STATE OF NEW JERSEY
THE PINELANDDS COMMISSION.

IN RE:
Appendix E
Executive Director's Report
August 21, 1998

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PUBLIC HEARINGS FOR PROPOSED
CELLULAR FACILITIES PLAN
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Hamilton Township Municipal Building
6101 Thirteenth street
Mays Landing, New Jersey
Thursday, July 9, 1998
Commencing 7:01 p.m. to 9:40 p.m.

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## Pinelands Commission

MR. MOORE: Ladies and gentlemen,
let me begin the hearing, if I may. This is a hearing that is being held in accordance with New Jersey Administrative Code 7:50-5.4(c)6.5, which is a provision of the New Jersey Pinelands Comprehensive Management Plan. The hearing is being conducted regarding a comprehensive plan for wireless communications facilities in the Pinelands.

Let me begin by just indicating, my name is Terrence D. Moore and I'm the Executive Director of the Pinelands Commission. On my right, to my extreme right, in this case, is Daniel Galletta, who is a member of the Commission, appointed by the Governor, he is from Atlantic County. Next to him is Valerie Haynes, who is a Deputy Attorney General, who is assigned to the Pinelands Commission. On my left is Charles Pritchard, who is deputy mayor of this community and also an appointee from Atlantic County as a member of the Pinelands Commission. To his left is Jay Mounier, gubernatorial appointee who is from Gloucester County, Franklin Township. And to his left, Norman Tomasello, who is a member of
the Commission from Camden County.
I do need to indicate, prior to beginning the heäring, that this is a hearing that is actually being conducted by the Executive Director of the Commission. Normally I would not be presumptuous to chair a meeting where members of the Commission are present. They are here to listen to the testimony, but the purpose of this hearing is to assist me in formulating a recommendation to the Commission regarding the plan that has been submitted to it by certain cellular service providers.

Also $I$ want to introduce members of our staff who are here this evening and who will be participating in the hearing. John, if you will raise your hand. John stokes, who is an Assistant Director of the Commission. To his left, Larry Liggett, who is our Manager of Planning. These two gentlemen have been involved in the review of the cellular Facilities Plan that has been submitted. And to Mr. Stokes' right is Dr. Moshe Kam, who is a consultant who has been retained, with a number of others, to review the technical aspects of the plan that has been submitted to us.

Opening Remarks by Mr. Moore
The purpose of this hearing this evening is really quite simple, it's to listen to you and your comments as to whether the Cellular Facilities Plan that has been submitted to the Commission meets the standards of the Comprehensive Management Plan and specifically the section that is known as New Jersey Administrative Code 11:15-5.4.

The purpose of this is to assist me in formulating a recommendation to the Commission as to whether they should approve, approve with conditions, or not approve the plan that has been submitted.

We will be accepting testimony not only this evening, but the record will be open for written comments through July 17 th . Thereafter, our staff, our consultants and I will be completing our review and making a recommendation to the pinelands Commission regarding the plan. That will be in the form of a report that $I$ will be distributing to the Commission. Latex on $I$ will give you information as to how you can obtain a copy of that report when it is issued to the Commission itself.

Opening Remarks by Mr. Moore
There also will be a meeting of a small committee of the Commission in late July or early August. "That is a committee that has been formed, to review, on behalf of the Commission, certain aspects of the Cellular Facilities plan. Public notice of that meeting will be given, but we have not yet set a date pending our completion of our staff review.

We expect that the Commission will act on this plan either at its August meeting or its September meeting. Again, that will be publicized. The August meeting is on August the 14th. The Commission meetings are normally held in the Southampton Township Municipal Building on Route 206 in Southampton Township. The september meeting is scheduled, at this point in time, for september 11th.

Before $I$ begin the hearing this evening and welcome your comments, I would like to ask some of the staff who had been involved in discussions with the industry and reviewing aspects of the submitted plan to make a brief presentation so that those of you who have not, perhaps, had an opportunity to review the document, although it has been made publicly

John C. Stokes
available, may gain a little better
understanding of it as it has been submitted. After that, $I$ will $\dot{\hat{a} s k}$ the applicants, in this case, or the representatives of the three cellular providers to make a brief statement regarding the plan, and then we will begin with the public testimony.

Mr. Stokes, if you want to lead off with a brief explanation of the plan.

MR. STOKES: I hope you can all
hear me. I'm going to step away from the microphone.

The plan, as Mr. Moore indicated, has been made available for public review; county libraries have a copy, we have copies in our office for review, and there is information on our web page if anyone cares to review it. I'm only going to give you a few highlights here this evening.

This is a large-scale rendering of
a colored map that is in the plan
(indicating). The plan proposes 33 new
cellular facilities in the pinelands. By a
"facility," I'm referring to a location at which one or more antennas may be located.

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There are three companies that are parties to this plan. In some cases, in some facilities there might be several antennas. So when $I$ refer to a "facility," I'm referring to one location which may serve multiple wireless providers.

Of those 33 facilities that are proposed in the Pinelands, 10 are to be located on existing structures. Most of these are existing communications towers that are owned by other companies other than the three companies who have prepared this plan. On this map, they are shown as blue dots. There are seven others that may be able to be located on existing structures. In their plan, the companies have not guaranteed that as yet because in order to do so, they feel that they need to have agreements in place with the owners of those other structures or towers and there are some with which they do not have those agreements in place yet. They are indicated as green triangles on the map.

That leaves 16 facilities which are
likely to require, from the companies' perspective, new towers throughout the

John C. Stokes
pinelands. So that's 16 new towers scattered throughout the entire Pinelands. They are indicated on this map by by yellow triangles. Four of those are located in what we call in the Pinelands, Pinelands towns and regional growth areas. These are generally areas that the Pinelands Comprehensive Management Plan designates for development. And if you can see that map on the other side of the room, those areas are indicated in orange and purple.

Seven of the 16 are located in what we refer to as rural development areas, agricultural production areas, and selected Pinelands villages. Generally, the areas that you see in yellow and brown on that map.

That leaves then five potentially new towers that would be located in what we would characterize as the most sensitive parts of the Pinelands, the most conservation oriented parts of the Pinelands, the pinelands forest areas, preservation area, and special agricultural or buried production areas within the pinelands. They are shown, on that map, in various shades of green and also on this map in various shades of green.

Other existing cellular facilities located in and immediately surrounding the pinelands are located on this map and indicated by red dots.

Some of you may recall that the three companies that submitted a plan to the Pinelands Commission in 1997 for approval and Mr. Moore, at that time, recommended that the Pinelands Commission not approve that plan because a number of deficiencies were found relative to the standards of the Pinelands Comprehensive Management Plan.

This plan that we have before us today does differ from that 1997 plan in a number of respects. Some of the more significant differences are, one, this plan now includes a much more objective standard against which the need for cellular facilities can be judged so that our consultants can objectively take a look at what the proposal is and conclude whether or not there is a demonstrated need for a facility.

Two, there has been a much more serious attempt to evaluate the use of the existing structures to house cellular

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2
facilities. Clearly one of the prime objectives of the pinelands plan is to minimize the number of new towers in the Pinelands. so to the extent that the cellular companies can use existing structures, whether they be other wireless towers or whether they be water towers or tall buildings, you know, whatever, clearly that's a preference.. This plan does take a much more serious look at that.

Consequently, we see that as few as 16, instead of as many as 26 new towers may be constructed in the Pinelands. So conceivably under this plan far fewer new towers may be buile than might have been the case previously.

In these most sensitive areas of the pinelands, green areas, as $I$ mentioned, this plan proposes probably five new towexs and that compares to maybe as many as eight under the prior plan.

Lastly, another important difference is that this plan includes what we would commonly refer to as a collocation policy which we hope will facilitate other wireless providers, whether they be other companies, for

John C. Stokes
example, PCS companies, or whether they be public organizations, first aid squads, fire companies, police, emergency services, whatever, to utilize the facilities that are constructed under this plan.

That's a very brief recap.
Obviously there is much more to this plan than what I have described to you, and it might be that the companies might highlight some other things for your benefit.

I'd like to take just a moment or two more just to highlight for you the 10 primary requirements that a cellular facility's plan must meet in order for the Pinelands Commission to approve it. There are copies of this in the rear, so anybody who doesn't have one, please help yourself. I'm not going to go over these in great detail, but I thought I would highlight kind of the basic thrust of it.

The first standard is intended to stimulate coordinated planning amongst similar telephone companies. In this case, we have three cellular telephone companies who have banded together to jointly prepare this plan.

The purpose of this first standard is to try to coordinate that planning as best as we can. There are other companies, personal communication services, commonly known as PCS, which are not part of this plan. It may well be that they might submit a plan of their own at some point in the future.

The second standard is to get the companies to think a little bit about other technologies that might affect their plan in the future.

Jumping to the fourth standard for a moment, the reason for the second standard is that we're asking the companies to look ahead for 10 years and to give us kind of a blueprint of what their plans are for the next 10 years. That's not to say that their plans can't change. There is a provision in our regulations which allow for an amendment to the plan to be considered if circumstances change. But the object is to try to get us all to think ahead, try to get a good, solid picture of where we are going to be as we move along.

Going back to the third standard, obviously it's important for all of us to have

## John C. Stokes

a pretty good idea of where these facilities will go, not necessarily the precise location, but a pretty good idea of the area in which these facilities will be located.

The fifth standard deals with the need for facilities within the Pinelands. The object of the pinelands requirements is for the plan to provide adequate service to the Pinelands, not necessarily perfect service. So there is a difference. The object here is to not locate facilities where the need is at best marginal. The facilities that go into the Pinelands ought to be where there is truly need for it. Now, you know, that is, to some degree, a little subjective in the eyes of the beholder, at what point is the need marginal, and that's one of the reasons why we asked and the companies have tried to outline in more detail what tests they apply in determining at how our consultants can evaluate that.

The sixth standard deals with
trying to further minimize the number of facilities in these most sensitive portions of the pinelands, the green areas on that map and the green areas on this map. Obviously, we'd

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like to keep all of the facilities in the Pinelands to a minimum, but clearly if those facilities are needed, we would prefer, if there is a choice, not to locate them in these most sensitive areas.

The seventh standard deals with something I mentioned before, and that is to the extent that companies can take advantage of the existing structures, they need to do that. The plan needs to demonstrate that that has been done.

The eighth and ninth standards both deal with generally what I (ll call siting requirements. Most of these come into play a little further down the road, but with putting together this plan, there needs to be some reasonable expectation, we think, on the part of the pinelands Commission and the public and our municipal officials that the plan that is being proposed is realistic so that there is a realistic expectation that if a company says we propose to site a facility at this location, that that location is an eligible site, and there are standards in the Pinelands plan in terms of what sites are okay on which to locate

John C. Stokes
cellular facilities; first aid squads, industrial zones, sand and gravel, mining operations and the like. So there needs to be some reasonable expectation that when they actually go out and do the final site selection process, that they will be able to find a qualified site.

The tenth standard talks about shared service, and this gets fairly complicated and actually a little beyond my capability. I'm not a technical expert in this, but the idea is if it's possible for service to be handed from one company to another under certain circumstances and avoid the need for construction of facilities, then that's the goal of the Pinelands regulations. As a matter of fact, it's been the company's position that under federal regulations they can't really do that. And as a practical matter, at least in the first plan which we reviewed last year, even with all the other deficiencies that were noted, we did not see this as a deficiency.

I'm going to ask Larry Liggett to go over, very briefly, what our staff
participation has been in this and what our review is and what happens, maybe, after or if a plan is ultimately approved. Larry.

