

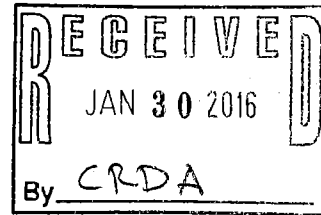
DEBRA A. SHULSKI
Debbie@rrhc.com
Extension 210



January 27, 2017

via Overnight Mail

Robert Reid, AICP, NJPP, Land Use & Regulation
Enforcement Officer of New Jersey
Casino Reinvestment Development Authority
15 South Pennsylvania Avenue
Atlantic City, NJ 08401



RE: T-Mobile Northeast, LLC
Property Address: 1121/1133 Boardwalk/Resorts Casino
Our File: 2970-418

Dear Mr. Reid:

As you know, this firm represents T-Mobile Northeast, LLC ("T-Mobile") with respect to the enclosed Application to the Casino Reinvestment Development Authority relating to property located at 1121/1133 Boardwalk (Resorts Casino), Atlantic City and further identified as Block 60, Lot 14 on the Tax Map ("Property") and known as Resorts Casino. The Property is zoned RS-C and situated within the Casino Reinvestment Development Authority Tourism District.

T-Mobile is proposing what is known as a DAS antenna installation which proposal is mostly entirely within the building. The only external improvement is one gps antenna on top of the parking garage building. To the extent that zoning approval is required, T-Mobile is seeking variance relief and waiver of site plan as more fully described in the enclosed Application and supporting documents.

Enclosed as part of this submission are five (5) copies of the following documents (unless otherwise noted as well as electronic copies of all documents on flash drives): *← NOT INCLUDED*

1. Application to the Casino Reinvestment Development Authority Division of Land Use and Regulatory Enforcement and attached Addendum "A" Narrative in support thereof;
2. Full size sets of the Plans prepared by FDH Velocitel (Note these plans are being submitted under separate cover directly from our Engineer);
3. Waiver List;
4. Corporate Disclosure Statement;

Robert Reid, AICP, NJPP, Land Use & Regulation
Enforcement Officer of New Jersey
Casino Reinvestment Development Authority
January 27, 2017
Page 2 of 2

5. FCC License;
6. Copy of the request for the 200 foot list; and
7. Copy of the request for the Tax Certification.
9. Four checks payable to the CRDA in the following amounts representing the application and escrow fees: \$2,000.00, \$300.00, \$1,000.00 and \$200.00.

By copy of this correspondence, the Application package with all enclosed documents will be provided directly to the City of Atlantic City Planning Department and to the Engineering Department.

Thank you for your attention to this matter. I will be following up with you early next week. In the meantime, if you have any questions or concerns, please feel free to give me a call.

Very truly yours,



DEBRA A. SHULSKI

DAS/kch
Enclosures

cc: Elizabeth Terenik, Director of Planning & Development,
City of Atlantic City (via first class mail w/encls.)
City of Atlantic City Engineering Department (via first class mail, w/encls.)
Mike Fahey (via email only, w/encls.)
Mike Sanders (via email only w/encls.)
Nicole Maccarella (via email only, w/encls.)

CRDA

Casino Reinvestment Development Authority
www.njcrda.com



15 South Pennsylvania Avenue
Atlantic City, NJ 08401

APPLICATION FORM

The application, with supporting documentation, must be filed with the Land Use Administrative Officer for review at least fifteen [15] business days prior to the meeting at which the application is to be considered.

To be completed by CRDA staff only.

Date Filed 1-30-2017 Application No. #2017-01-2129
Application Fees: \$200. Site Plan Waiver Escrow Deposit: \$1000. Site Plan Waiver. OK 4135
\$300. Use Variance. OK 4136 \$2000. Use Variance. OK 4137

Scheduled for:
Review for Completeness _____ Hearing: _____

1. SUBJECT PROPERTY

Location: 1121/1133 Boardwalk

Tax Map Page _____ Block 60 Lot(s) 14
Page _____ Block _____ Lot(s) _____
Page _____ Block _____ Lot(s) _____

