

**MONTGOMERY TOWNSHIP ZONING BOARD
MONTGOMERY TOWNSHIP, SOMERSET COUNTY, NEW JERSEY
REGULAR MEETING
SEPTEMBER 20, 2016**

MINUTES

Chairman DeRochi called the meeting to order at 7:38 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. Vecchione; Mr. Campeas, Alternate #2

ALSO PRESENT: Mr. Drollas, Board Attorney; Ms. Goldman, Board Planner; Mr. Cline, Board Engineer; Dr. Eisenstein, Board RF Engineer; Mr. Palmer, Zoning Officer, Mr. Conforti, Township Committee Liaison

I. SALUTE TO THE FLAG

II. APPLICATIONS

<p>Case BA-05-14 Block 8001 Lot 1 Use Variance and Site Plan Expiration Date – 10/31/16 Affidavit of Notification and Publication Required and Previously Found to Be In Order</p>	<p>Applicant: New York SMSA Limited Partnership d/b/a Verizon Wireless</p>
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Richard Stanzione, Esquire represented the applicant.

Mr. Villecco, who remains under oath, discussed the various questions that came up at the last meeting. There were questions about the coverage at the different heights the tests were done at. Mr. Villecco was asked if he could dissect the outer bands that were coming from the higher heights.

Dr. Eisenstein asked if he would also answer the question about the ambiguity in the drive test data that seemed to show better coverage in some areas at a lower height. Mr. Villecco said there was discussion at the last meeting that there were natural variations that can occur each time the measurements in the field are conducted.

Mr. Stanzione distributed an Exhibit which was marked as Exhibit A-8 which consists of two colored maps. One is labeled Household Coverage and the other is not labeled at all. Exhibit A-9 is the map labeled Household Coverage with a chart below it. Mr. Villecco explained that he transposed the propagation plots on top of a Google map which allowed them to figure out which homes would be covered and which would not. It is important to note that there is not a homogenous distribution of homes throughout the coverage area. The dots on the map represent the homes. The light blue area represents the 100' antenna height, the magenta represents the 110' antenna height and the dark blue represents the 120' antenna height. The denser home areas are on the outer edge of the proposed coverage area. Much of the property within the center of the area is farmland and open space. In Montgomery Township if the antennas were lowered from 120' to 100', 204 homes would lose coverage. If the antennas were dropped from 110' to 120' they would lose 93 homes. The total amount of homes lost in all three townships from 120' to 100' would be 609 and from 110' to 120' would be 302. Exhibit A-10 is the second sheet of the Exhibit marked as A-8. The roads shown in red have underground utilities, the roads in lighter green have poles that could potentially be used and the darker green have poles that likely can't be used. The exhibit shows that the DAS systems really can't be built to pick up the extra bands of coverage lost because the lack of poles. Further, the ordinance requires utilities to be placed underground. Mr. Villecco estimated he would need to install between 15 and 34 new poles (6-10 homes per pole). The more effective way to provide coverage is with this location at 120'.

Mr. Campeas asked what the overlap of coverage from other cells on the 200 homes on the left side of the map is. Mr. Villecco referenced Figure 1 in the Alternate Height Analysis Report dated March 23, 2015. The proposed site at 120' just makes it to the edge. There were some changes in the elevation in some areas that makes the signal skip over the top. Generally there is little to no overlap.

Mr. Villecco said at the last meeting there was a question that it appears the facility benefits Franklin Township more than Montgomery. The map shows that a lot of the coverage area in Franklin is vacant property.

Mr. Villecco testified that the sewer treatment site that was brought up at the last meeting was one of the sites that were looked at by real estate. The ground elevation at the proposed location is 84' above sea level and at the sewer plant it is 63'. If Verizon was to utilize the site they would have to have a structure at least 20' higher than what is being proposed with this application. There are single family homes directly adjacent to the sewer treatment site. The treatment site is less desirable and less suitable than the proposed site.

Chairman DeRochi noticed that one of the maps show a large area of homes to the west that is not covered with this proposal. He asked what the plan for those homes is. Mr. Villecco said at the moment there is not a plan. They could put a higher structure on this site but they are trying to minimize the height.

Dr. Eisenstein noted that the white area seems to be substantial. He asked if it was because Verizon was looking at 2,100 and those site would be covered by Verizon's other three bands. Mr. Vilecco testified that Verizon has four licensed frequency bands and in those areas there will be some level of coverage from the other bands. Some of the white areas could be some of the depressions in the topography.