MR. LIGGETT: What we basically did was, we first met with that consulting team from Drexel University, with Dr. Kam here, and esteemed colleagues, Dr. Eisenstein and Dr. Schanker, and then with the plan, last year's plan they helped us to redo that and they continue to be with us for this plan.

What we did at the last year's plan was, we met with the industry in the winter months, our consulting team staff and the industry, to see if we could review some of the deficiencies that were noted in the first plan. Twenty-three of those facilities were reviewed in great deal, more than normal detail, to determine three things: First of all, is the facility truly needed at the location that has been selected; secondly, is there a possibility that some of these could be located on existing structures; and third, for the structures where a new structure is needed, is there indeed a site that meets the requirements of the Comprehensive Management

Larry L. Liggett

Plan.
As a result of that review alone, several things happened. One, one facility was eliminated by combining it with another facility; four proposed facilities were moved from more sensitive management areas to less sensitive management areas; three new towers were replaced by being able to put them on existing structures, and this was essentially guaranteed by the industries; and seven others may be able to be put on existing structures depending upon if things prove technically feasible.

> I should say that all of our reviews, the consulting team and the staff, are still continuing. We'll benefit from the public review tonight and any written text that we can get. Our preliminary review has yet to show anything that will keep us from recommending the plan. You should also bear in mind that these are staff recommendations that are preliminary and do not represent the final recommendations of Executive Director Moore. And all this, again, as I should mention, will be subject of the information to

Larxy L. Liggett
be gained tonight and in written comment.
The second thing $I$ want to tell you briefly is, what happens if this plan is approved by the Pinelands Commission. What that means is that the three providers, Bell. Atlantic, Comcast, and Nextel are then free to propose the construction of new towers.

However, each construction proposal must still meet the specific CMP location and design standards. I will give you some examples. We will still look to see if there is any existing structuxes that can be used. Maybe one has been built since then or maybe we missed something in our review. We'll also make sure that they do indeed use eligible sites for the construction of new towers. There are some visual standards where we try to minimize the visual impacts and other design standards that will be looked at.

And finally, the normal site protection, site development standards such as wetlands and endangered species will be required

Each of these proposals still has to be reviewed by a municipality and approved

Larry L. Liggett
by a municipality. Municipalities are legally entitled to impose addittional requirements as + long as they are reasonable and don't conflict with the Pinelands requirements. Other wireless providers will not be able to construct new towers outside of regional growth areas in towns unless they too submit a plan. So there is a big difference between the three providers and other wireless providers.

And last, but not least, this is down the road, $I$ thought $I$ should say this, if the tower ceases to be needed, it must be removed.

MR. MOORE: Thank you, Larry.
As John indicated, $I$ think many of you were here for a previous hearing conducted in this building on the first submission, $I$ did recommend that the Commission not approve the original submission based, at least, on my finding that the plan did not adequately address eight of the ten standards that Mr. Stokes has reviewed with you this evening. As Larry indicated, there have been a lot of meetings since that point in time and a new submission was received and that was

Michael J. Gross, Esq.
deemed to be complete by the Commission staff not long ago and is really ready for staff review at this point in time. Also, public hearing that we are holding tonight.

Let me introduce, if $I$ may, for the industry, Mr. Michael Gross.

Michael, I'm going to let you give the lengthy name of your law firm.

Mr. Gross is representing the cellular providers.

MR. GROSS: My name is Michael Gross. The law firm of Giordano, Halleran \& Ciesla. I represent Bell Atlantic Mobile, Comcast, and Nextel.

We do appreciate the staff report. As Larry indicated, there have been numerous meetings between the staff and the providers to attempt to fine tune the plan that was submitted in 1997 so that the plan could meet at least the staff's criteria and the criteria, of course, of the Comprehensive Management Plan.

We view the purpose of the hearing to receive public input, so we do not want to make a lengthy presentation. We will have

Michael J. Gross, Esq.
brief statements from each of the three providers and then'we are going to try to address some of the standards or highlight some of the standards.

There is a lengthy history, believe it or not, to this process, even though the regulations were only adopted in 1995 . I guess as John alluded to, prior to that time there was a height limitation and really there were preclusions to constructing towers in certain of the more sensitive areas of the Pinelands under certain circumstances. 1995 regulations set forth a fairly detailed set of regulations that, and technical requirements that had to be met and those technical submissions were made in a number of plan submissions since 1995 culminating in the March submission that you have before you today.

The other thing that happened since 1995 is that Congress passed the Telecommunications Act of 1996, as John alluded to, and that act basically required that these types of providers provide adequate service at the same time, of course, left certain siting criteria to the state and municipal governments
of New Jersey, and that's what we are going through now.

We believe that this plan that has been proposed in March of 1998 does meet all of the regulatory requirements. We agree with Mr. Liggett's statements. We have met subsequent to the submission of the plan and we reviewed some details of the plan and we are hopeful that this plan will be approved in short order by the Commission.

We also would like to reiterate what Mr. Liggett stated, which is, that even if this plan is approved and, as $I$ said, we hope it is approved, there is still a site-by-site process that each of the providers must undertake in order for these facilities to actually be constructed, and that is a municipal process and a Pinelands Commission process.

I'd like to call on each of the three providers and then the Bell. Atlantic representative is going to address some of the issues that are raised by the regulations. The first representative is Joe Divis. He represents Comcast.

Joseph Divis

MR. DIVIS: Good evening members of the Commission, Director Moore, Ladies and Gentlemen.

As Mr. Gross said, my name is Joe Divis, and I'm Public Affairs Manager for Comcast Cellular. Depending on where you live, you may know us as Comeast cellular one or Comcast Metrophone. And it certainly is a pleasure to be here tonight on behalf of Comcast to speak on behalf of the comprehensive plan.

Cellular communications is playing an increasingly important role in everyday life, including for the average citizen and public safety personnel. Cellular is no longer just for the busy executive. Small business owners, parents, spouses, senior citizens, even young people are using cellular now. Public safety officials, fire, rescue, emergency management folks also use cellulax to carry out their life and property saving activities. For example, Comcast is proud of the fact that we provide free phones and service to many emergency management organizations throughout the state, including many which serve the

## Joseph Divis

Pinelands area. And at those times when immediate cellular communications is needed, we need to have the antenna facilities in place to make sure that those all important calls go through. The need to provide our customers, all of our customers, the average citizen, the public safety official with consistently reliable service throughout the Pinelands is real.

Adoption by the Commission of the comprehensive plan of products literally in the making for several years will ensure their customers who live, work, recreate and travel through the pinelands will have a service that they count on, be it to call home or to call help in time of emergency now and into the future.

What is before the Commission tonight is what we feel is a long-term blueprint of and for balance. Balance between the growing service demand brought on by our customers - and these customers are our friends, they are our neighbors, they are our co-workers, they are our relatives, they are not faceless people - as well as the continued
protection and the public enjoyment of one of the state's greatest natural resources.

The Commission's regulations set forth the criteria the carriers must meet on key issues surrounding siting in the Pinelands, and they were referenced, to a degree, in one of the presentations earlier. Least number of facilities, antenna collocation, use of existing structures where feasible and minimization of visual impact and other important considerations. Our plan does that, and clearly spells out how those criteria are being met.

I'd like to reiterate, this Pinelands plan we feel is a blueprint for managing and balancing technology with nature, and we feel that adequate cellular service across the Pinelands will only serve to add to the region's attractiveness for recreational, social, educational, and residential activities.

We hope, finally, that the Commission ultimately views this plan with favor. Thank you.

MR. GROSS: I'd like to call on Tim

Tim Fincham
Fincham for Nextel.
MR. FINCHAM:.. Thank you, members of the Commission and audience, for being here this evening. My name is Tim Fincham. I'm the director of System Development for Nextel Communications.

Nextel Communications is a specialized mobile radio provider with nationwide coverage. In fact, just this week we announced our two millionth customer and our hope for the comprehensive plan in working with Bell Atlantic and Comcast is that we could come with up a plan that would meet the needs of not only the carriers, but be sensitive to the needs of the Pinelands and the sensitive nature of the Pinelands area. And as what has already been echoed already in the room, we are very concerned also about the 911 coverage capabilities with our service and we are experiencing difficulties right now with our plans in providing services to the pinelands. So, I don't want to spend much time speaking before you because $I$ think the comprehensive plan has been well thought out, but $I$ will be here to answer questions that you may have.

So, thank you.
MR. GROSS: Claire Sehultz on behalf of Bell Atlantic Mobile.

MS. SCHULTZ: Good evening. My name is Claire Schultz. $I$ am the manager of project implementation for Bell Atlantic Mobile.

Bell Atlantic Mobile is a licensed cellular provider licensed by the FCC and provides cellular service along the entire eastern seaboard from Maine to south Carolina. In this area locally we have been licensed since 1984 to provide service to the South Jersey area which includes the Pinelands.

My responsibilities primaxily include working with individuals, organizations, communities, governmental agencies such as the pinelands Commission to facilitate the design and development of the sites and facilities that are required to support that cellular usage throughout this particular area. Some of the dates and things that were mentioned earlier about when this process began 1995,'96, dates like that are
actually when the Pinelands regulation was adopted to regulate and allow for the placement of facilities in certain pinelands districts. But for Bell Atlantic Mobile, that process really began in 1984 when we were licensed because that is when we identified the fact that we needed to provide service in several of the areas of the Pinelands in addition to just the regional growth and pinelands towns areas. Since 1984 we have been building facilities and providing adequate service throughout portions of the Pinelands such as parts of the regional growth and pinelands towns areas, but there still remains not only inadequate service but in some cases no service at all in other regions of the Pinelands, primarily outside the regional growth and pinelands towns areas.

This inadequate or lack of service really provides or presents two main problems to us. The first is that it is completely inconsistent with the requirements of our FCC license which require us to provide seemless quality service in the general public throughout our footprint, not just in regional growth areas or any areas outside the

Pinelands.
Additionally, under the Federal $\stackrel{r}{2}$ Telecommunication Act, which was referenced earlier, Bell Atlantic, as a cellular provider, as well as the New Jersey Pinelands Commission is compelled under that act to promote personal wireless services. So we are really required to provide these services to the general public at large, not only nationwide, but also here in New Jersey and south Jersey in particular.

The second aspect of the problem with inadequate or no service at all is the--to our customers. You know, people buy a phone from us and they expect to have service. There has been equivalence in quality service when we talk about service, level of service and things like that, what is adequate and what isn't. Analogies have been made to the landiine telephone--we call it landline, most of you refer to that as phones that are in your homes and in your offices.

People that purchase a phone for safety reasons, for convenience reasons, for work-related reasons purchase it expecting to be able to use it, and we have a very strong
commitment to that promise and we are here this evening to help facilitate that.

The customer base that I'd like to just touch on for a moment, because it has changed quite a bit over the last five or six years, it used to be that the service and the equipment was more expensive than it is today and only certain individuals were able to either afford the service or felt that they had the need to be on call 24 hours a day and such. They were the individuals that had cellular phones. Now we are seeing quite a bit of an increase in usage from everyone, literally everyone. We have seen a tremendous increase over the last few years in public services and emergency services. The Public Service Electric \& Gas provides, one of the largest utility companies in the state, provides electric and gas to, you know, hundreds of residences and businesses, uses new technology, fairly new technology that we offer that allows for the process of data over the cellular network. They are using that service today to service their customers, which several. of us are one up. The New Jersey state Police

Claire Schultz
uses our service. The Burlington County and Cumberland County Mobile Intensive Care Unit + paramedics use our service as a primary means of communication when they are in their ambulances to communicate back to the hospitals. The Burlington County Law Enforcement Division has initiated a major project that will put that data equipment that I mentioned earlier into the police squad cars in 33 municipalities in Burlington county which is, you know, not only going to increase their ability to provide better service to the public, but possibly save some of your own lives in certain circumstances.

