

MONTGOMERY TOWNSHIP ZONING BOARD
MONTGOMERY TOWNSHIP, SOMERSET COUNTY, NEW JERSEY
REGULAR MEETING
APRIL 26, 2016

MINUTES

Chairman DeRochi called the meeting to order at 7:35 p.m. and read the opening statement which affirmed that adequate notice of the meeting had been posted and sent to the officially designated newspapers.

BOARD MEMBERS PRESENT: Chairman DeRochi; Vice Chairman O'Brien; Mr. Fedun; Mr. Post; Mr. Thompson; Mr. Kristjanson, Alternate #1; Mr. Campeas, Alternate #2; Mr. Wu, Alternate #3; Mr. Tuosto, Alternate #4

ALSO PRESENT: Mr. Drollas, Board Attorney; Mr. Sullivan, Board Planner; Mr. Cline, Board Engineer; Mr. Palmer, Zoning Officer; Mr. Conforti, Township Committee Liaison

I. SALUTE TO THE FLAG

II. APPLICATIONS

Case BA-05-14 Applicant: New York SMSA Limited Partnership d/b/a Verizon Wireless
Block 8001 Lot 1
Submission Waivers Associated with a Use Variance and Site Plan Application
Affidavit of Notification and Publication Not Required

Richard Stanzione, Esquire, Chad Schwartz, PE and Dominic Villeco, RF Engineer, represented the applicant.

Mr. Schwartz was sworn in. Mr. Schwartz gave the Board his qualifications and was accepted as an expert engineer. He referenced the March 8, 2016 DRC letter and his response letter dated March 28, 2016.

Mr. Schwartz and Mr. Stanzione summarized the requested submission waivers and or partial waivers:

1. Preliminary Checklist #23 - The location of natural features within the tract and within two hundred feet of the tract. The information has been shown within two hundred feet of the compound area which totals 2,500 square feet. There is no development proposed outside the compound area. The existing driveway and utilities on the site will be utilized for the development. There is an agricultural easement on the 82 acres parcel that was deeded by the owner to the State Agricultural Board. There is a 5.5 acre exemption area that allows development other than agricultural uses. The rest of the parcel is restricted to agricultural uses. Although the compound area is setback two hundred and sixteen feet from River Road all the information to River Road has been shown.
2. Preliminary Checklist #24 – Delineation of flood plains and stream corridors within the tract and within two hundred feet of the tract. The information has been shown within two hundred feet of the compound area. Flood hazard and stream corridor areas along the frontage of the property have been shown.
3. Preliminary Checklist #25 – Delineation of ponds, marshes, wetlands, wetland transition areas, hydric soils and land subject to flooding within the tract and within two hundred feet of the tract. None of these critical areas are within two hundred feet of the compound area but since they measured from the compound and not tract boundary the submission waiver is necessary. A note has been added to the plan that there are no wetlands within two hundred feet.
4. Preliminary Checklist #28 – Cross-sections of water courses and/or drainage swales showing the extent of the flood plain, top of bank normal water levels and bottom elevations. The only water course is a nominal stream across the frontage of the property that is within the two hundred feet of the compound area.
5. Preliminary Checklist #30 – The location and extent of drainage and conservation easements and stream encroachment lines. The stream corridor is shown across the front of the property. There are no existing drainage or conservation easements, other than the agricultural easement, on the property.
6. Preliminary Checklist #31 – The location, extent and water level evaluation of all existing or proposed lakes or ponds within the tract and within two hundred feet of the tract. There are no existing or proposed ponds in the development area.
7. Preliminary Checklist #33 – Existing and proposed contours as required by Ordinance and an indication of steep slope areas. The steep slope areas are shown within the development area but not the whole tract. The elevation difference between River Road and the base of the proposed tower is approximately twenty feet. The contours are shown out to the River Road frontage.
8. Preliminary Checklist #34 and Variance Checklist #13 – Locations of all existing structures and their uses within the tract and within two hundred feet of the tract. The information provided is within two hundred feet of the development area. The existing structures have been shown on the property within two hundred feet of the compound area. There is a table on the plans that lists the structures, their size and their uses.
9. Preliminary Checklist #35 – The location and size of existing structures such as water and sewer mains, valve, hydrants, utility structures, gas transmission lines and high tension power lines on the tract and within two hundred feet of the tract. Some of the required information is not pertinent to the application. The other information is shown within two hundred feet of the compound. The existing utilities that service the house will not be affected. The utility poles along Staats Farm Road that will be used for the utilities for the development have been shown. The utilities needed for the facility are telephone and electric. The generator is diesel.
10. Variance Checklist #21 – Designation of topographic slopes fifteen percent (15%) or greater. The information has been provided within two hundred feet of the development area.