Dimensions Frontage _____ Depth _____ Total Area _____

Zoning District RS-C/CRDA Tourism

2. APPLICANT

Name T-Mobile Northeast, LLC

Email c/o RRHC debbie@rrhc.com

Address 510 Virginia Drive, Fort Washington, PA 19034

Telephone Number _____

Applicant is a: Corporation Partnership Individual

3. DISCLOSURE STATEMENT

Pursuant to N.J.S 40:55D-48.1 [Application by corporation or partnership; list of stockholders owning 10% of stock or 10% interest in partnership.] Disclosure of owners of organization and property subject to application. [A corporation or partnership applying to a governing body of a municipality] Any organization making an application for development under this act [for permission to subdivide a parcel of land into six or more lots, or applying for a variance to construct a multiple dwelling of 25 or more family units or for approval of a site to be used for commercial purposes] shall list the names and addresses of all members, stockholders or individual partners (collectively, "interest holders") [owning at least 10% of its stock of any class or at least 10% of the interest in the partnership], including any other organization holding at least a 10% ownership interest in the organization, and shall also identify the owner of the property subject to the application, including any organization holding at least a 10% ownership interest in the property [as the case may be]. In accordance with 40:55D-48.2 [Disclosure of 10% ownership interest of corporation or partnership which is 10% owner of applying corporation or partnership.] Listing of names and addresses of interest holders of applicant and owner organization. If [a corporation or partnership] an organization owns an interest equivalent to 10% or more of another organization the stock of a corporation, or 10% or greater interest in a partnership, subject to the disclosure requirements hereinabove described, [pursuant to section 1 of this act that organization shall list the names and addresses of its interest holders holding 10% or greater interest in the [partnership, as the case may be, and] organization. [This requirement shall be followed by every corporate stockholder or partner in a partnership, until the names and addresses of the stockholders and individual partners, exceeding the 10% ownership criterion established in this act, have been listed.] In accordance with recently added 40:55D-48.3 Disclosure of all officers and trustees of a non-profit organization. A non-profit organization filing an application for development under this act shall list the names and addresses of all officers and trustees of the non-profit organization. In accordance with 40:55D-48.4 [Failure to comply with act; disapproval of application.] Approval of application. a. No municipal planning board, board of adjustment or [municipal] governing body shall approve the application of any [corporation or partnership] organization or non-profit organization which does not comply with this act. Any approval not in compliance with this act shall be voidable in a proceeding in lieu of prerogative writ in the Superior Court. b. Any party, including any member of the public, may institute a proceeding in lieu of prerogative writ in the Superior Court to challenge any PROPOSED AMENDMENTS TO MUNICIPAL LAND USE LAW approval granted by a municipal planning board, board of adjustment or governing body on the grounds that such action is void for the reasons stated in subsection a. of this section, and if the court shall find that the approval was not in compliance with this act, the court may declare the approval to be void. In accordance with 40:55D-48.5 [Concealing names of owners;] Organization or non-profit organization failing to disclose; fine. Any [corporation or partnership which conceals] organization or nonprofit organization failing to disclose in accordance with this act, [the names of stockholders owning 10% or more of its stock, or of individual partners owning a 10% or greater interest in the partnership, as the case may be,] shall be subject to a fine of \$1,000 to \$10,000, which shall be [recovered] recoverable in the

name of the municipality in any court of record in the State in a summary manner pursuant to the "Penalty Enforcement Law" (N.J.S.A. 2A:58-1 et seq.). See attached Corporate Disclosure Statement

Name _____	Address _____	Interest _____
Name _____	Address _____	Interest _____
Name _____	Address _____	Interest _____
Name _____	Address _____	Interest _____
Name _____	Address _____	Interest _____

4. If Owner is other than the applicant, provide the following information on the Owner(s):

Owner's Name DGMB Casino, LLC
Email _____
Address 1133 Boardwalk, Atlantic City, NJ
Telephone Number _____

5. PROPERTY INFORMATION:

Restrictions, covenants, easements, association by-laws, existing or proposed on the property:

Yes [attach copies] _____ None known _____ Proposed _____

Present use of the premises: Casino

Note: All deed restrictions, covenants, easements, association bylaws, existing and proposed must be submitted for review and must be written in easily understandable English in order to be approved.