So there has been quite a bit of
additional usage that we have seen not only from the general public for convenience and in the work place, but also in the general public service and emergency services.

So I want to thank the Board and Mr. Moore for the opportunity to not only speak about this important project tonight but also to be able to be part of the process that will allow us to, hopefully, improve the service that is currently either inadequate or
non-existent throughout the Pinelands.
MR. GROSS: I just have one question for you and that is, on behalf of Bell Atlantic, have you had any complaints from any of those emergency service providers or any other providers?

MS. SCHULTZ: Yes, we have. particularly in Cumberland county. Throughout the Pinelands we have had some of those customers that $I$ have mentioned earlier have, you know--we know that we have unreliable service because that's our business but we've also received complaints that indicate to us that users are also experiencing problems and that they would like to be improved.

MR. GROSS: Claire, thank you for that statement on behalf of Bell Atlantic.

Now, $I$ believe you have a statement to make on behalf of all three providers with respect to the comprehensive plan that has been submitted and the conformance and with the regulatory requirements?

MS. SCHULTZ: Yes. Most of the compliance issues that Mr. Stokes mentioned earlier, he mentioned what our requirements are
and I'd just like to briefly discuss how we have addressed them.

The plan itself, as was mentioned by Nextel and Comcast, is, you know, is pretty conclusive. I'm going to cover maybe a few major points. But the, you know, the plan pretty much speaks for itself and I encourage people that might have not had an opportunity to look through it, to do so.

In 1992, we began discussions about how we were going to implement improved services in the Pinelands and in 1995 those regulations were adopted. One of the requirements of those regulations was that providers of life services come together to put together this plan if sites were required within certain management areas. In other words, we, as I mentioned, have been able to build in the regional growths and Pinelands towns areas up until now and without the plan; however, we know that we need sites throughout the rest of the pinelands as well. So, Nextel, Comcast and Bell Atlantic Mobile joined together with the Pinelands staff to produce this plan.

Nextel, Comcast, and Bell Atlantic
Mobile are three FCC Iicensed cellular providers that provide fully duplexed voice and data service over the cellular network within the 800 megahertz frequency range and that is what makes us life service providers. That's why we, together, have joined to put together this plan with the Pinelands staff.

The Telecommunications Act that was passed approximately six months after the regulations were adopted also put additional requirements upon the carriers and the Pinelands staff, as I've mentioned earlier. So over the two years following the adoption of the Pinelands regulations and the Telecommunications Act, we've all worked collectively to produce a plan that would comply with these regulations that you see up here, as well as a plan that would allow us to provide adequate service and attempt to comply with the Telecommunications Act.

The final version of this plan that we worked on for several years was submitted to the Pinelands in March, and it is the map that is inside the plan is mounted over here that we
have been been speaking of, and this is the plan that we submitted collectively in March.

It's important to note that the plan - and $I$ know it was briefly mentioned earlier - that the plan is to be viewed as a master plan. The item in the regulation that requires the plan, requires that we identify the approximate location of where sites would need to be so that we could provide the adequate service. The reason for that is so that the Commission can ensure compliance with the code for all the items that Mr. stokes mentioned earlier and also it is not intended to be used for specific information for specific site locations.

As was mentioned earlier, there is an item in the code that requixes specific attention to be paid to the specific location where the sites are actually proposed, and those items will be addressed at that time. This is a five- to ten-year plan. So several of these sites that were mentioned earlier may not been proposed this year or next year, and may be proposed five to ten years from now. So we do not intend this plan to be used as a
specific site plan type of an application.
As Mr. Stokes mentioned earlier, the regulations provides an outline describing what is required to produce a complete plan. The regulation essentially is divided into 10 criteria, and these items are identified in section four of this plan for anyone's reference. The items are individually addressed, but they include but are not limited to the three following items: The development of a comprehensive map that reflects the approximate locations of the sites required to provide adequate service over the next five to ten-year period. That is that map that is mounted there, and it is found in section three of this plan. It also requires that the providers recognize that use of existing structures, collocation, and shared use of infrastructure among wireless providers is as important to the members of the communities in which we serve as the service access to the service that we collectively provide is. So, there is a specific section in part four, Exhibit $B$ of the plan which specifically provides the current collocation policy of each
of the providers in the plan that facilitates this concept of use of existing structures and collocation.

The plan that was submitted in March represents a collective effort by the providers and the staff to make the most use of existing structures whereever practicable.

The regulation also has a
requirement that the plan demonstrate that the number of facilities proposed is the least number of facilities proposed required to provide adequate service to the residents and traveling public of the Pinelands. We have demonstrated, I won't reiterate what Mr. stokes said very well. We have worked for several months to demonstxate that these are the least number and some of the sites have been combined since the plan that was presented last year to yet eliminate the need for additional structures in the pinelands.

Finally, item number eight, over here on these large boards, requires that the providers demonstrate need. Need is something that essentially to us. Means that if we cannot provide service to our customers, then

## Claire Schultz

we have a need to improve it, and it's really very simple for us. Growth trends over the past three to five years in this industry have been anywhere between 30 to 50 percent, which is really very high for any business and we feel that the reason for that is reduced cost, also because we are a communicating society. We want to be able to communicate with people and we want to feel as though we are in a remote location, we are having a problem, we are not having a problem. We can have communication with others.

The purchase of cellular phones. We know in the industry that 60 percent of people that purchase cellular phones today purchase them for personal safety reasons, and that's a recognizable need to us. The emergency calls that are made over 911, that was mentioned by both Comcast and Nextel, we know, industry standards tell us that over 600,000 calls are made a year nationwide on cellular phones, and that's a really high number. 911 calls are free. We know that people probably traveling down the road if they see a problem, are more likely to report the
problem if they have got a cellular phone in their car than to stop at the next wawa and try to remember what they saw and call it in. So, we think that the high number is a result of people feeling that the phone is convenient for them and that they can have it available to use and they are doing so. The results of that is saving, you know, lives.

The wireless data service that $I$ mentioned earlier, it is being used in 33 municipalities in Burlington County but it's also being used by hundreds of police departments nationwide. The Delaware state Police, the City of Philadelphia, the attraction to that type of service to be able to reduce crime and promote additional safety has been really widespread nationwide.

The plan and the sites that we have identified throughout this area to provide adequate service are really what is needed to provide the service to the users and the emergency service providers throughout the Pinelands. Cumberland County and Burlington County Mobile Intensive Care Unit people, you know, have complained about the service
throughout the Pinelands, and that is our demonstrated need, that we have got a problem out here. People"can't use their phones to the extent that allows them to be more efficient. Or simply for convenience for productivity in the work place, and that is our demonstrated need.

In summary, I'd just like to say that $I$ know that not everyone has a cellular phone. That sometimes we may not realize how much of an impact wireless communications has on our lives and, you know, maybe we don't feel. that we have one or, whatever, may need one, but there are countless times when a cellular phone or the technology itself is used for our own benefit, whether it be directly or indirectly. That's something that exists in today's society. This plan is going to allow for the facilitation of that.

I am proud of the work that I personally have put into this effort here in the last five years and $I$ have been happy to work with a lot of the individuals in this room that have helped to facilitate your development of this plan and enhance the communications
here.
MR. GROSS: That concludes our presentation.

MR. MOORE: Okay. Three companies will have a booth outside the door for anyone who would like to purchase a cellular phone.

MS. SCHULTZ: I know you already have one, Mr. Moore.

MR. GROSS: We have some great deals.

MR. MOORE: Thank you all for being very patient with us and the industry in terms of presentations. It's now going to be your turn to address the issue.

Let me indicate, however, that the most helpful testimony that can be received on this plan truly relates to whether the plan meets the standards that are on those charts and in the handouts that you received this evening. The reason for that is that the Commission can only make determinations based on the regulations that we administer. We cannot use extraneous matters other than the specifics of the regulations that govern whether a plan should or should not be
approved. Those are the tests that we have to use. So the more that your testimony can concentrate on whether this plan does meet the standards, the more helpful that testimony will be in formulating an opinion in the recommendations to the Commission.

I do have a couple of pre-registered speakers. I also was informed that last week that a representative or two of the Pinelands Municipal Council would like to testify this evening. So I'm going to begin with the signup sheet, some of which incorporates people who have already registered.

The first speaker is Elizabeth Rathblott. What $I$ would ask, please, is that as you come forward and address the hearing with the microphone that's there.

Elizabeth Rathblott.
I'm sorry, forgive me. My mistake.

I should indicate you did sign up twice but you only get to testify once.

MS. RATHBLOTT: Elizabeth
Rathblott, R-a-t-h-b-, as in boy, -l-o-t-t. I

Mayor Chiarello
own 48.87 acres in the Pinelands in the regional development--regional growth.

I came with questions concerning
the standards criteria. I've had the
material. And you have met my standards.
You have answered my questions. And $I$ want to
say that as a land owner, $I$ am in support of your plans. Thank you.

MR. MOORE: Thank you.
I'm going to call upon Mayor Chuck
Chiarello who is the Mayor of Buena Vista Township but he is also the chair of the Pinelands Municipal Council.

MAYOR CHIARELLO: Good evening, everyone.

I testified when the plan was originally presented here in this room a few months back. From what $I$ have heard this evening and what $I$ 've had the chance to review in the lengthy report that was handed out about a month or so back, I think that many of the standards have been met. The report is much improved. If $I$ had one comment to focus on, it would probably be point number 10 regarding the sharing of services.

Even under the existing towers that are in the pinelands, I happen to live at the base of a couple of hundred foot tower which one of these providers operates and $I$ happen to have phone service from another provider. The two of them don't meet on that tower. My worst reception is as $I$ get home within a mile or two of my house.

So what I'd like to see happen is much more of an effort stepped up on the part of different providers of sharing the towers and offering better service because many facilities are already in place.

I'm pleased with the results of the
modifications that have been made in general
and I think the plan deserves the support of the Commission at this time.

Unless there's any questions, I thank you for the opportunity to comment.

MR. MOORE: Do we have any
questions, any members of the Commission?
(No response.)
MAYOR CHIARELLO: Thank you very
much.

> MR. MOORE: I'm also told. that
these are very sensitive mikes. If my voice goes away from your someone will just raise their hand, I will try to get back into the microphone.

Next speaker is Mr. Jack Salemi.
MR. SALEMI: Nice to see you again. After listening to the presentation by Bell Atlantic, it's interesting to hear about how great the cell phones are. Maybe they should make them free to everyone.

MR. MOORE: Could I ask You to put the mike right up next to your--

MR. SALEMI: Sure.
Maybe they should kind of make them free to everyone.

But my name Jack Salemi. I live at 5 Bridlewood Court in Tabernacle and also live Woodland Township. I reside there with my wife Michelle and three children, Victoria, Colette and Johnie. I've lived in the Tabernacle area for over 20 years and relocated here to enjoy the clean, healthy environment that the Pinelands communities offer. I moved out here basically to look at the trees and enjoy the nature that the pinelands communities show and
not basically look at towers. I'm most concerned about the overdevelopment of these 200 foot cell towers and higher and these towers will definitely show an overprotrusion against the trees and be a visual impact and an eyesore to all basically of the people that live there.

I have a photograph that I'd like to show concerning an existing tower in the Tabernacle area and how it looks against the Iandscape. Can $I$ present that to the-MR. MOORE: Yes.

