

[Third Reprint]

SENATE, No. 2989

STATE OF NEW JERSEY
214th LEGISLATURE

INTRODUCED JUNE 29, 2011

Sponsored by:

Senator RICHARD J. CODEY

District 27 (Essex)

Senator JEFF VAN DREW

District 1 (Cape May, Atlantic and Cumberland)

Assemblyman UPENDRA J. CHIVUKULA

District 17 (Middlesex and Somerset)

Assemblyman CHARLES MAINOR

District 31 (Hudson)

Assemblywoman CELESTE M. RILEY

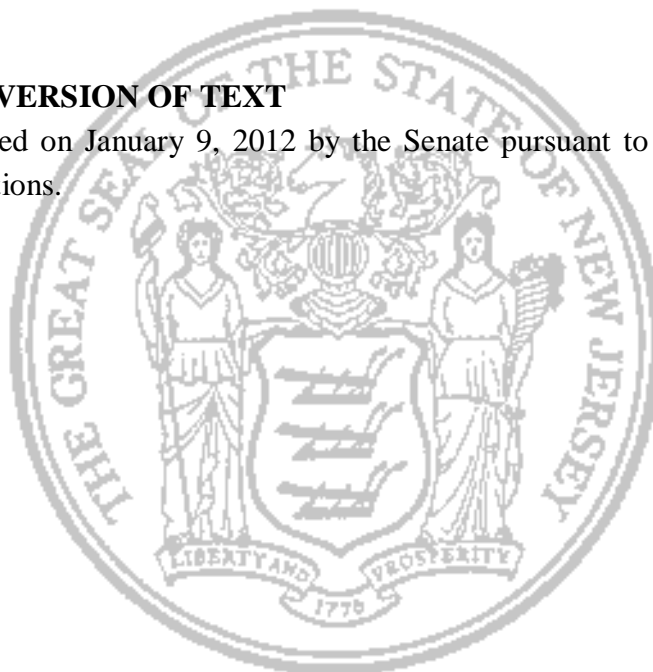
District 3 (Salem, Cumberland and Gloucester)

SYNOPSIS

Exempts certain collocations of wireless equipment from site plan approval.

CURRENT VERSION OF TEXT

As amended on January 9, 2012 by the Senate pursuant to the Governor's recommendations.



(Sponsorship Updated As Of: 12/6/2011)

1 AN ACT concerning the collocation of wireless communications
2 equipment and supplementing P.L.1975, c.291 (C.40:55D-1 et
3 seq.).

4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

7
8 1. a. An application for development to collocate wireless
9 communications equipment on a wireless communications support
10 structure ²or in an existing equipment compound² shall ¹not¹ be
11 ¹[deemed a minor] subject to¹ site plan ¹[for which the
12 requirements of notice and public hearing shall be waived, subject
13 to] review provided the application meets¹ the following
14 requirements:

15 (1) the wireless communications support structure shall have
16 been previously granted all necessary approvals by the appropriate
17 approving authority;

18 (2) the proposed collocation shall not increase ¹(a)¹ the overall
19 height ¹[or] of the wireless communications support structure by
20 more than ten percent of the original height of the wireless
21 communications support structure, (b) the¹ width of the wireless
22 communications support structure ¹,¹ or ¹(c)¹ the square footage of
23 the existing equipment compound ¹to an area greater than 2,500
24 square feet¹;

25 (3) the proposed collocation complies with the final approval of
26 the wireless communications support structure and all conditions
27 attached thereto ³and does not create a condition for which variance
28 relief would be required pursuant to P.L.1975, c.291 (C.40:55D-1 et
29 seq.), or any other applicable law, rule or regulation³.

30 b. For purposes of this section:

31 “Equipment compound” means an area surrounding or adjacent
32 to the base of a wireless communications support structure within
33 which is located wireless communications equipment.

34 “Collocate” means to place or install wireless communications
35 equipment on a wireless communications support structure.

36 “Wireless communications equipment” means the set of
37 equipment and network components used in the provision of
38 wireless communications services: including, but not limited to,
39 antennas, transmitters, receivers, base stations, equipment shelters,
40 cabinets, emergency generators, power supply cabling, and coaxial
41 and fiber optic cable, but excluding wireless communications
42 support structures.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SEG committee amendments adopted September 19, 2011.

²Assembly AHO committee amendments adopted November 21, 2011.

³Senate amendments adopted in accordance with Governor's
recommendations January 9, 2012.

1 “Wireless communications support structure” means a structure
2 that is designed to support, or is capable of supporting, wireless
3 communications equipment, including a monopole, self-supporting
4 lattice tower, guyed tower, water tower, utility pole, or building.

5

6 2. This act shall take effect immediately.