6. Applicant's Attorney Debra A. Shulski, Esquire, Riley Riper Hollin & Colagreco
Email Debbie@rrhc.com
Address P.O. Box 1265, Exton, PA 19341
Telephone Number 610-458-4400
FAX Number 610-458-4441

7. Applicant's Engineer FDH Velocitel
Email _____
Address 200 North Warner Road, King of Prussia, PA 19406
Telephone Number _____
FAX Number _____

8. Applicant's Planning Consultant To be determined
Email _____
Address _____
Telephone Number _____
FAX Number _____

9. Applicant's Traffic Engineer N/A

Email _____
Address _____
Telephone Number _____
FAX Number _____

10. List any other **Expert** who will submit a report or who will testify for the Applicant: [Attach additional sheets as may be necessary]

Name Radio Frequency Expert - to be determined
Field of Expertise _____
Email _____
Address _____
Telephone Number _____
FAX Number _____

11. APPLICATION REPRESENTS A REQUEST FOR THE FOLLOWING:

SUBDIVISION:

_____ Minor Subdivision Approval
_____ Subdivision Approval [Preliminary]
_____ Subdivision Approval [Final]
Number of lots to be created _____ Number of proposed dwelling units ____
(including remainder lot) (if applicable)

SITE PLAN:

Site Plan Approval (in the alternative)
_____ Preliminary Site Plan Approval [Phases (if applicable) ____]
_____ Final Site Plan Approval [Phases (if applicable) ____]
_____ Amendment or Revision to an Approved Site Plan
Area to be disturbed (square feet) _____
Total number of proposed dwelling units _____
 Request for Waiver From Site Plan Review and Approval and in the alternative, minor site plan approval
Reason for request: _____

MISC:

_____ Informal Review
_____ Appeal decision of an Administrative Officer [N.J.S. 40:55D- 70a]
_____ Map or Ordinance Interpretation of Special Question [N.J.S. 40:55D-70b]
_____ Variance Relief (hardship) [N.J.S. 40:55D-70c(1)]
_____ Variance Relief (substantial benefit) [N.J.S. 40:55D-70c(2)]
 Variance Relief (use) [N.J.S. 40:55D-70d]
_____ Conditional Use Approval [N.J.S. 40:55D-67]
_____ Direct issuance of a permit for a structure in bed of a mapped street, public drainage way, or flood control basin [N.J.S. 40:55D-34]
_____ Direct issuance of a permit for a lot lacking street frontage [N.J.S. 40:55D-35]

12. Section(s) of Ordinance from which a variance is requested and justification for said request: [attach additional pages as needed] See attached Addendum "A" Narrative

13. Waivers Requested of Development Standards and/or Submission and justification for request.
Requirements: [attach additional pages as needed] See attached Waiver List

14. Attach a copy of the Notice to appear in the official newspaper of the municipality and to be mailed to the owners of all real property, as shown on the current tax duplicate, located within the State and within 200 feet in all directions of the property, which is the subject of this application. The Notice must specify the sections of the Ordinance from which relief is sought, if applicable.

The publication and the service on the affected owners must be accomplished at least 10 days prior to the date scheduled by the Administrative Officer for the hearing. An affidavit of service on all property owners and a proof of publication must be filed before the application will be complete and the hearing can proceed.

15. Explain in detail the exact nature of the application and the changes to be made at the premises, including the proposed use of the premises:
[attach pages as needed] See attached Addendum "A" Narrative

16. Is a public water line available? N/A

17. Is public sanitary sewer available? N/A

18. Does the application propose a well and septic system? N/A

19. Have any proposed new lots been reviewed with the Tax Assessor to determine appropriate lot and block numbers? N/A

20. Are any off-tract improvements required or proposed? No

21. Is the subdivision to be filed by Deed or Plat? N/A

22. What form of security does the applicant propose to provide as performance and maintenance guarantees? N/A

23. Other approvals, which may be required and date plans submitted:

	Yes	No	Date Plans Submitted
Atlantic City Municipal Utilities Authority	_____	_____	_____
<u>N/A</u> Atlantic County Health Department	_____	_____	_____
<u>N/A</u> Atlantic County Planning Board	_____	_____	_____
<u>N/A</u> Atlantic County Soil Conservation Dist.	_____	_____	_____
N/A NJ Department of Environmental Protection	_____	_____	_____
N/A Sewer Extension Permit	_____	_____	_____
N/A Sanitary Sewer Connection Permit	_____	_____	_____
N/A Stream Encroachment Permit	_____	_____	_____

N/A Waterfront Development Permit	_____	_____	_____
N/A Wetlands Permit	_____	_____	_____
N/A Tidal Wetlands Permit	_____	_____	_____
N/A Potable Water Construction Permit	_____	_____	_____
Other	_____	_____	_____
N/A NJ Department of Transportation	_____	_____	_____
N/A Public Service Electric & Gas Company	_____	_____	_____

24. Certification from the Tax Collector that all taxes due on the subject property have been paid. See enclosed letter requesting tax certification

25. List of Maps, Reports and other materials accompanying the application (attach additional pages as required for complete listing).