MR. SALEMI: I made copies for
everyone. I don't have a copy machine.
This is the actual photograph. These are copies for everyone to review.

All I'm trying to really point out is that if you looked at the basic tower and what they are trying to show, is that over a mile area these towers, this is 175 foot tower, will be excessively higher than the landscape and visually impact all the people that live there and basically be an eyesore to the Pinelands total region.

I want to specifically--are there
any questions about the photograph?
MR. MOORE: They are quite obvious.

MR. SALEMI: Okay. I want to
specifically address the proposed site of the Wood, Sand \& Gravel Company at Woodland Township, site \#7. This tower initially was approved for 180 foot development. Now it's up to 318 feet. And if you look at the photograph, that's 175 feet against a landscape. This will be much more higher than the original proposal, and that concerns me even more tonight.

This location basically has need-has no need, for $I$ have two cell phones now through the comcast system and there are five towers in the area of Tabernacle, Mount Holly, Indian Mills and Chatsworth and provide adequate coverage for my area.

This whole project was based, as we discussed, on need. And if $I$ already have coverage in the area, I can't understand why this particular location, site \#7, is being proposed tonight on a new plan.

I'm not basically trying to hold back the technology. of course I said before, I have two phones of my own and $I_{\text {, am a business }}$ person. I believe that cell phone technology is needed. But $I$ do want to address an area of building a 200 foot or higher structure in a most pristine area of the Pinelands, Chatsworth, Woodland Township and many other communities within the Pinelands zone, especially the most pristine area.

Basically, to me, makes really no sense, for many of my neighbors have relocated here and also are very adamant against the development of this particular tower. I have the petition initially that was developed. Would you like me to submit it again tonight? MR. MOORE: Submit it if You'd like to. We do have it from the previous record, but if you have it with you, it might save us going back and looking for it.

MR. SALEMI: You never know. You can loose papers once in a while, but I'd be happy to present an extra one tonight.

Many of these people are working people that cannot be here tonight, and $I$ went around to many of the communities and residents
in the area to tell them exactly what they are trying to do at this one particular site \#7 and they were pretty adamant against it for a lot of people have relocated to this area basically for what $I$ did, to kind of get away from the reality of the real world, which really we can't do anymore, but that's fine, the Pinelands offers a beauty of its own. A lot of these people are trying to show that by signing this petition.

I am concerned about the
independent study by the consultants
Mr. Eisenstein, Moshe Kam, and Mr. Schankar for their recommendation for this one particular site they recommended it to be moved to Route 206 \& Route 70 at Southampton. Looking at the new proposal, it didn't seem like that recommendation was carried out: I'm really concerned about why that recommendation wasn't carried out, Eor that is a real high volume area of travel and use. There are also other existing locations within the Tabernacle/woodland area. There's a four-mile circle at $72 \& 70$ that has a fire tower. There's a transmission facility right at

Hillman Concrete right in Tabernacle itself, an existing facility. . But I think the best location would be to develop this tower, and I'm not an industry expert by any means, for the high use zone which is Route 206 \& Route 70. Again, the industry should show a need and where the structure-and where the existing structures are, they should utilize them.

Many other concern about a tower 200 feet visible from Sooy Road and my main concern is that of the real estate value. Because under normal conditions on equal value homes people will buy a home without a cell tower visible. People will buy a home without a cell tower visible than that home with a cell tower visible. Just as common sense, it's the perceived unknown problem. Water is coming off these towers and it hurts real estate values and basically this is a concern to me.

There was a big article in the Asbury Park press in 1997. I have a copy of that too if you'd like to read that.

MR. MOORE: You're free to submit anything you'd like to submit.

MR. SALEMI: Sure. I brought it
all tonight.
You have the consultant's plan, I'm sure. I don't know if you need another copy of that. But here's the tower article in the real estate section of the Asbury park press talking exactly about the perceived problems with selling real estate.

I'm not going to waste any time about the health concerns because $I$ know you are just going to tell me to stop talking about that.

The pollution issue does also concern me, for a tower that is 200 feet or above upright will require a base of 40 feet or deeper into the ground and many of the footings will be constructed within many drinking wells and concerns a lot of people within that area. Continual pumping around the base, if it's built in a well, for secure of the footing does concern me for the structure of the tower itself. Again, $I$ am not an engineer. They probably have it all figured out. But any kind of construction in drinking wells and drinking water can effect life for everyone and the water problems in the state of New Jersey seem
to be increasing.
101.5 radio is advertising that Comcast has $100 \%$ coverage across all of New Jersey. I'm just concerned also for the development of these new towers, especially since comcast is advertising that on 101.5.

Electrified fences that have three strands of wire which go around the sites, many of these sites are on private property but living in the communities where kids would go through the woods and play in the woods can possibly hit fences, wildiffe can, and really cause a major medical issue.

Power problems occur. The backup systems in many of these towers are fuel driven and they are fuel driven generators and storing fuel at a location within a forest region concerns me also if lightening should happen to strike the area of fuel.

Many of the cooling systems are continually run air conditioning and throughout the forest regions you can hear just about anything for many miles and a continually run air conditioner close to communities is really noise pollution.

The clearing of trees in preservation areas to build access roads. Continuous security. Lighting, continuous. MacGuire Air Force Base communication interference. Many of the planes that fly directly over the site are also concerns.

In closing, I just--and I don't want to stay here all night, I know you probably want to get this hearing moving along, but it's my opportunity to talk to you about my concerns and the concern is for the Commission to strongly develop the need and collocate and put these locations in the best area. As I said before, there's many different areas, Hillman Concrete, the four mile circle, the location at Route $70 \& 206$, petitions from the people against it in the area. The visual impact most definitely will be visible. The real estate problems.

The future of phone cell use in cars seems to be a major concern for many of the people. State Senator Byron Baer of Hackensack has state senate hearings on the safety of driving and talking while using the phone. And in closing, I think many of the
people in the pinelands community hike, nature hike, walk, camp, bọat, fish, bike and enjoy the Pinelands forest to get away from reality and leave their phone cells home and keep it and I think we should try to do whatever we can to keep it as pristine, beautiful area that it is.

Thank you for the opportunity to address you tonight.

MR. MOORE: Thank you. I'm not going to ask if anyone has questions each time, but you can interrupt.

Thank you.
Mr. Carlton Montgomery.
MR. MONTGOMERY: Hello. I'm
Carlton Montgomery. I'm the Executive Director of the Pinelands Preservation Alliance.

The Pinelands Preservation
Alliance, as the Commission is aware, is devoted to preserving the natural and cultural resources of the pinelands. The scenic and aesthetic values of the Pinelands are among its most precious resources. PPA is deeply concerned that the industry's proposed plan as it currently exists may cause unjustified and
unnecessary damage to those values. I'd like to summarize our concerns in that regard.

Initially, we are very concerned that the proposed plan includes three towers plus one possible new tower for a total of four potential new towers in the preservation area and one possible new tower in the forest area. PPA is opposed to having any new towers built in these areas if it is humanly possible to avoid doing so. Given the very vague information in the plan, as it's been at least given to the public, we cannot evaluate whether all or any of these towers are genuinely necessary to provide àiequate service, but an absolute minimum, the commission must scrutinize these facilities very carefully and provide the public suficicient information that it can really make the judgment that they are necessary because they ompromise the integrity of the places that we ralue most highly as consexvationists and : eservationists.

Moreover, one of these Eacilities - and that's \#5 - is a new tower wh:oh the provider is apparently proposed $t:$ build within a pygmy pine forest. PPA bel: :ves this tower simply
should not be built. Clearly, the visual impact of such a tower is vastly exaggerated if placed in the pygmy pine forest and it is difficult to guess because again there is no information on this, how the industry could mitigate the impact in any meaningful or sufficient manner of such a tower. Because it appears to us that it will be impossible to meet the siting requirements for this tower when it would actually come up when they would come to apply for that, for that tower. We think it should be relocated outside the pine forest.

These areas are so extraordinary and their scenic value is so easily damaged, that the commission should not permit this tower and should not approve the current plan so long as it includes this location as a new Eacility. There is no genuine public need for a tower, we believe, in this location. Similar concerns arise because the current plan includes two towers which the plan states are to be located in or near wild and scenic rivers, the Great Egg Harbor, and the Morris Rivers, and one to be located on or near the

Carlton Montgomery
Mullica River. Again, the plan is simply too vague to evaluate these proposed facilities in 3 any reliable fashion from our point of view. And that brings me to our next set of concerns.

As the staff has noted, the proposed plan asks the Commission to approve the number and the very proximate location for these facilities before the provider gets specific information about any of the towers. The current plan does not provide meaningful information about the details of individual towers or how providers can meet site specific requirements. The providers have given only the most approximate locations for these towers on that map.

The vagueness of the plan in this regard creates a number of concerns for us. First, that it be absolutely clear to the public and the industry that approval of this or a similar plan is only the first step in the process of public review and commission evaluation of the actual cellular facilities and towers. Each individual tower must meet siting requirements before it can be built and it may be that some towers cannot meet this
requirement as currently proposed.
second, the vagueness of the plan creates the possibility that even if the Commission approved this or a similar plan, it may not succeed. That is, the plan may not succeed. As the Commission has recognized in the past, the entire array of facilities depends on the location of each one of the other facilities. If one tower is removed from the array or has to be located sufficiently far from the place identified in the plan, it's possible that the providers will assert the entire plan must be changed and that additional towers must be built in order to provide adequate coverage. We are concerned that this approach would put undue pressure on the Commission in each site application process or lead providers to demand additional new towers beyond those many that are already proposed here.

And third, the plan does not give meaningful detail on, as $I$ have noted, on the sites to be located near scenic river corridors and does not address the requirements for the scenic corridors of the Comprehensive

Management plan in general. Those include not only the Mullica River but the soadways and other rivers and streams in the pinelands. And more broadly, we do not believe the map as a whole the industry has produced is sufficiently reliable to the public at least because the providers are unwilling, appear to be unwilling to specify the area they believe the circles and triangles on the map actually represent.

These concerns lead PPA to believe that the current plans should not be approved until the providers can given more meaningful and substantially more specific information on the location of each tower for which they have not already submitted individual site applications. They should address what will happen in each case if the facilities ultimately cannot be built where it is currently proposed, there should be some sort of discussion of the backup plan. And that they should give sufficient information demonstrating that the plan can satisfy the scenic corridors and other scenic settings kind of requirements before going forward. Without
this information, we believe that the current plan does not meet the requirements of the New Jersey Annotated Code 7:55.4(c) $1 \& 3$ because it is too vague to establish the need for each proposed facility, and that the facilities will be actually located on existing structures to the extent possible. I'm not sure which ones, that is, of the ones that you have listed there, but the two requirements that are expressly made to apply to the initial comprehensive plan, $I$ believe, are not satisfied. If the plan is as vague as it is now, about individual towers.

In addition, specifically on the use of existing structures, the plan has seven Eacilities that it says may be located on existing structures, but carefully reserves the right to build new towers for these facilities if the providers determine that it is not feasible to use existing structures. The plan merely says, quote, final decisions will be made when the facility application is pursued. It is as to whether to apply for a new tower or use an existing structure.

In light of the fact that the
industry is not making any, what appears to be, a genuine commitment to use existing structures for these facilities, pPA submits that the Commission should assume in evaluating the plan that those seven are going to be new towers. In light of that, that the plan does not meet the end requirements, that it demonstrate the use of existing structures - I think that's number seven on your chart - for that reason and should be sent back again for more information.

Alternatively, and it will achieve the same purpose, the Commission could approve the plan only upon the providers obtaining contractual commitments sufficient to ensure that all seven of these facilities will, in fact, be placed on existing structures.