Chairman DeRochi asked if the items that were marked “Not Relevant” have been reviewed and found that they are not relevant. Mr. Cline summarized:

Preliminary Checklist items #26, #27, #29, #32, #44, #45, #57, #61, #63, #67, #68, #69, #72 and #73 are not relevant.

Preliminary Checklist items #39, #48, #50, #51, #52, #53, #54, #55, #60 and #68 have been provided.

Final Checklist items #6, #7, #8, #9, #10, #11, #12, #13, #17, #18, #19, #20, #21, and #22 are not relevant.

Final Checklist item #14 has been provided.

Variance Checklist Item #28 is not relevant.

Chairman DeRochi noted that there will be many people from the public who will be interested in protecting the historic area along this stretch and drawings to show the relationship to the historic elements should be provided.

Mr. Schwartz said a landscape plan has been submitted with the latest submission (Preliminary Checklist #37). They are proposing 3” caliper 8’ high arborvitae along the south and southeast of the construction.

The Board discussed the storage of hazardous materials and the storage of diesel for the generator. They do not exceed the quantity that DEP considers an environmental hazard.

The Board discussed the submission requirements listed in the second priority location section of the Ordinance. The application does not meet some of the standards but no submission waivers are necessary. The EIA and TEA standards are for steel structures. The silo will be concrete so the EIA and TEA standards can’t be met but the structure will meet and/or exceed all applicable building code requirements.

Dominic Villecco was sworn in. Mr. Villecco gave the Board his qualifications and was accepted as an expert. Reports dated October 7, 2014, February 11, 2015, March 23, 2015 and April 5, 2016 have been submitted. The reports have been written to address the requirements of the comprehensive plan sections of the Ordinance.

The applicant will provide updated checklists.

Chairman DeRochi opened the meeting to the public.

Candy Willis, 72 Knickerbocker Drive, was sworn in. The Board confirmed that neighbors within two hundred feet will receive notice of the application. She noted that there is a historic cemetery at the foot of the driveway that may not be shown on the drawings.

Mr. Sullivan discussed how the EIS discusses the historic properties very close to the development. They may need to be illustrated more clearly.

Barbara Temper, 2346 Amwell Road, was sworn in. The Millstone Valley Scenic Byway is not indicated on the map. She discussed the byway and its significance.

Elizabeth Palus, River Road, was sworn in. When the ordinance was drafted it was never contemplated that a cell tower would be proposed in the historic district of River Road. If the proposal is going forward it needs to be reviewed in the entire context and not just two hundred feet.

Chairman DeRochi responded that he informed the applicant earlier during the hearing that more information is needed regarding the historic district and its impact.

Mr. Sullivan noted that if the Board would like any of the information that has been waived for completeness purposes, the Board can ask that it be provided.

There being no further public comment, a motion to close the public hearing was made by Mr. Post and seconded by Vice Chairman O’Brien. The motion carried unanimously.

A motion to approve the submission waivers was made by Vice Chairman O’Brien and seconded by Mr. Thompson. The motion carried on the following roll call vote:

Ayes: Campeas, Fedun, Kristjanson, Post, O’Brien, Thompson and DeRochi

Nays: None

III. MINUTES

March 15, 2016 – Regular Meeting

A motion to approve the minutes was made by Mr. Post and seconded by Mr. Fedun. This carried on the following roll call vote:

Ayes: DeRochi, O’Brien, Fedun, Post, Thompson and Wu

Nays: None

There being no further business to come before the Board, the meeting was adjourned at 9:10 p.m.