Quantity Description of Item
See attached cover letter setting forth all documents included as part of this submission

26. The Applicant hereby requests that copies of the reports of the professional staff reviewing the application be provided to the following of the applicant's professionals:
 Specify which reports are requested for each of the applicant's professionals or whether all reports should be submitted to the professional listed.

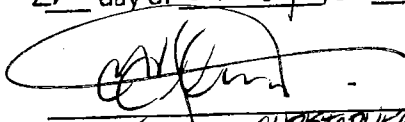
Applicant's Professional	Reports Requested
<input checked="" type="checkbox"/> Attorney	<u>Debra A. Shulski, Esquire</u>
<input checked="" type="checkbox"/> Engineer	<u>Velocitel</u>
_____	_____
_____	_____

CERTIFICATIONS

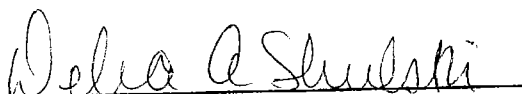
27. I Debra A. Shulski certify that the foregoing statements and the materials submitted are true. I further certify that I am the attorney for applicant or that I am an Officer of the Corporate applicant and that I am authorized to sign the application for the Corporation or that I am a general partner of the partnership applicant.

[If the applicant is a corporation, this must be signed by an authorized corporate officer. If the applicant is a partnership, this must be signed by a general partner.]

Sworn to and subscribed before me this
27th day of January, 20 17



NOTARY PUBLIC CHRISTOPHER H. SCHWAB
Attorney at Law of NEW JERSEY



SIGNATURE OF APPLICANT
Attorney for Applicant

28. I certify that I am the Owner of the property which is the subject of this application, that I have authorized the applicant to make this application and that I agree to be bound by the application, the representations made and the decision in the same manner as if I were the applicant.

[If the owner is a corporation, this must be signed by an authorized corporate officer. If the owner is a partnership, this must be signed by a general partner.]

Sworn to and subscribed before me this
___ day of _____, 20 ___

NOTARY PUBLIC

Authorized pursuant to Owner Authorization Letter

SIGNATURE OF OWNER

29. I understand that the sum of \$ _____ has been deposited in an escrow account (Builder's Trust Account). In accordance with Resolution 11-60 of the Casino Reinvestment Development Authority approving Land Use Fees and Escrow Deposit Requirements, I further understand that the escrow account is established to cover the cost of professional services including engineering, planning, legal and other expenses associated with the review of submitted materials and the publication of the decision by the Board. Sums not utilized in the review process shall be returned. If additional sums are deemed necessary, I understand that I will be notified of the required additional amount and shall add that sum to the escrow account within fifteen (15) days.

Date

SIGNATURE OF APPLICANT
Attorney for Applicant

NOTICE SERVED ON PROPERTY OWNERS
WITHIN 200 FEET OF SUBJECT PROPERTY

Casino Reinvestment Development Authority
Division of Land Use and Regulatory Enforcement
15 S Pennsylvania Avenue
Atlantic City, NJ 08401

Notice is hereby given that a written application has been filed by the undersigned with the Casino Reinvestment Development Authority for a use variance, waiver of minor site plan and in the alternative, site plan approval, design waivers and any other relief deemed necessary to permit the collocation of telecommunication antennas and associated improvements

in and upon the property shown as Block(s) 60, Lot(s) 14
on the official map of the City of Atlantic City, known as Resorts Casino with an address
1121/1133 Boardwalk

A public hearing on the above-mentioned application has been scheduled for the ____ day of
____, 20__, at ____ a.m/p.m. Said hearing shall take place at:

The public is invited to attend this meeting.

The application and all plans relative thereto have been filed with the Land Use Administrative Official, Casino Reinvestment Development Authority, Division of Land Use and Regulatory Enforcement, 15 S Pennsylvania Avenue, Atlantic City, NJ 08401, and are available for inspection Monday through Friday, 9:00 a.m. to 5:00 p.m.

This notice is given in compliance with the requirements of Section 163-198 of the Land Use Development Code of the City of Atlantic City and the N.J.S.A. 40:55D-12.