The representative from Bell Atlantic touched briefly on the issue of industry paxticipation. The curxent plan, as she noted, presently only by a segment of the cellular telephone industry, those providing service in the 800 megahertz range. The CMP requires that all providers of, quote, the same type of service present a joint plan. The
providers, and apparently $I$ think with the agreement of the Commission staff $f_{i}$ have chosen to interpret that term, the same type of service, to include only this particular segment and to exclude other providers of similar services, such as the PCS providers.

We believe that it's unfortunate that providers have used that approach because it means that the plan is not truly comprehensive. From the consumers' point of view, all segments of the industry, the providers as well as--the providers here today as well as the PCS industry, would provide the same type of service. So, the restrictive definition of the CMP that is that the providers have adopted here appears not only unfortunate in narrowing the scope and utility of this plan but also to be rather artificial.

In light of those concerns, we believe that at a minimum the providers and the Commission staff should provide the Commission and the public more information about exactly how exclusion of other providers may limit the current plan. How other providers may require
additional facilities beyond those set forth in plan, if that's true, and whether the Commission can refuse to approve additional facilities in the pinelands if other providers come forward later on and claim the right to build new towers. A point which $I$ believe the current plan does not address. Is it possible that the Commission could be compelled to approve additional towers beyond those set forth in this plan.

The plan also contains relatively detailed commitments now on collocation of different providers' antennas on a given tower, and that, we view, is an excellent thing. The plan does leave open the possibility that in some cases a provider may not be permitted to locate on one of the existing facilities, that is, one of the proposed facilities once built. Thus, it does appear that a provider might, in that case, make a claim for the right to build a tower or install new facilities beyond those contemplated in the plan, that is, even one of the participants in the current plan could possibly find itself in that situation.

Lynn Catalfamo

Given that, we believe the
Commission should make clear that in approving any plan, a participating provider that is one of the three here, will not be permitted to seek approval of an additional tower just because it cannot reach agreement with its colleagues on collocation.

I hope that's not going to be an issue, but it seems to us that it would make that clear at this point.

That is a summary of our concerns.
I will like to reiterate that our deepest concerns lie with those few towers that are intended for the most sensitive and the most precious pieces of the Pinelands from a preservation point of view, and we hope that the Commission and staff will make every effort to ensure those towers are not built or are built on existing facilities.

Thank you very much.
MR. MOORE: Thank you,
Mr. Montgomery.
Lynn Catalfamo.
MS. CATALFAMO: Good evening.

Thank you for allowing me to speak. I am Lynn

Catalfamo. I live in Hammonton. And I'm a teacher at the Hammonton Middle school.

As part of our school curriculum, seventh grade students are presented with issues dealing with the Pinelands. We have a fully developed curriculum that gives the students an awareness of cultural, historical, and the environmental issues that deal with the pinelands, and this has been developed fully, you know, with several teachers and the students get a great deal out of this because this is part of their cultural heritage since Hammonton borders and is part of the Pinelands Preservation Area.

As part of the curriculum, we have, in the past, scheduled many field trips out into the pinelands Preservation Area so that students can experience the flora, fauna, and cultural and historical aspects of the Pinelands. The students get great enjoyment out of this. They love studying their heritage and in recent years, we have had to curtail many of the activities scheduled in Pinelands areas because of liability issues. As part of the liability issues, cellular communication
has become a rather important issue for us.
Recently, we have gone on a trip on one--a canoe trip.. in the pinelands zone and students, you know, were--we paddled through the Pinelands and had a great time, you know, exploring the different types of trees and beautiful orchids that were growing there, the different plants and animals, and getting a background in history of the area, the historical significance.

While we were on that trip, $I$ had my cell phone with me. You know, I figured I will bring this with me so that if something should happen, you know, along the way, we can be in communication with safety and medical professional help as well as or own school district. However, my Comcast cellular phone did not work because there was no service provided in that area.

So we feel this is a very strong issue as far as safety goes, and $I$ know several of the people who have spoken here tonight have raised that issue as well as the carriers themselves, and we would really like to see, you know, cellular service extended into this

Thomas Glynn
area for the safety issues.
My husband aiso works for stockton state college and he is on Route 206 many times going to different communities and schools and he needs to be in contact with his office, you know, to find out what is going on and keep in contact and he is not able to do that in many of the areas throughout the Pinelands Preservation Area because there is no cell service or very limited access.

So we'd just like to, you know, reiterate this point about safety issues, the liability issues that we, as educators experience, and we feel that this is very important because we would like our children to continue to experience the Pinelands and go on field trips without this issue of not being able to be in contact or have access to 911 service if we would need it.

Thank you very much.
MR. MOORE: Thank you very much.
I believe it's Thomas Glynn.
MR. GLYNN: MY name is Thomas
Glynn. I live in the Sweetwater area of Mullica Township. And the fellow from the PPA,
or the Pinelands Preservation Association, addressed one--the tower that $I$ have concern with, which is the one next to the Mullica River. It's Facility \#16 and it says, This facility is proposed in close proximity to the Mullica River. A Pinelands designated river from which visual intrusions are to be avoided to the maximum extent practical. The CP's recognize their obligation to minimize the visual impact in this area, and will pursue locations and design features to mitigate the impact.

Where this tower is proposed is on the Sweetwater Volunteer Fire Company lot. That's within 1,000 feet of the Mullica River. The tower is sited in the most restricted area for height and it is in the corridor of the Mullica River. Pinelands Regulation 7.50 .54 states that the tower must be sited so that, to the maximum extent possible, it minimizes visual impact to the river corridor and existing residents.

This tower, as proposed, will be sited within 100 feet of my house, of my door. As I understand it, this proposed

## Thomas Glynn

siting shows the need for a tower within a five-mile radius. There surely must be other sites within this five miles that will not affect view from the river or impinge on a completely residential area.

The same regulation, pinelands
7.50 .54 states in Section 6 that the plan needs to demonstrate consistency with section $C$,
paragraphs 1 and 3. Paragraph 1 is to demonstrate a need. Paragraph three says to use existing structures. I realize there is a need and there may not be an existing structure.

Paragraph five states that the facility must be easily upgradable to 200 feet. This will be more of an impact to the river corridor.

Paragraph two asks about overlapping service area and paragraph four sites many criteria. Among these ii states, Minimizes visual impacts as viewed from publicly dedicated roads and highways and from other areas frequented by the public. Avoiding to the maximum extent practicable any direct line of sight from low-intensive

1
recreation facilities. III states, Avoiding, to the maximum extent practicable, visible impacts as viewed from wild and scenic rivers. Minimizes visual impacts as viewed from existing residential dwellings located on contiguous parcels. The fork or the confluence of the Mullica and Bachelor River is an area frequented by the public for canoeing, boating, and to dine at a facility located there. This does not seem to conform to ii as written. This area may not be subject to 7.56 .10 , as $I$ have not read this regulation. It would seem that this area should be designated as wild and scenic.

I especially take exception to Subsection $V$ as this facility as proposed would definitely impact on an existing residential dwelling. In section 4 VI there are areas where the proposed towers are suggested to be located. These suggestions are for areas owner Pinelands villages mentioned in section 6 where this section lists existing fire or first aid stations, landfill sites, this does not apply to the villages listed in Section 6 .

Within a five-mile radius of this
proposed tower, there is a landfill site that can be utilized to conform to the suggestions in 4 VII. Also, if the tower is to be sited on the parcel of an existing fire station, the fire company in question owns a 16-acre parcel. Looking at the tax maps for this area, the back section of this parcel is within 360 feet of a publicly dedicated road sourboy Road, which has no residential dwellings and is out of view from the river corridor.

I realize that this will cause the cell phone providers more expense to locate the facility at this location, but it would be more in compliance and more with the spirit and purpose of the regulations as now written.

I have many other concerns
regarding this proposed tower, some of which I realize must be addressed at the local level when the plans for Tower \#16 are submitted to the township.

The other item $I$ feel should be addressed at this meeting is the military jets which directly overfly the location of this proposed tower as now sited. Alo attack jets overfly this location at least three times a
week. Should a military flight path have to be rerouted to accommodate a cell phone provider.

As I have had the occasion to use a Nextel phone from my home, the reception was fine. If this tower is to provide service to areas of Burlington county, and further on if so, why not locate the tower closer to the area of need.

Thank you very much.
MR. MOORE: Thank you, Mr. Glynn.
Let me compliment you on your knowledge of our regulatory policies.

Mr. Albert Weber.
MR. WEBER: Good evening. My name is Albert Weber. I live on 7 Bridlewood Court in Tabernacle, New Jersey.

I want to just first say that the plan compared to the first one seems to have addressed a lot of the issues. Also, I would say that the representatives from the cellular phone companies have done a much better job with their public relations face, but $I$ think it's important that although we heard some very nice speeches, that they are not considered a

Albert Weber
public utility. Based on some of the other testimony, I think. we all have tio remember that there was life before cellular phones.

Also, just so you know, I'm a very high user. Recently got one of the new digital phones. Use ovex $\$ 500$ worth of this a month. So, this is very important to me and my business. My wife now has another phone in her car, so $I$ do recognize this.

But I have to go back to several of the points over here, especially with regards to Tower \#7, that is the one that is on the Ward Sand \& Gravel property.

One, I'm very, very concerned about the visual impact in this area which is considered a sensitive area. In the documents and the regulatory work that went on in Woodland Township, since it's actually in Woodland this site, the tower was around 200 feet at that time. Now we have just learned in the reading the new information that it's about 318 feet. So it's grown, somehow it's been sprouting like the trees, an extra hundred feet that would even have a larger impact. And as Mx. Salemi had shown, that these towers
behind the trees are very easily seen, especially from the area around soohey place Road.

I'm also very concerned that a loophole in the regulations - and $I$ won't be able to quote all the regulations like the person before me - $I$ will, however, this particular Tower $\# 7$ is sited on the Ward sand \& Gravel which has been grandfathered and is not considered in itself part in the sensitive areas. So it was allowed to be built there, however, it is put on the furthest corner of the property closest to people and to the community. It's also been put in the confluence of three townships; southampton, Tabernacle, and woodland kind of in the corner of all of them and only until recently has gotten a lot more public attention from some of the political leaders. And I'm just really concerned that this loophole be used and continue to be used in order to keep that site which truly backs up to a community which, frankly, was not even on the aerial maps that they originally used to try to sell it to Woodland Township.

Albert Weber

Also, in terms of the adequate need, which $I$ think is :a very good utilization of words there, this little phone, which is of the lower power rating compared to the one I used before, works adequately right into my garage and right into my home and often $I$ will just use this as a backup phone in my own house.

So, I need to challenge the plan.
I guess $I$ 'm concerned if this was considered an area that didn't have adequate coverage and mine works, you know, what is going on here. This need issue has to be totally addressed. I think without using anything more scientific than the little meters in here, there are areas Route 206 \& Route 70 and a stretch up on Route 70 closer to 206 that truly has, at least for the Comcast system, inadequate coverage.

I also go back to one of the points that talk about collocation or put it on another existing tower. In the testimony during the process with Woodland Township, it was discussed that there is a water tower or some sort of a structure in the Leisuretowne area off of Route 70 and Southampton, and that
was--the area turned it down at that time, they didn't want them to. have a tower used for cellular phones, but clearly there is an existing structure that must be in that area that can be used, as was in the earlier testimony.

I also am very glad that
collocation is being discussed, but going back to some of the testimony from the PPA folks, I think we have to be concerned about the PCS and the growth of PCS portion of the industry which needs even more towers. And I really question, again, the comprehensive aspect of this. If we know that within a short time these towers are going to be the same sort of process again and again, and $I$ think that PCS development truly has to be considered in all of this.

