floor windowsill.

(4) The sign may be directly illuminated by a maximum of two seventy-five-watt bulbs (one for each side).

(5) The sign, and related illumination, shall adhere to the standards of §§ 240-22 and 240-24H.

Summary Sign Chart 1
Maximum Size per Type of Sign

Sign Type	Residential Districts	Residential Districts , Local Shopping facilities in Apt. dev.	Commercial Districts, Individual structure on a single lot	Commercial Districts, Structure with more than one establishment	Commercial Districts, off premises	Industrial and Business Park Districts
Wall	20% of signable area or 32 sq.ft.	4 sq. ft.	2 sq. ft. of area per linear ft. of wall signable area (60 sq.ft. maximum)	32 sq. ft.	100 sq.ft.	2 sq.ft. in area per linear ft. of wall signable area(100 sq. ft. maximum)
Free standing	32 sq.ft.	20 sq. ft. (8 ft. high)	10 sq. ft.	10 sq. ft. (5 ft. high)	20 sq. ft.	20 sq. ft.
Window	20% of window area	20% of window area	20% of window area	20% of window area	n/a	n/a

This is a summary table for general overview purposes only. This table is not part of this chapter. Please see the actual chapter text.

Summary Sign Chart 2
Maximum Size per Type of Sign
(Allowed in All Districts)

Sign Type	Maximum Size Menu Boards, Bills of Fare or Price Lists (square feet)
Menu Boards, Bills of Fare or price lists	3 (restaurants only)

Sign Type	Maximum Size Temporary Signs (square feet)
Yard/garage sales	4
Sale/rental of property	8

Sign Type	Maximum Size Temporary Signs (square feet)
Political	8
IRS/Charity	32
Work-related	30 (If const. cost exceeds \$1,000,000)

Sign Type	Maximum Size Exempt Signs (square feet)
Name Plate	2
Identification	2
Directional	4
Public Service	2
Trespassing	2

- 1
- 2 This is a summary table for general overview purposes only. This table is not part of this chapter. Please
- 3 see the actual chapter text.

Memorandum

East Goshen Township
1580 Paoli Pike
West Chester, PA 19380

Voice: 610-692-7171

Fax: 610-692-8950

E-mail: mgordon@eastgoshen.org

Date: 9/1/2011

To: Planning Commission

From: Mark Gordon, Township Zoning Officer

Re: Ordinance Amendments

Dear Commissioners:

Attached is a draft of the some proposed ordinance amendments for your review and consideration. The CCPC review has not come in yet however I don't anticipate any significant comments. Should there be significant comments from the CCPC I will return these amendments to you along with those comments for your review and consideration. I recommend that the PC make a recommendation to the Board of Supervisors for their consideration.

1. Ch 131: This amendment will align our ordinance with the new Ch. 102 requirements.
2. Ch 205: This amendment will align our ordinance with the new Ch. 102 requirements.
3. Ch. 96: This amendment will allow the Board of Supervisors to establish rules and regulations via resolution; i.e. Wildflower Meadow standards.
4. Ch 240-32.U: This amendment will allow No Impact Home Based Businesses as an accessory use in a dwelling unit. Currently the ordinance allows this use in single family dwellings only.
5. Ch 240-31.C: this amendment will permit Wireless Communication Towers to have a height of 180 feet when erected on Township owned property in the C-2 District.

Draft Motion:

Mr. Chairman I move that we recommend that the Board of Supervisors approve these ordinance amendments as outlined, which modify the following sections of the Township Code:

Ch 131 Sedimentation and Erosion

Ch 205 Subdivision and Land Development

Ch 96 Brush Gras and Weeds

Ch 240-31.C Conditional Use Standards pertaining to the Height of Wireless Communication Support Structures

EAST GOSHEN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA

ORDINANCE NO. 129-I-2011

**AN ORDINANCE OF EAST GOSHEN TOWNSHIP,
CHESTER COUNTY, PENNSYLVANIA, AMENDING
CHAPTER 131 OF THE EAST GOSHEN TOWNSHIP
CODE TITLED, "EROSION AND SEDIMENTATION
CONTROL", SECTION 131-14.A; CHAPTER 205
TITLED, "SUBDIVISION AND LAND
DEVELOPMENT", SECTION 205-20.A; CHAPTER
96 TITLED, "BRUSH, GRASS AND WEEDS",
SECTION 96-5 AND CHAPTER 240, TITLED,
"ZONING" SECTION 240-32.U TO ALLOW A NO-
IMPACT HOME-BASED BUSINESS IN ALL
DWELLING UNITS AND SECTION 240-31.C TO
INCREASE THE ALLOWED HEIGHT OF
WIRELESS COMMUNICATION FACILITIES TO 180
FEET ON TOWNSHIP OWNED PROPERTY IN THE
C-2 DISTRICT.**

BE IT ENACTED AND ORDAINED, by the Board of Supervisors of East
Goshen Township, as follows:

SECTION 1. Chapter 131 of the East Goshen Township Code, titled, "Erosion
and Sedimentation Control", Section 131-14.A shall be amended as follows:

- "A. A written notice to comply shall be sent to the permittee if at any
stage the work does not conform to any of the following:
- (i) the permit issued by the Township pursuant to this Chapter;
 - (ii) any other governmental permits issued for construction or earth
disturbance, including but not limited to an NPDES permit issued by
the Department of Environmental Protection or the Chester County
Conservation District;
 - (iii) any conditions of such permits;
 - (iv) the plans and specifications including modifications thereof; or
 - (v) the approved runoff and erosion control plan.