Name of Applicant: T-Mobile Northeast, LLC

Publication Date: _____

AFFIDAVIT OF SERVICE

Casino Reinvestment Development Authority
Division of Land Use and Regulatory Enforcement
15 S Pennsylvania Avenue
Atlantic City, NJ 08401

I, Debra A. Shulski of full age, being duly sworn according to law upon oath depose and say:

1) That on , _____, 20____, which was at least ten (10) days prior to the hearing date, did give notice by personal service or certified mail to all property owners within 200 feet of the premises located on Block(s) 60 Lot(s) 14 . All as shown on the tax map of the City of Atlantic City, County of Atlantic, and State of New Jersey. The premises are further identified as 1121/1133 Boardwalk (street address). In addition, notice was provided by personal service or certified mail to Public Utilities, Cable Television Companies and Local Utilities, as required by law, the City of Atlantic City and the Atlantic County Planning Board.

2) Notices were also served upon (Check if applicable):
 State Planning Commission
 New Jersey Department of Transportation
 Clerk of Adjoining Municipalities

3) A copy of said notice is attached hereto and marked "Exhibit A".

4) Notice was also published in the Press of Atlantic City, Legal Section. A copy of the Affidavit of Publication is attached hereto and marked "Exhibit B".

5) A copy of the certified list of property owners within 200 feet of the premises provided by the City of Atlantic City is also attached hereto and marked "Exhibit C"

Signature of Applicant

Sworn and subscribed to
before me this _____ day of _____, 20____



ESCROW SETUP INFORMATION

The Information below is necessary to initially set up your Escrow Account through TD Bank.

Applicant's Name: T-Mobile Northeast, LLC

Applicant's Address: 510 Virginia Drive, Fort Washington, PA 19034

*Applicant's Signature: _____

Applicant's Phone No.: 610-458-4400

Applicant's Email Address: Debbie@rrhc.com

Applicant's Date of Birth: _____

Tax Identification or Social Security Number: 52-2069434

Assigned Escrow #: _____

Should you require assistance or have any questions, please do not hesitate to contact Carl Wentzell in the Finance Dept at 609-347-0500 ext. 3215 or [CWentzell @NJCRDA.com](mailto:CWentzell@NJCRDA.com).

Land Use Application Process for Applicants / Hearing Procedures Status Checklist

Prepared by Robert L. Reid, AICP, PP, Land Use Regulation Officer

Description	Complete date
1. Schedule and attend informal meeting with CRDA Planning staff to discuss development.	_____
2. Request Certified List of Owners	_____
3. Submit application and supporting documents materials for Completeness Review (Application Package must include 5 hard copies and digital files of documents for posting on website. Max. digital file size 4MB) One copy of Submission Package to be provided to the Atlantic City Planning and Development Office with copy of transmittal to this office.	_____
4. Once application is deemed complete the applicant will be provided with available dates for hearing.	_____
5. Applicant to provide Public Notice as required by MLUL.	_____
6. Proof of Publication and Public Notice receipts required to confirm jurisdiction for hearing.	_____
7. Attend LURED Public Hearing.	_____
8. Applicant to provide any Exhibits that were presented at Hearing in media file format.	_____
9. Hearing Officer Report prepared for CRDA Board.	_____
10. CRDA Board adopts Resolution approving the application.	_____
(Resolution includes the Hearing Officer Report as an Exhibit).	_____
11. Adopted Resolution is sent to Office of the Governor for review.	_____
(10 Day Veto period starts upon receipt of Resolution)	_____
12. Applicant to provide 4 copies of revised plans to address conditions of Approval.	_____
13. LURED Professionals review of revised plans to confirm conditions of approval have been satisfied. (This includes the posting of Performance Guarantee and inspection escrows)	_____
14. Prepare Notice of Decision (NOD) for publication in newspaper after CRDA Board action noting the 10 day veto period review.	_____
15. Applicant to provide 11 copies of plans for approval signatures.	_____
16. CRDA Hearing Officer, LURED Engineer, LURED Planner, Land Use Regulation Enforcement Officer to sign plans.	_____
17. Provide Applicant with 7 copies of signed plans for their distribution to City	_____
Construction Division, Inspection Division, City Planning, City Engineer, Tax Assessor.	_____
18. Remaining 4 copies of signed plans for LURED file, LURED Professionals.	_____