One other final point here is we talked--we heard that the cellular industry is charged with providing seamless sort of coverage through their licensed area. I, again, $I$ use this phone quite a bit and I'm on the $I-95$ corridor between New York and Washington quite frequently and busy $I-95$ and the New Jersey Turnpike. I could practically

Albert Weber
tell you the spots where the phone goes dead. And this is the most heavily, onesof the most heavily trafficked highways in our country, and cellular seamless coverage is not there. Why does the industry feel that it has to provide it within the beautiful and very ecologically sensitive areas of the pinelands. So, $I$ think there is a double standard to this sort of situation.

So $I$ just also am concerned with this tower that is going to be in our backyards if this a 5 - to 10 -year plan, what is going to happen with the removal of this? I'm not quite sure how removal is specifically addressing whether a bond is going to be held or is there going to be an adequate mechanism to be ensure that when cellular phone systems are replaced by satellite systems, that these towers are cut down and transported away and not buried in Ward sand either. So, there is not going to be a portion of the plan that addresses how this will be guaranteed.

So, I do want to thank you again
for the opportunity to testify.
MR. MOORE: Eileen Carlos.

Carlos. 53 North Drive in Tabernacle. And $I^{\prime} m$ concerned with Towers \#6 and 7 that $I$ believe could probably be located along county or state roads that go along Tabernacle that go through, it's a 47 square mile area. How many towers do we need to have in that area to provide the adequate service that we talked about tonight?

I also have Bell Atlantic/NYNEX Mobile. I don't have a problem with my phone in my area. And as Mr. Weber was stating, he has a problem in other areas that have many towers and $I$ also have that same problem.

The thing $I$ came tonight with was my first concern was when you read in the papers about a can't miss business opportunity for Burlington County. Act quickly to lease space and the county could clear $\$ 100,000$ a year or more. You're sitting under a real gold mine. That's an issue of money.

Another BCT article says, The Morris County-based wireless communications big antennas towers in three Burlington county communities, Burlington Township, Hainesport, Willingboro more towers going up there. The

## Eileen Carlos

company will likely pay the township $\$ 18,000$ per year for the use of the tank or putting onto other structures other than the new towers.

Again, an issue of money. It's an industry that is growing. And I think a lot of it has to do with money and the pinelands Commission is here for the concerns of the people that live in their area. You have building code restrictions. You have all types of restrictions for commercial. And the towers need a restriction. They need to be analyzed, looked. They are talking about a growth trend of 30 to 50 percent for the cellular use, but is that the growth of the area in which we live.

I don't understand what the purpose of the towers will be when we have satellite technology. Will it grow into that in 10 years from now? What will we do? Is there going to be a saturation point that we will get to in between now and waiting for new technology coming in?

I have to apologize. I was making notes.

I'm concerned with the height of the towers. 368 foot is quite high and I'd like to know, you know, what will happen with low flying planes? In the pinelands area you also have a lot of farming. You have a lot of low-flying planes due to spreading their chemicals for their berries and cranberries, I'm concerned with that, what happens to the plane areas? And if there is a minimum height or a minimum space requirement for towers, then there should be a minimum requirement for the height of the towers also.

These towers are being placed in a location of natural habitat. I worry when I hear on a major news radio station that electromagnetic radiation is being emitted from these towers. And I believe there would be probably be an ecological disturbance in the area of which the tower is out. I wonder what are the electromagnetic affects on the wildiffe in that area?.

When $I$ listen tonight to people explain their points, I notice that the first plan was submitted and it missed eight points. The second plan is acceptable. I
think maybe the third plan may be even better. I know that this plan Pinelands Commission expects high standards from the area in which we live, that's the reason why you are here. And I ask that you make sure that we are provided, as residents, to give us the best of what is necessary.

They also talked about 911 service and providing free service to some areas. As far as $I$ am under the impression, in our squad in Tabernacle Township, did mention, at one time, they could not use this as a primary service due to the fact that if you are out in the woods and you call in, they don't have any idea where you are. So they really could only use it as a backup type of system, they couldn't use it as a primary.

I guess $I$ just wanted to make those comments and have evexyone think about them. That where $I$ live is a wonderful place to be. We moved out there for the reason of getting away from it all. Getting out into the woods, quiet, nice, reserved place and I'd hate to see these towers come in, popping all over the place. I would like to see them along routes
like the highways. They put up the walls we have to look at. They have the lights. There is no reason why they can't put the towers there.

Those are my comments I'd like to make and $I$ 'd ask this Pinelands Commission to please consider where we live and do the same for us that you do for the building codes and everything else.

Thank you.
MR. MOORE: Thank you.
Jane Nogaki.
MS. NOGAKI: Director Moore and members of the Pinelands Commission, my name is Jane Nogaki. I live at 223 Park Avenue in Evesham Township.

Thank you for holding this public hearing about the proposed Cellular Telephone Towers Comprehensive Plan for the Pinelands. The guidance given by the Pinelands Commission to the cellular providers to ensure the "least number" of facilities, and to use existing structures wherever possible is a reasoned approached which I support.

In examining the plan, however, I
have noted a seeming inconsistency with the guidance regarding proposed Tower \#9, a new structure to be located in southern Evesham Township. It appears the proposal for this new structure violates the guidance that existing structures be used when feasible in the height restricted region covering the Agricultural Production Area, Rural Development Area, and Select villages, which is the blue shaded area on the map. Evesham is in that rural development area. The cellular providers are required to verify that no existing suitable structure exists within the immediate vicinity of the proposed facility.

As noted on the map that $I$ have enclosed, three existing water towers that are existing suitable structures are located within three miles of the proposed yellow triangle site \#9, which is a Group 1 facility.

These existing tower locations are: The water tower at cooper and Taunton Road, in Berlin Township; a water towex in Kings Grant Golf Links, in Evesham Township; a water tower in King Grants on Connecting Way in Evesham Township.

Jane Nogaki

In fact, the Berlin Township Ordinance 1997-12 specifically identifies two specific sites for the location of commercial antennas or towers at Block 2401, Lot 1 in the industrial zone and the Berlin Borough water tower at Block 2103, Lot 8.02.

In light of these three existing suitable structures, $I$ urge the Pinelands Commission to require that proposed facility \#9 be reclassified from Group 1 to a Group 2 category cellular facilities which may be located on existing structures, noted as green triangles on the map, thus fulfilling the goal of limiting the construction of new facilities to the least number.

This request takes on an added urgency in the light of negotiations between Cellular providers and the property owner in $\dot{a}$ residential area on Chestnut Avenue in southern Evesham Township. Neighbors within 500 feet of the proposed facility are justifiably concerned for their health and safety. I see no reason for the siting of a tower facility in a residential neighborhood when three water towers within three miles of the chestnut

Avenue site provide reasonable alternative existing sites.

By requiring proposed facility \#9
to locate on nearby structures, 1 of 16 proposed new structures can be eliminated. There may be more, as is evidenced by testimony tonight from other residents of other towns. My comments today are limited to review of facility \#9 and do not constitute an endorsement of the remaining 15 proposed structures.

I think that the testimony of Pinelands Preservation Alliance addressed the plan as a whole. $I$ will strongly support their comments and $I$ urge you, on behalf of my neighborhood and Marlton Lakes in southern Evesham Township and neighbors on the Chestnut Avenue, to consider the requirement that the regulations that you have set out as guidances be strictly adhered to. And in this case, I do not consider that the plan as proposed on the map adequately reflects the guidance that you have laid out.

Thank you.
MR. MOORE: Thank You.

Faith Stetson.
MS. STETSON: Good evening. My name is Faith stetson. I'm a member of the Evesham Township Environmental Commission.

I bring tonight a letter from our Evesham Township Council in support of Ms. Nogaki's comments.

Please accept this letter on behalf of Mayor Augustus Tamburro and the Evesham Township Council with regard to the cellular tower that is proposed for Evesham Township. This lettex is sent to emphasize that the township governing body agrees with the position set forth in the July 9th, 1998, letter of Jane Nagaki an Evesham resident and member of the New Jersey Environmental Federation.

In sum, it appears that there are three existing suitable structures upon which the cellular providers can locate antennas in the immediate vicinity of Tower \#9. As the Comprehensive plan for wireless communications clearly is geared toward these existing structures, and the proposed tower is immediately adjacent to a residential area in

Linda Medvec
the township, we would agree with Miss Nogaki that the proposed Tower $\# 9$ should be eliminated or relocated and in favor of the use of an existing structure.

Please make this letter a part of the record at the public hearing and give due consideration to the position of Evesham Township and to Miss Nogaki in this regard.

Thank you.
MR. MOORE: Linda Medvec.
MS. MEDVEC: My name is Linda Medvec and $I$ reside in Little Mill Acres development at Five Yorkshire Court, Evesham Township in the southern district of Evesham Township and $\mathrm{I}^{\prime} \mathrm{m}$ here also to discuss this proposed cell Tower \#9.

Our development and the surrounding area is zoned the rural development \#2, and according to regulation \#8 I guess, 1 have more questions than answers actually right now. It states, in rural development areas that locating facilities in nonresidential zones or to first aid or fire stations, my property-our property, I reside with my husband and my three children, and on a cul-de-sac borders upon a
parcel of land that had been previously farmed that is also a ruxal district. And that is the property that's on Chestnut Avenue. We are approximately, $I$ would say, 75 feet from the proposed tower.

I don't--this is all new to me. I will be quite honest, $I$ don't totally understand how a proposed tower could be built that close where it westbound right at the base of the property. Is there a fall zone? I understand there's supposed to be guide wires. I'm hearing all this. There's a shelter that has to be built, a 10 x 20 shelter to maintain it. Near that area, adjacent, actually, to my property and to this proposed cell, is a YMCA camp. I don't know if anybody is--a day camp for children that basically, in the summer, that's where the children come from various communities-I don't know if anybody even considered them.

It also came to my understanding that the Kenilworth Fire Department is right up the road from where this proposed cell tower is, and apparently that was considered, however, it was too expensive to lease. I

Linda Medvec
don't understand that, where there is facilities, the water tower, the fire station, why they would built or why they would want to build. It's supposedly a coverage tower in this area, in this parcel of land.

I guess that's really--I have really a lot of questions. I just don't understand how this could happen in a residential area.

Thank you very much.
MR. MOORE: Let me issue you an invitation, if $I$ can. Perhaps your questions be can be answered. It might be helpful if you came to our office and looked at the file of the application, if there has indeed been one filed, $I$ believe, Bill, is that correct?

MR. HARRISON: The application has been initiated.

MR. MOORE: We would be happy to have a member of our staff sit down with you and go over siting criteria and the regulations that we have. The questions regarding the specifics of it.

MS. MEDVEC: So the application has been, for nine, the application is in?

MR. HARRISON: Yes.
MS. MEDVEC: And it's for the Chestnut area, right there, correct?

MR. HARRISON: It's in a
residential area.
MS. MEDVEC: It is in a residential area, okay. I didn't know the application was even in yet.

MR. MOORE: Nadine will give you a phone number to call.

MS. MEDVEC: Okay. Thank you.
MR. MOORE: Glenn Orr.
MR. ORR: Good evening. My name is Glenn orr. I'm a network manager for the Boeing company. As $I$ do understand the value of communications, I make my livelihood at it. I'm also a husband and a father and a homeowner also in the shadow of proposed tower \#9. In my case, it's not 75 feet away but it's about 200 feet away, or it's proposed to be.