Such notice shall set forth the nature of corrections required and the time
within which corrections shall be made. Upon failure to comply within the
time specified in the notice, the permittee shall be in violation of this
Chapter, in which case the bond, if any, shall be forfeited and penalties
may be imposed under Section 131-15 of this Chapter."

SECTION 2. Chapter 205 of the East Goshen Township Code, titled, "Subdivision and Land Development", Section 205-20.A shall be amended as follows:

- "A. The construction or the installation of all improvements shall at all times be subject to inspection by representatives of the Township. If such inspection reveals any of the following conditions, the Township representative is empowered to require corrections to be made and/or to issue a cease and desist order:
- (1) work has not been completed in accordance with the approved plans and specifications;
 - (2) work has not been completed pursuant to approved permits issued by any governmental agency, including but not limited to NPDES permits issued by the Department of Environmental Protection or the Chester County Conservation District;
 - (3) construction is not being conducted in a workmanlike manner;
 - (4) erosion or sediment controls are failing to prevent accelerated erosion or waterborne sediment from leaving the site of construction."

SECTION 3. Chapter 205 of the East Goshen Township Code, titled, "Subdivision and Land Development", Section 205-20.B shall be amended as follows:

"The cease and desist order may impose any or all of the following sanctions:

- (1) No lot in the subdivision shall be conveyed or placed under agreement of sale.
- (2) All construction on any lots for which a building permit has been issued shall cease.
- (3) No further building permits for any lots shall be issued.
- (4) All site work shall cease and desist."

SECTION 4. The existing language in Section 205-20.B shall be renumbered to be Section 205-21.C; Section 205-21.C shall be renumbered to be Section 205-21.D; and Section 205-21.D shall be renumbered to be Section 205-21.E.

SECTION 5. Chapter 96 of the East Goshen Township Code, titled, "Brush, Grass and Weeds", Section 96-5 shall be amended to add the following sentence at the end of the existing language:

"The Board of Supervisors shall have the authority to establish additional rules and regulations from time to time by resolution to establish standards to assist the Code Enforcement Officer in identifying whether or not any of the above stated exceptions apply."

SECTION 6. Chapter 240 of the East Goshen Township Code, titled, "Zoning", Section 240-32.U shall be amended to revise the introductory sentence to read as follows:

"No-impact home-based business. Upon issuance of a permit by the Zoning Officer and payment of all applicable fees as determined by resolution of the Board of Supervisors, a no-impact home-based business shall be permitted in all zoning districts as an accessory use to a dwelling unit. A no-impact home-based business must comply with all of the following criteria:"

SECTION 7. Chapter 240 of the East Goshen Township Code, titled, "Zoning", Section 240-31.C(3)(h)[2][a][ii] shall be amended as follows:

"Maximum heights. No commercial communications antenna support structure serving a single provider shall be taller than 120 feet, measured from undisturbed ground level, unless the applicant proves that another provider of wireless communications services has agreed to collocate commercial communications antenna(e) on the applicant's commercial communications antenna support structure. In such case, the commercial communications antenna support structure shall not exceed 150 feet except in the C-2 District on Township owned property where the height shall not exceed 180 feet. No applicant shall have the right under these regulations to erect a tower to the maximum height specified, unless it proves the necessity for such height. The applicant shall demonstrate that the proposed height of the commercial communications antenna support structure and the commercial communications antennae intended to be attached thereto is the minimum height required to provide satisfactory service for wireless communications."

SECTION 8. Severability. If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts hereof. It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

SECTION 9. Repealer. All ordinances or parts of ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

SECTION 10. Effective Date. This Ordinance shall become effective in five days from the date of adoption.

ENACTED AND ORDAINED this ____ day of _____, 2011.

ATTEST:

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS**

Louis F. Smith, Secretary

Senya D. Isayeff, Chairman

Donald R. McConathy, Vice-Chairman

E. Martin Shane, Member

Carmen Battavio, Member

Thom Clapper Ph.D, Member

F:\Data\Shared Data\Admin Dept\Township Code\Act 102\Misc amendments based on chapter 102 regs- chapter 131 205 and 96 110804.doc

Affidavit of Non-Interference

Re: New Cingular Wireless PCS, LLC
d/b/a AT&T Mobility
Site: East Goshen Water Tank
Address: Edgewood Rd. & Cherry St.
West Chester, PA 19380

New Cingular Wireless PCS, LLC d/b/a AT&T Mobility ("AT&T") is a provider of wireless communication services and is licensed by the Federal Communications Commission ("FCC") to operate at a specific radio frequency in a certain geographic area which includes East Goshen Township.

As part of their FCC License, AT&T is required to comply with all applicable FCC regulations including safety guidelines and emission standards relating to the use of the radio frequency spectrum and with respect to non-interference. The proposed antennas will operate fully within those FCC standards. The proposed facility will not interfere with the reception or transmission of other legally licensed commercial or private facilities, including emergency services, located on or adjacent to the site. The antennas will also not interfere with any surrounding electronic equipment such as television, radio or hand-held telephones.

Respectfully Submitted,



Gerald R. Tate
Radio Frequency Engineer
New Cingular Wireless PCS, LLC
d/b/a AT&T Mobility