BEFORE THE CASINO REINVESTMENT DEVELOPMENT AUTHORITY

**IN RE: APPLICATION OF T-MOBILE NORTHEAST, LLC
1121/1133 BOARDWALK
SITE NAME: T-MOBILE NORTHEAST, LLC
PHYH029A**

ADDENDUM "A" TO CRDA APPLICATION

I. BACKGROUND

The subject property is located at 1121/1133 Boardwalk, Atlantic County, New Jersey and known as Resorts Casino on the Boardwalk ("Property"). The Property is further identified as Block 60, Lot 14 on the Tax Map and is currently owned by DGMB Casino, LLC. The Property is zoned RS-C and is situated within the Casino Reinvestment Development Authority Tourism District. As the accompanying site plans establish, Applicant, T-Mobile Northeast, LLC ("T-Mobile") is proposing a telecommunication facility consisting what is known as a DAS installation. All of the improvements with the exception of one gps antenna are located within the building and there are no external ground or site improvements.

II. REQUEST FOR RELIEF

T-Mobile is seeking the following relief to the extent required:

1. Grant of a d(1) use variance to permit co-location of wireless telecommunication antennas on the rooftop of an existing structure within the RS-C which is not permitted per § 163-58.B.
2. Waiver of minor site plan approval to the extent required given all the improvements except for one gps antenna inside the building and there are no external ground/site improvements. If the Board disagrees that site plan approval is not required and/or does not grant the waiver, then Applicant seeks alternatively, site plan approval. See also Request for Waiver enclosed as part of this Application.
3. To the extent minor site plan is required, Applicant seeks certain completeness and design waivers as included with this Application.
5. Any other variances, waivers, or other relief that the Board deems necessary.

III. REASONS WHY THE APPLICATION SHOULD BE GRANTED

A. Compliance with Positive/Negative Criteria

1. The Board has the power to grant d(1) variances in particular cases and for special reasons, in accordance with the New Jersey MLUL 40:55D-70d.

2. As to special reasons, referred to as the positive criteria, New Jersey courts have Generally held that grant of an FCC license for a wireless telecommunications facility is sufficient to demonstrate promotion of general welfare, which is purpose "a" of the Municipal Land Use Law.

3. In accordance with the court decision in *Kohl v. Mayor and Council of Fair Lawn* and reaffirmed by the Court in *Medici v. BPR*, the positive criteria for a d variance requires demonstration that the site is particularly suited to the proposed use. New Jersey case law related to wireless telecommunication facilities has generally held that demonstration of a need for the facility at the proposed site to fill a coverage gap fulfills the site suitability requirement. Here, T-Mobile will demonstrate through a propagation analysis that the facility at this location is necessary to fill a gap in coverage.

4. In addition to demonstration of the positive criteria, it must be shown that the so-called negative criteria can be satisfied. The applicant must demonstrate and the Board must find that the requested relief can be granted without a substantial detriment to the public good and without substantial impairment to the intent and purpose of the zone plan and zoning ordinance.

5. As to the negative criteria, it's been widely held by New Jersey courts that application of the *Sica* balancing test is appropriate in consideration of the negative criteria consisting of the following four-part test:

- (a) "identify the public interest at stake," recognizing that "some uses are more compelling than others,"
- (b) "identify the detrimental effect that will ensue from the grant of the variance,"
- (c) if necessary, "reduce the detrimental effect by imposing reasonable conditions on the use," and
- (d) "weigh the positive and negative criteria and determine whether, on balance, the grant of the variance could cause a substantial detriment to the public good."

6. The public interest at stake is provision of wireless telecommunications services. As more people abandon land lines in favor of wireless services, filling gaps in coverage becomes more and more important, particularly gaps related to reliable in-building and in-car coverage.

Additionally, wireless telecommunications fill a critical need in emergency situations for both the public and those that serve the public. Given the increased need for and use of wireless telecommunications devices, the need for the proposed installation is compelling.

7. As to the identification of detrimental effects, this is an unmanned facility that requires routine visits by technicians every 4-6 weeks. The facility is remotely monitored 24 hours a day 7 days a week, and will not generate noise, traffic, smoke, odor and will not impact municipal services such as sewer and water. It is a very benign land use from those perspectives. Detrimental effects related to wireless telecommunications applications generally focus on the visual impact of the installation. In this case the applicant is installing antennas on an existing structure. The antennas will be painted to match the color of the existing structure. Any visual impact associated with the proposed installation is effectively mitigated, making it a non-issue. All of the associated equipment will be located within the building so there will be no outside ground equipment which would be visible to the public.