This issue first was brought to my attention a couple weeks ago when they put stakes in the ground that showed where the location was going to be. In the last two

Glenn Orr
weeks $I$ ve tried to educate myself on cellular tower siting and this proposal inaparticular. I have also done some driving around the neighborhood just to try and understand why they chose that particular site, where it is right in the--right up against the residential community.

We moved there because $I$ like a rustic envixonment. It's a farm on one side, a YMCA camp on the other, an open space on the thixd side. So this certainly would be a change in scenery should it be built.

In my drive through the community, I did see, as was previously stated, the Berlin fire tower, which is in within two miles of this site. In addition, there is a sprint PCS monopole within two miles of this site. Also, within two miles of this site is a whole string of electric power towers that are just on the edge of the pinelands area, but $I$ would estimate that there are at least six of those towers within the two mile area. If you spanned the radius to five miles, then there are dozens of towers--existing towers.

I had today gone down to the county

Iibrary to get the official--what $I$ have been working off of was what was published on the web site, so I went to the county library expecting that $I \prime d$ be able to open up the pages and find out, yes, we've looked at the Berlin water tower, we have rejected it because of this... And we've at the electric towers and we rejected them because of this...

But I think as an earlier speaker had stated, there isn't enough information in there to evaluate anything. It speaks of the proposed locations, but in looking at information on existing structures, I believe it lists that there is one existing structure in Berlin and it gives the longitude and latitude and it is not easy as a consumer or a homeowner to figure out exactly what they are talking about given a longitude and latitude.

MR. MOORE: Doesn't everyone know there's longitude and latitude.

MR. ORR: Once you get the minutes and seconds, I'm in trouble.

In any event, it was mentioned earlier that the, as proposed, there isn't enough information to undexstand why they are
making the choices that they are. Even if you look at that map presented there, there is red dots all around the Pinelands area but they don't explain who owns those existing cell--who are the existing cell providers in those locations. They don't say what the coverage areas of the existing cells are. In the proposal, they just showed the intended coverage area of the new towers.

So, again, it's difficult to identify why these new towers are required. In particular, we are at the edge of the pines, we are not in the heart of the pines and it would be my guess that Comcast is providing the same coverage in our area as Bell Atlantic proposes to provide. As so again, it makes me wonder why Bell Atlantic alone needs to build a tower there if Comcast is probably offering coverage in that same area already, on some other structure. I, again, because the submitted plan is vague, it's difficult to evaluate and it just leaves more questions rather than giving answers.

The only other items I might add is that the proposed location, I mentioned that

## Bill McComb

it's open space on one side of the community, that it's a old abandoned airport, there are regular $f l y-b y s$ by prop plane pilots who like to do touch and goes, and the tower would be right in the flight path of that. So I would not only worry about the safety of those pilots, but also any fragments of planes that might come down near my kids.

I guess that's all I have. Thanks for your time.

MR. MOORE: Thank you.
The next speaker is going to
forgive me because the person who signed their name next, sign over the name that I'm about to read which is a little difficult. Bill McComb.

No, it's not McLaughlin. Good try though, Mr. MCEaughiin.

MR. MCCOMB: $\quad \mathrm{M}-\mathrm{C}-\mathrm{C}-\mathrm{O}-\mathrm{m}-\mathrm{b}$.
MR. MOORE: Would you spell your
name for me too.
MR. MCCOMB: Yes, I did.
Good evening. I'm Bill McComb. I
live in the whiting section of Manchester. I testified here on August 13 th of 97 for the
old plan concerning, I believe it was, search area 23 in Manchester Township. . I asked that that site be collocated. I still have some concerns and $I$ believe we have two new proposed areas in that same corridor there.

Working off this map, I see a cluster. Site $3 N$ is a Comoast site at 245 feet. It's a red dot and it exists outside the Pinelands. The blue dot in whiting, in 1993, a Mr. Fisher, of Bell Atlantic Mobile, indicated at an environmental commission meeting that theix 100 foot tower, that the pole would have a range of 7 and-a-half miles. My question is, how could there be a need for another facility in Whiting, which is the green triangle, for Bell Atlantic Mobile and a yellow triangle for Comcast in Beckerville, which is only two miles away. Why is there such a need in Manchester and haven't we allowed coverage in our community? I don't believe we need two more.

I would like to ask that you
encourage the co-existence on the towers that are already, the one inside of the Pinelands and the one that is on Lakewood Avenue, which
is between Cherxy street and Manchester Boulevard.

Thank you.
MR. MOORE: MCLaughlin, it's your
turn.
MR. MCLAUGHLIN: Thank you for this opportunity to share our concerns.

The proposal to locate towers to provide extensive phone coverage in the Pinelands area raises concerns. The pinelands is a national reserve with wildlife habitat preservation as an integral part of its comprehensive management plan. And, as a biosphere reserve with international significance, review for authorization anthropogenic disturbances must not lack equal consideration for maintaining viable wildlife habitat.

Although we appear to be forced into accepting a political decision that electromagnetic fields will not adversely affect human welfare, the potential impacts to wildlife caused by the introduction of extensive electromagnetic fields should be weighed carefully. Many species of wildifife

Mr. MCLaughlin
have a physiological makeup that makes use of the earth's natural background magnetic field for navigation. "Authorizing artificial
magnetic fields throughout a habitat
preservation area, such as the Pinelands National Reserve, raises the question of whether earth's ambient magnetic field will be allowed to remain perceptible anywhere within the great Atlantic migratory flyway. And what does such a determination hold for the future of the migratory species that utilize this flyway?

Additionally, without predetermining the affects that extended coverage of these electromagnetic fields will have on wildifee movements, the plan should be implemented in stages that will enable such an assessment prior to any commitment to extensive coverage.

As we encroach upon vestiges of
undisturbed area with a fast growing metropolitan area, it would seem likely that new technology will quickly make this proposed ground-based communication network obsolete. Because it can reasonably be expected that

Mr. McLaughlin
satellite communication networks will replace this ground-based network as a carrier of choice, restoratiön of the original landscape aesthetics should be insured upfront as a permit condition, and the towers should not be permitted to inherit other uses simply because they persist beyond theix originally intended use.

While some components are to be located on preexisting towers at negotiated rental fees, new towers are to be located in areas restricted to other land uses because of their costs to pineland resources and aesthetics. If the Pinelands Commission approves the construction of a new tower within restricted land use areas of a particular township, how does such an approval affect a township's prospect of renting space from preexisting towers that were located in an environmentally sensitive manner? It appears that such a plan which provides added wildiffe protection from electromagnetic fields, may also provide for a greater use of preexisting towers with more revenue potential for the owners who had located them in an
environmentally sensitive manner.
$\operatorname{Thank} Y$ Yu. $\because " \quad$ !
MR. MOORE: Would you like to leave your written statement with us?

MR. MCLAUGHIIN: sure.
MR. MOORE: Bob stetson.
MR. STETSON: Good evening. My name. is Bob stetson. I'd like to thank you for this opportunity to speak this evening.

I am a resident of Evesham
Township. I live at 12 Pennington Road. I am here to speak about Tower \#9. Tower \#9 is located, as has been previously stated, in a residential area. There is the availability of three other towers in this area for use to be utilized. They are being--two of them are being utilized currently for cell sites, the one in Berlin and the one in Kings Grant section on Meeting Way. There is another water tower, as Mrs. Nogaki had stated, in the Kings Grant area that is in the location of the kings Grant Golf Course. That water tower is not being located - is not being utilized as a cell site tower.

There is the availability to use
this. I have been in contact with the members--two members of our municipal utilities authority, and they have told me that they would be more than willing and happy to speak to anyone concerning the use of those towers for cell site locations.

The other thing $I$ would like to bring to the Pinelands attention, Mr. Moore and I know Mr. Harrison is here this evening, is the fact that in Evesham Township we do have a Comprehensive Management Plan that has been accepted by the pinelands, it has legislation in it concerning towers and their use in our town.

I have nothing more to say and I thank you very much for this opportunity.

MR. MOORE: Okay. If I may, for those of you from Evesham, I think we would welcome any of you coming to sit down with us because there is a difference between the plan and the application that has been filed before the Commission. And I would encourage you, if you'd like to come and discuss that difference with us, we'd be happy to do that.

MR. MOORE: Okay. Jeff

Matheson.

MR. MATHESON: Good evening. My name is Jeff Matheson and I'm a representative of Burlington County, and a resident of Burlington County. I'm here to speak on the topic of emergency services collocation on proposed cellular towers.

Burlington County Central
Communications has the responsibility of providing communications for emergency sexvices, police, fire and emergency medical in 11 municipalities within and adjacent to the Pinelands that directly affects six police departments, 23 fire companies, 14 EMS stations.

We have done comprehensive studies through our consulting firm and have determined that much of the proposed sites are similar in footprint to the needs of emergency services and as a result, have approached cellular providers with collocation options, our request to them to reside on their towers. Bell Atlantic has been very gracious as to allow us access to their towers in many locations on previous instances and has assured us that they
will continue to allow us future sites.
Those are the only comments I have. I thank you for the opportunity to speak.

MR. MOORE: Thank you.
Michele Costello.
MS. COSTELLO: Mr. Moore and Commissioners, I thank you for the opportunity to speak this evening. My name is Michele Costello and I'm here representing Atlantic Electric, a connective company. "Connective" being the merged company of the two power Companies, DelMarva Power and Atlantic Electric.

As you may remember, last year I testified before the hearing on August 13 th where $I$ committed to the commissioners and the public of Atlantic Electric's requirement and willingness to comply with the new Federal Telecommunications Act of 1996 which required us to open our right-of-ways to incumbent telecommunications providers.

We have done that, and we are working very hard with the industry and particularly with the commissioners and feel

Michele Costello
that we were lucky to be included in any discussions about the revised plan that is before you this evening. We want to reiterate this evening Atlantic Electric's committment to work with the Commissioners to minimize impact in Pinelands sensitive areas and particularly indicate to you our willingness to collocate with our electric facilities any telecom. needs and requirements as safety dictates and orients.

We believe, as a utility, that our existing electric facilities work in conjunction with the telecom. needs and is a true definition of the word "collocation." The electric facilities are there to serve the public, they are required existing structures, and as such, we feel that they might be the answer to some of the new construction that is proposed in this plan and some of the existing structures that are proponents to be addressed in this plan.

I'd like to share with the
Commissioners a visual indication of what we have done with both the cellular and PCS providexs on our existing structures and have


MS. COSTELLO: Oh Yeah. Yeah, that's fine.
okay, thank you.

MR. MOORE: Thank you.
Jaime Pitner.
MR. PITNER: Good evening. My name is Jaime Pitner. I was born and raised in Burlington county and $I$ have been a practicing paramedic, all intensive care unit paramedic for the past 20 years in the counties of Burlington, Ocean, Camden, and Atlantic, Cape May. So really, the whole region. And I just wanted to underscore the importance of the need and the right of the public to access 911 for police, fire, and EMS. And that one of the main avenues to access is cellular phones. Speaking with the state telecommunication office from the state police, over $30 \%$ of the calls that come in with 911 centers are via cellular.

People really need to be able to have access wherever they are. Regardless of the system that they choose, just like people can chose their own long distance carrier or local carriers in their home, there are a

Jaime Pitner
variety of companies, whatever phone you have when you look down at it, turn it, on and dial 911, you expect somebody to answer that call. Being an EMS professional and being concerned for this region that $I$ live and work in, that's of a great concern to me.

In addition to that, my wife and four children and $I$ love to hike and explore the pinelands region. I always have my phone for safety purposes. So, it's really something that is very important. It's an expectation of the public and it is an important concern when we weigh all the other concerns in the Pinelands protected area.