Dr. Eisenstein asked Mr. Vilecco to estimate what additional coverage would be in the surrounding area at the 850 band. Mr. Vilecco testified it would roughly double the coverage.

Mr. Vilecco described the exhibits he prepared of the coverage areas of the other three major carriers if they collocated at the site; AT & T, T-Mobile and Sprint. The design of the silo will accommodate the other Carriers at lower heights. Typically the carrier that seeks the approval takes the highest site. Other carriers will use existing sites the best they can rather than seek a new approval, especially in this area since there are not a lot of places for new structures.

The handout entitled RF Drive Test dated June 2, 2016 was marked as Exhibit A-15. A display board entitled NYSMSA, LP dba Verizon Wireless Griggstown Alternate Site Multi-Carrier Drive Test dated June, 2016 was marked as Exhibit A-11. The plot on the left is Verizon 700 MHz and the plot on the right is Verizon 2100 MHz. The display board shows the signals that were collected and mapped using software. Verizon designs to minus 95 dBm outdoor coverage and to minus 105 indoor coverage. The display shows the signals in a bulk of the area don't work. Exhibit A-12 is a display for the same test for AT & T. Exhibit A-13 and Exhibit A-14 were test drive data for Sprint and T-Mobile. The conclusion is that all the carriers have some level of service at the western side of the gap at the higher frequencies with virtually no service at the center of the gap. They have no service at the lower bands. The site is designed such that it will accommodate additional carriers.

The Board took a five minute break.

Chairman DeRochi opened the meeting the public to question Mr. Vilecco.

Candy Willis remains under oath. Ms. Willis asked if Mr. Vilecco has received complaints from residents about the service. Mr. Vilecco said he did not have any complaint data.

Liz Palius remains under oath. Ms. Palius noted that many of the houses in the proposed coverage area are being served. Mr. Vilecco referenced an exhibit similar to A-9. Ms. Palius asked why they are only looking for a site in the Millstone Valley which is a historic district and not looking for other places. Mr. Vilecco testified that they are proposing this site because there is no service in the Valley. There are other proposed locations for the comprehensive plan they had to produce as part of the application. This site is in the Valley because there is a specific problem throughout the Millstone Valley. Ms. Palius noted that there is a good location at a commercial center on Route 27. She wondered why they are persistent in looking in the historic district where it is inappropriate. Mr. Vilecco referenced the alternate heights analysis dated March 23, 2015. There is already a tower in Kendall Park and there is still inadequate coverage in this area.

Robert Wilmot remains under oath. He referenced Page 4 of the Alternate Height Report. There was discussion about the coverage that the two sites in Franklin Township provide.

Ms. Palius asked about the orientation of the comprehensive coverage map. Mr. Vilecco said every map he has presented has the same due north, east and south references.

Robert Wilmot referenced Exhibit A-9. Mr. Wilmot asked if the houses north of Township Line Road would be covered by the proposed Woods Road tower application. Mr. Vilecco said the comprehensive report shows that Verizon needs both sites. The Woods Road site would not serve those homes. Mr. Wilmot asked if three smaller towers would serve the same number of homes. Mr. Vilecco said they are not aware of any existing structures in the area or any sites that would not require a tall structure in any of the areas Mr. Wilmot is referring to. There is intense development of homes in those areas. There are areas in the center of the proposed coverage area that don't have houses but they are the canal and D&R lands. However, they are important areas to serve because they are recreation areas that are frequented by the public. Mr. Wilmot said the coverage is sketchy along Canal Road and River Road. As you go further east and west the coverage is better. Isn't this an opportunity to use the DAS technology along River Road and Canal Road and for stretches east and west into Franklin and Montgomery to get the coverage they need for this area. Mr. Vilecco said the question has been discussed and answered. There are not enough poles in the area to install the system.

Ms. Palius said there are two sets of poles on River Road. On one side is electric and the other side is cable. Why can't they use the cable poles? Mr. Vilecco presented several exhibits to show which poles are usable and which are not.

Donald Matthews, Rutland Road, was sworn in. Mr. Matthews asked the Board Chairman why they aren't allowing public comment and only questions. Chairman DeRochi explained the questions are for the applicant's professionals. Once the applicant has concluded his presentation the meeting would be opened to the public for comment. Vice Chairman Matthews said the public may not be able to make every meeting and they should be allowed to comment.