8. The imposition of reasonable conditions to reduce detrimental effects is essentially satisfied by the applicant's visual mitigation measures, including painting of the antennas to match the color of the existing structure and placement of equipment cabinets and related equipment in the basement of the church.

9. The final aspect, weighing of the positive and negative to determine any potential detriment to the public good, the positives far outweigh any negatives and there is no detriment to the public good.

B. Other Justifications in Support of Application

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

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

2. A significant gap in wireless coverage exists and/or there are capacity issues impacting reliable coverage in the proposed area and the proposed facility is the least intrusive means in which to fill that gap in wireless coverage.

3. The addition of a telecommunication facility, a passive communications use, is a suitable and appropriate use of the Property. The proposed use is consistent with the spirit, purpose and intent of the City Code and in no way detrimentally affects the community or its residents.

4. The proposed use will not substantially injure or detract from the use of

neighboring properties or from the character of the neighborhood and the use of the properties adjacent to the Property will be adequately safeguarded.

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

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

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

8. The proposed use will not overcrowd the land or create an undue concentration of population.

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

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

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

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

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

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

15. The telecommunications facility shall comply with all applicable Federal Aviation Administration Regulations.

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

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

For all of the reasons stated above, T-Mobile requests the above referenced relief and any other relief the Board deems necessary. Detailed Plans of the proposed use have been submitted to the CRDA, and are incorporated by reference herein for consideration before the Board.

Respectfully submitted,

RILEY RIPER HOLLIN & COLAGRECO

Date: 1-27-17

By: Debra A. Shulski
Debra A. Shulski, Esquire
Attorney for Applicant

**REQUEST FOR DESIGN WAIVERS
AND SUBMISSION REQUIREMENTS**

There are a number of requirements on the CRDA Application Checklist referencing § 163-97 that are not applicable to this type of facility given that it is an unmanned facility with no impact on infrastructure and the proposal involves no ground improvements. To the extent applicable, Applicant requests the following waivers because all of the improvements associated with the use are proposed on the building and there are no proposed ground or site improvements and there will be no earth disturbance.

§ 163-97.C

(21) (b) Identification and Tax Map Information. No ground improvements or changes to existing site improvements are proposed.

(21) (c) Survey. No ground improvements or changes to existing site improvements are proposed.

(21) (d) Natural features. No ground improvements or changes to existing site improvements are proposed.

(21) (f) Contours. No ground improvements or changes to existing site improvements are proposed.

(21) (l) Storm drainage. No ground improvements or additional impervious coverage is proposed or any changes to existing drainage patterns.

(21) (q) Surrounding development. The proposal involves an unmanned facility with no impact on public infrastructure or surrounding uses.

Applicant also requests any other waivers as determined by the CRDA review process.

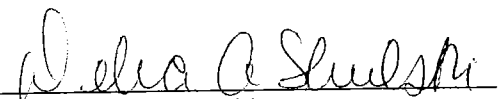
Respectfully Submitted,

RILEY RIPER HOLLIN & COLAGRECO

Date:

1-27-17

By:



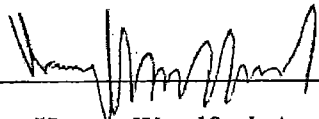
Debra A. Shulski
Attorney for Applicant

T-MOBILE NORTHEAST LLC
CORPORATE DISCLOSURE STATEMENT

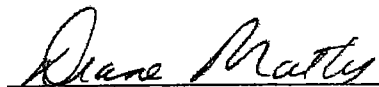
Current: 7/1/2010

T-Mobile Northeast LLC, a Delaware limited liability company, is a wholly-owned subsidiary of T-Mobile USA, Inc., a Delaware corporation, which, in turn is a wholly-owned subsidiary of T-Mobile Global Holding GmbH, a German entity which, in turn, is a wholly-owned subsidiary of T-Mobile Global Zwischenholding GmbH, a German entity. T-Mobile Global Zwischenholding GmbH is a wholly-owned subsidiary of Deutsche Telekom AG, a German entity. Deutsche Telekom AG is a publicly-traded company. The American Depository Receipts of Deutsche Telekom AG are publicly traded in the United States.