I would like to commend the Commission and the providers, I think that you have done a lot of hard work, you made some very difficult decisions, and $I$ think you have done a good job.

Thank you.
MR. MOORE: Thank you.
That is the last name $I$ have on the list, and $I$ will certainly permit other people who have not signed the list because they came in late to testify if they'd like to. Is there
anyone else who would like to testify?
Brooks.
MS. BROOKS: I apologize for coming in late and not signing in, but $I$ did call this afternoon so...

My name is Fran Brooks and I resides at 78 Moors Meadow Road in Tabernacle.

My comments this evening, and $I$ thank you for letting me speak, what $I^{\prime}$ d like to recognize the importance of comments made by Mr. Montgomery and several other speakers and share many of their concerns. There are several issues, general issues that $I$ 'd like to raise that actually $I$ believe my husband stewart and $I$ raised at the last hearing in August and $I$ 'd like to reiterate them.

Regarding \#3 that concerns proximate location, something that is very unclear to us is what proximate location means and there is really no explanation or analysis of that in terms of being able to identify these proposed or potential sites. And it would be very helpeul to the public to understand the meaning of proximate location.

In Mr. Stokes' letter of June 12 th, he noted that the sites are all within a five-mile radius area. Well, that's an extremely laxge area if you are to figure it out with square footage. There's just simply insufficient detail for any of us of the public to understand what that area really constitutes and particularly in relation to the notion of approximate location. So, it would be very helpful for us to understand that better, and $I$ think there was a problem with that whole issue in the earlier plan.

My second point regards visual impact, and $I$ believe that's \#8 in the list on the boards. We really have to question how they propose-how the industry proposes to meet this issue or address the issue of this visual impact. Whether we are talking about 200 feet, and $I$ can't testify to the accuracy of any of the numbers that were given out prior to my testimony, but whether we are speaking about 200 feet or 318 feet, we are still talking about a limit that in relation to the pine Barrens environment it is obviously going to have a visual impact.

And again, and this was a problem with the earliex plan as well, the cellular industry representatives did not speak to this issue of how they are going to minimize visual impact, how they are going to mitigate it.

And I think the Mr. Weber and Mr. Salemi referred to the Hillman gravel pit tower that, that tower--we can see that--we come up from Ranson Road and we can see that for quite a few miles up the road as we come out of the Moors Meadow Road. So, it would really be helpful. also to the public to have some specific explanation from the industry rather than these generalized statements about how they are going to minimize or mitigate visual impact in the Pine Barrens.

My third issue regards the inadequacy of service issue. And I recognize very strongly that there is a balancing act here. And this of course relates to \#5 and \#8 in your list over there.

In all due respects to the issues raised by various speakers about the need for, and there is no question in our minds that to have service for a health and safety reasons is
clearly an important reason. But, again, we have no specific information, sufficient detail about what inadequate service--the inadequacy of service in the Pinelands areas really constitutes. We--and the public have no idea what the magnitude of the problem really is.

I hear words from industry representatives but they, like the earlier plan, they have given no detail on this and so it would really be helpful to us to understand--and the public to understand the residents of the Pine Barrens, particularly in the most restricted areas where people have accepted the restrictions, to understand what constitutes the magnitude of the problem. And we didn't see any of that in the current plan and we, again, are asking for that detail once more.

My fourth issue regards the use of electric transmission towers, and $I$ was pleased to see the representative from Atlantic Electric here once more. We don't understand why electrical transmission towers are not being utilized. We don't understand how that issue is being addressed or not addressed by
the cellular industry and why there appears to be such a reluctance on the part of the cellular industry to utilize the existing transmission towers. And it would be very helpful, again, to the public for the public to understand what the problem is with these existing structures.

It is curious to me that in the plan, in particular on page three of the proposed plan where the industry has outlined the steps they took to evaluate existing structures, that there seems to now be enormous controversy regarding some of these existing structures and their potential use as collocation structures. That also includes the fact, the use of transmission towers and making that information available to us. We just don't understand why these towers, and there is nothing in the plan which explain is to the public, why these towers are not, at least some of the towers or certain towers, are not available for collocation purposes.

Just to end this discussion, we hope that the staff does not move hastily to approve this plan. I think many of the

## Fran Brooks

comments, for example, Mr. Stetson's comments, the other individuals from Evesham Township really indicate that there are inconsistencies in that this prior research that was done that appears in the body of the current proposed plan really does evince contradictions or at least inconsistencies and that further analysis needs to be undertaken. That while this is just a conceptual plan, there are still problems with the conceptual plan. And as a member of the public, I would hope that these inconsistencies are reviewed, of course, and will be resolved before any plan is approved.

The last thing I'd like to end with is that we, of course, like many of the other speakers have a cell phone. And I live in the central part of the preservation area and I have never had any problems getting with dropped calls or any other criteria that are used to define inadequate service or at least what $I$ see as defined as inadequate, the criteria used, we've never experienced this. So when we talk about inadequacy, I really am confounded by the issue that they raise of the service. And so it would really be very

Mayor Woolley
helpful for them to provide us with better data.

Thank you.

MR. MOORE: Anyone else? Mayor Woolley, $I$ 'm sorry, you weren't signed up or $I$ would have recognized you earlier.

I always get in a lot of trouble when $I$ save the mayor for last.

MAYOR WOOLLEY: As long as. I am last, you really will be smiling, right?

My name is woolley, two $O^{\prime} s$, two L's, E-Y. And $I$ have not that many comments to make.

I'm glad to see that I'm surrounded by such loyal and, I'm certain, supportive constituents. But $I$ am caught on the horns of a dilemma a little bit. $I$ am frustrated by what $I$ do consider to be inconsistency or inadequate service when $I$ am driving. I haven't goteen a phone call that $I$ have made, especially on the way down here, that it hasn't dropped out a little bit, and I think that's an issue that you're addressing with item five on your list.

> I also am concerned about the
threat to public safety and to the communications group without having good coverage in the area.

And on the other hand, another positive note is that $I$ do like the concept of a united plan as it's being submitted in accordance with your Regulation \#1. But, as a municipal official, $I$ also want to address the issues of my constituency, of myself, and probably some of the government infrastructure. And then my request only is that $I$ would like to make sure that you and the providers address the issues that you have outlined in your regulations. The first one dealing with the same service providers where feasible, I would like to be sure that accommodations for other providers are at least consider. I'm not sure whether that means added capacity, but how are we going to accommodate a fourth or a fifth or a sixth user? I'd hate to go through this again in two years to address the same issues.

I also would like to be sure that the future technologies are considered. I don't know, but $I$ 'm sure your engineers do,
what do you face in 5 to 10 years in a non-tower technology? Is this something by delays that could avert towers, putting them up? I'm especially interested in your items three and four, and that is the approximate location and the 5 to 10 year broad horizon. As a municipal official, $I$ would like to be sure that the providers do give meaningful time for us on the municipal level to have a review, not have only a few weeks to contemplate where the actual location is going to be, or when the towers are going be to built in two years or next week.

I also would like to be sure that the recognition of infrastructure requirements take into account that it be done at either at very limited cost or at no cost. I know that the Burlington County officials have had trouble getting access to existing towers except that an outrageous price of six or seven or eight thousand dollars a month. I'm hoping that something like this can be addressed when the final plan is either recommended for approval or for further changes.

In your Item 7, looking for
existing communications structures, I am certain that in Tabernacle we are very anxious to find one, although $I$ don't know of anything tall enough that would qualify.

In Item 8 you have a comment there concerning visual impacts, and $I$ don't know what, if anything, can be addressed with regard to the aesthetics to either hide or cover a tower of that height. I'm not sure whether the comparable facility on the Garden state Parkway as a false pine tree could work. I'm not sure it's going to work in the pygmy forest.

I think that's all I got to do.

You all can smile and go home now.
MR. MOORE: Thank you. That concludes my list.

Mr. Brooks. I'm not sure we should allow spouses to testify.

MRS. BROOKS: Simultaneously.
MR. MOORE: One per $\begin{aligned} & \text { Eamily. }\end{aligned}$
MR. BROOKS: The precedent has already been set.

My name is stewart Brooks. I live at 78 Moores Meadow Road, Tabernacle.

MR. MOORE: Could you move that up
just a will little bit?
MR. BROOKS: Is thati better?
MR. MOORE: Yes.

MR. BROOKS: Stewart Brooks, 78 Moores Meadow Road, Tabernacle, New Jersey. Thank you for letting me speak at this late moment and for sparing Mayor woolley the chance of being the last pexson to testify. MY comments are very brief.

I hadn't planned on testifying but two things struck me throughout the course of the hearing. The first is the overwhelming amount of anecdotal evidence as to need. What is so astounding about that is that there is no empirical evidence as to what need is. And it doesn't strike me that there is enough data for this Commission to reach a reasoned conclusion without knowing what that empirical data is.

The same applies to the overwhelming amount of testimony regarding unaccounted for structures. I think everyone is in agreement that it's best to locate cellular equipment on existing structures and look at the mandate of the plan, yet there has been a parade of witnesses who have come before
you who have said the industry missed this one, or that one, or the other one and, they haven't even addressed electric transmission towers.

I know that a lot of work has been done on both sides of the table and the plan has come a long way since it was initially presented, but from where $I$ sit, I don't think that you have enough information that you can actually make a decision. I think there is still a little bit further to go. I think you really need to find out what is the need, but I think you need to find out where are those structures that can provide locations to address that need or to satisfy that need. And I think it's most appropriate that that information come from the industry rather than from the citizens because it's the industry that should have the global knowledge to present to you the whole picture. I don't think that it's proper or appropriate to rely on citizens to come in and patch holes in the testimony because you will never know if all the holes have been patched.

So, even though we now know that there seems to be plenty of opportunity in

Closing Remarks by Mr. Moore
Evesham, that doesn't necessarily mean that throughout the rest of the Pinelands area thexe aren't other structures that haven't been identified. So what $I \prime m$ saying really is, the credibility of their testimony regarding the identification of structures is, in my opinion, very limited.

Thank you.
MR. MOORE: Mr. Gross, I know that you had requested that the companies have an opportunity to conclude the hearing. I do want to remind you that the record remains open until the 17 th and we don't wish to have an debate, by the way, but I'd like to give you an opportunity to sum up, if you'd like.

MR. GROSS: Well, given the fact the much of the testimony relates to items that are already covered in the plan, we see no reason to repeat that. We are reserving the right to, of course, submit written comments, but we really do not want to--there is no need to rebut any of the testimony, in our opinion, this evening.

MR. MOORE: Thank you.
Now, with that, I'm going to

Closing Remarks by Mr. Moore
adjourn the hearing. But let me again indicate to all of you that this record remains open until July $17 t h$ and we will continue to receive your comments until that date. That the Commission will probably consider this matter either at its August or september meeting.

In the front of the room there is a clipboard that you can sign with your name and address if you'd like to receive a copy of the Executive Director's report to the Commission on the Cellular Facilities Plan. You are welcome to do that as you leave with your name and address.

Now will also be posted, when it is completed, on the Commission's web site so you will be able to review the report on the web side if you'd like to. If you'd like the address of the web site, $I$ will give that to you also before you leave this evening. You can do an instant search that says Pinelands Commission on any of the search engines and you will find us there after some other materials, some other questionable, I might add, comes up.


I, SHARON S. ZUPKO, a Certified Shorthand Reporter and Notary Public of the state of New Jersey, do hereby certify the foregoing to be a true and accurate transcript of my original stenographic notes taken at the time and place hereinbefore set forth.


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