Chairman DeRochi suggested allocating 15 minutes at the end of the hearing for public comment. Mr. Stanzione objected to allowing comment before the applicant presents its case. Chairman DeRochi suggested it be opened to members of the public who cannot be at subsequent hearings.

Robert Zalewski, 983 Iron Bridge Road, was sworn in. Mr. Zalewski gave his qualifications and was accepted as an expert in stormwater management. He referenced a stormwater management facility maintenance plan report dated September 15, 2015 and a stormwater management report and land use planning and source control plan report dated September 23, 2015. He also referenced the engineering plans last revised July 7, 2016, specifically sheet Z18 the grading and drainage plan. The proposal includes a fenced gravel compound for the silo and equipment with a gravel access driveway. The total development will result in approximately a quarter acre of land disturbance and .01 acres of new impervious surface. The project is considered a minor project and is subject to water quality and stormwater management facility requirements of the township ordinance. Water flows from west to east and the project has been designed to collect the water flowing from the west into a pipe culvert and diverted to the east side of the site. Any rainfall on the development area, including the driveway, will be diverted to a bioretention basin located on the south side of the compound. The bioretention basin will provide 80% total suspended solid reduction. There is an outlet control structure within the basin so any volume above the water quality storm in the basin will flow into the outlet control structure, into the bypass pipe and out on the east side of the site. The compound area has been reduced from the originally proposed 50 x 50 and additional landscaping has been added. These changes will make the stormwater management design more conservative.

Mr. Zalewski discussed the Remington Vernick and Vena report dated July 15, 2016. The application will revise the elevation difference between the top of grate for the outlet structure and the emergency spillway to achieve as close to a separation of 0.5 feet as possible. The compound location will be provided on the soil maps. The drainage pipe is 8" and will not be impacted by the proposed building. There is a trailer to the west of the dirt road and will be moved if necessary. Dust control notes will be added to the soil erosion and sediment control detail sheet. The detailed site plan drawing labels the compound area as proposed gravel surface. The cover over the RCP stormwater drainage pipe will be 12" which is adequate. The seeding mix used in the bioretention basin will be subject to the review and approval of the Township Landscape Architect. Calculations indicating the basin will drain in less than 72 hours will be provided. Any pre-mixed soil to be used in the bioretention basin will be certified by a NJ licensed Professional Engineer. Certified permeability tests will be provided once the bioretention facility is completed. The detail sheets will be revised to comply with the BMP manual to indicate the soil bed will be placed on lifts not to exceed 8". The outlet control structure does not have an orifice since it is designed to be an infiltration water quality storm basin. Since there is no orifice there is no need for a trash rack. The proposed infiltration BMP will be assessed for ground water mounting impacts including an analysis of the reduction in permeability and ground water mountings present. Filter fabric will be provided along the sides of the soil bed as depicted in the BMP manual. The stormwater retention design and operations manual will comply with the state and township regulations.

Chairman DeRochi opened the meeting for the public to question Mr. Zalewski.

Barbara Tem-Broeke remains under oath. Ms. Tem-Broeke asked why trees and shrubs are not planted in the basin to help absorb water. She asked the applicant to look into a better design for the basin. Mr. Zalewski replied that they are not proposing to plant the basin with trees or shrubs.

Chairman DeRochi opened the meeting to the public for comment.

Ms. Willis commented that some of the public has written to the New Jersey Historic Preservation Office. NJHPO has determined that the application was found to have an adverse effect and it was forwarded to the federal preservation office of the FCC. Ms. Willis presented a packet of the correspondence that went out which was marked as Exhibit Willis-1.

Mr. Stanzione asked Ms. Willis if the packet was submitted in response to a Section 106 notice that was received. Ms. Willis confirmed it was. Mr. Stanzione had no objection to the packet.

Dr. Eisenstein is not available for the October 18th meeting so the applicant will present the acoustical, historical and real estate witnesses only.

The hearing was continued to the October 18, 2016 and October 25, 2016 Zoning Board meetings. No further notice will be provided. An extension to December 31, 2016 was signed.

III. MINUTES

July 19, 2016 – Regular Meeting

A motion to approve the minutes was made by Mr. Post and seconded by Mr. Fedun. The motion carried on the following:

Ayes: Fedun, Kristjanson, Post, Thompson, Tuosto, Vecchione and DeRochi

Nays: None

There being no further business to come before the Board, the meeting was adjourned at 10:30 p.m.