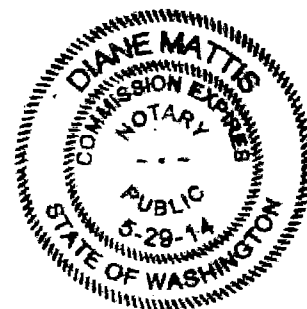
T-MOBILE NORTHEAST LLC

By 
Harvey Woodford, Asst. Secretary

SUBSCRIBED AND SWORN TO before me this 13th day of July, 2010.



Diane Mattis, Notary Public in and for the
State of Washington, residing in Des Moines
Commission expires: 5/29/2014



REFERENCE COPY

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Federal Communications Commission
Wireless Telecommunications Bureau

RADIO STATION AUTHORIZATION

LICENSEE: T-MOBILE LICENSE LLC

ATTN: DAN MENSER
T-MOBILE LICENSE LLC
12920 SE 38TH ST.
BELLEVUE, WA 98006

Call Sign WQGB358	File Number 0006014196
Radio Service AW - AWS (1710-1755 MHz and 2110-2155 MHz)	

FCC Registration Number (FRN): 0001565449

Grant Date 11-29-2006	Effective Date 03-12-2014	Expiration Date 11-29-2021	Print Date 05-09-2014
Market Number BEA012	Channel Block C	Sub-Market Designator 9	
Market Name Philadelphia-Wilmington-Atl. C			
1st Build-out Date	2nd Build-out Date	3rd Build-out Date	4th Build-out Date

Waivers/Conditions:

This authorization is conditioned upon the licensee, prior to initiating operations from any base or fixed station, making reasonable efforts to coordinate frequency usage with known co-channel and adjacent channel incumbent federal users operating in the 1710-1755 MHz band whose facilities could be affected by the proposed operations. See, e.g., FCC and NTIA Coordination Procedures in the 1710-1755 MHz Band, Public Notice, FCC 06-50, WTB Docket No. 02-353, rel. April 20, 2006.

Conditions:

Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

This license may not authorize operation throughout the entire geographic area or spectrum identified on the hardcopy version. To view the specific geographic area and spectrum authorized by this license, refer to the Spectrum and Market Area information under the Market Tab of the license record in the Universal Licensing System (ULS). To view the license record, go to the ULS homepage at <http://wireless.fcc.gov/uls/index.htm?job=home> and select "License Search". Follow the instructions on how to search for license information.

Licensee Name: T-MOBILE LICENSE LLC

Call Sign: WQGB358

File Number: 0006014196

Print Date: 05-09-2014

The license is subject to compliance with the provisions of the January 12, 2001 Agreement between Deutsche Telekom AG, VoiceStream Wireless Corporation, VoiceStream Wireless Holding Corporation and the Department of Justice (DOJ) and the Federal Bureau of Investigation (FBI), which addresses national security, law enforcement, and public safety issues of the FBI and the DOJ regarding the authority granted by this license. Nothing in the Agreement is intended to limit any obligation imposed by Federal law or regulation including, but not limited to, 47 U.S.C. Section 222(a) and (c)(1) and the FCC's implementing regulations. The Agreement is published at VoiceStream-DT Order, IB Docket No. 00-187, FCC 01-142, 16 FCC Rcd 9779, 9853 (2001).

UNRECORDED COPY



Federal Communications Commission
Wireless Telecommunications Bureau

RADIO STATION AUTHORIZATION

LICENSEE: T-MOBILE LICENSE LLC

ATTN: FCC REGULATORY COMPLIANCE
T-MOBILE LICENSE LLC
12920 SE 38TH STREET
BELLEVUE, WA 98006

Call Sign WQJQ697	File Number 0006090661
Radio Service WY - 700 MHz Lower Band (Blocks A, B & E)	

FCC Registration Number (FRN): 0001565449

Grant Date 11-26-2008	Effective Date 04-22-2014	Expiration Date 06-13-2019	Print Date 05-02-2014
Market Number BEA012	Channel Block A	Sub-Market Designator 0	
Market Name Philadelphia-Wilmington-Atl. C			
1st Build-Out Date 12-13-2016	2nd Build-Out Date 06-13-2019	3rd Build-Out Date	4th Build-Out Date

Waivers/Conditions:

If the facilities authorized herein are used to provide broadcast operations, whether exclusively or in combination with other services, the licensee must seek renewal of the license either within eight years from the commencement of the broadcast service or within the term of the license had the broadcast service not been provided, whichever period is shorter in length. See 47 CFR §27.13(b).

Conditions:

Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

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