



The lights will be changed to LED. A wetlands specialist has gone out and redesignated the wetlands. If the compound is moved to the side they will finalize the application with the DRCC and then apply for a NJDEP transition area for the stormwater discharge. A photo of the side yard property was marked as Exhibit A-28 to show the existing trees. There are no significant trees in the compound area. Sheet Z06 was referenced. Approximately the same number of trees will be removed if the compound is moved to the side. The applicant will work with the Landscape Architect to buffer the equipment compound from Route 206.

Chairman DeRochi asked if the applicant could install an 8 foot fence around the equipment compound. The applicant agreed. The fence is proposed to be black chain-link.

The meeting was opened to the public.

Ken Kirch, 62 Charleston, remains under oath. Mr. Kirch asked if there will be a diesel tank and said if there is a spill it would go down to a sensitive area. Mr. Igneri testified it is a self-contained double walled unit with a funnel cap.

Mr. Sciascia, 95 Opossum Road, remains under oath. Mr. Sciascia asked if there would be any impact to well water. Mr. Igneri testified there would not be. Mr. Sciascia asked about buffering the view from Opossum Road. Chairman DeRochi agreed there should be supplemental plantings to also buffer Opossum Road.

Wilbert Donnay, 85 Opossum Road, was sworn in. Mr. Donnay asked about the construction noise that will occur for six weeks. Mr. Igneri testified it is typically six to eight weeks for construction. There will be equipment grading and removing trees. The work will only occur during the daytime; typically start in the morning and quit midafternoon. The clearing for the site will probably be a day or two. The foundation will most likely be a drilled pier. There will be a drill rig over the course of two days. The foundation for the monopole is typically a two day operation. Mr. Donnay asked if alternative locations were looked at. Mr. Ferraro responded that the radio frequency engineer and site acquisition consultant provided testimony at prior meetings.

David Karlebach, the applicant's planner, was sworn in. Mr. Karlebach gave the Board his qualifications as an expert in professional planning. Mr. Karlebach referenced a viewshed analysis which was marked as Exhibit A-29. The viewshed analysis is a map showing the site represented by a red dot in the middle of the exhibit. There is a dashed yellow line which is a 1-mile radius surround the site. Within that radius and sometimes just beyond the radius there are viewshed analysis points. This analysis was composed by the office of Clarke Caton Hintz. On April 10, 2017 photographs were taken of the crane from 33 different locations and a photo simulation of what the facility would look like if it was installed was prepared using the "Delbarton tree". The photo simulation dated April 10, 2017 prepared by Mr. Karlebach was marked as Exhibit A-30. Mr. Karlebach explained in detail each of the photographs. The photos in Exhibit A-30 were taken at a tower location in the front yard of the property. Additional photos were also taken in the side yard location using a balloon that was tethered and flown at 135 feet so there is a 2 foot shortfall. The additional photos were marked as Exhibits A-31 to A-47. Each of the photos were described in detail.

Ms. Goldman testified that she went out with Mr. Karlebach and agrees with his testimony. The crane was only visible in eight or nine locations.

The meeting was opened to question Mr. Karlebach.

Mr. Kirch referenced the Woodthrush photo. Mr. Kirch showed a picture he took of the first balloon from his backyard. The rear yards of the houses along his street have fewer trees than along the street. He pointed out the difference between his photo and Mr. Karlebach's photo.

Ann LePlante, 36 Charleston Drive, was sworn in. Mr. Karlebach testified that he was standing at the intersection of Richmond and Charleston. Ms. LaPlante said if he was standing at a different location he would get a different perspective.

Mr. Sciascia asked if there were pictures taken from the vicinity of 95 Opossum Road. Mr. Karlebach showed the view from north of 62 Opossum Road.

The Board took a five minute recess.

Mr. Karlebach continued his testimony. He referenced Exhibit A-48 an aerial photograph of the site and the surrounding area with the zoning map overlaying on the aerial photograph. He described the surrounding area. The property is within the R-2 zone. This application does not meet the first or second priority locations so a

use variance is required. A height variance is also required. The application does not meet the lot coverage and fence height requirements. A building coverage variance is no longer needed.

Ms. Goldman noted that since the application requires a D1 use variance, if the Board granted the variance it would automatically approved the deviations from the wireless telecommunication conditional use conditions the project does not meet. The bulk variances still need to be granted.

Mr. Karlebach went through the four step balancing test. The first step is to determine the public interest at stake. The Supreme Court has stated that the issuance of an FCC license should suffice for a carrier to establish that the use serves the general welfare. Verizon Wireless is the holder of four such FCC licenses. What must be shown is that the site is particularly well suited for the use. There has been testimony from the radio frequency engineer that there is a gap in the area and demonstrated the need for the facility at this location. Although the property is located in a residential zone it is developed with a nonresidential use. The property abuts much undeveloped land to the west which provides substantial buffering. The lot area far surpasses the minimum lot area requirements in the zone. The lot has approximately 1,000 feet of frontage on the state highway and high traffic areas create a strong demand for mobile phone service. The height of the antennas at this location is necessary to effectuate the use. There are no tall structures in the deficient service area to mount the antennas. The pole has been disguised as a tree to harmonize it with the surroundings.

The second step is to identify any detrimental effects that would ensue from the grant of the variance. The courts have held that the negative criteria pertaining to telecommunication facilities implicates aesthetics. No significant impact issues have been identified. The tree pole has very limited visibility due to the mature vegetation, the curvilinear roadway network and rolling topography. The facility is unmanned and does not increase the demand on municipal services. There is no traffic impact associated with the use. The facility will not generate any significant noise, vibration, odors, glare, dust, fumes or any other noxious influences. The lot coverage variance is a function of the land use. Tennis courts by their nature require a fair amount of impervious area so it would be inappropriate to take those standards designed for residential uses and apply it to this commercial use. The proposed use is only .4 percent on a site that already exceeds the permitted 15 percent.

The third step is that the Board may impose reasonable conditions to mitigate any impacts. The applicant will camouflage the tower in the form of a tree and is replacing trees that are proposed to be removed. The compound is being moved to the side yard to better preserve the trees along the front of the building. The compound width has been reduced and outdoor equipment cabinets are being used as a space-saving measure. The generator has been changed to a smaller type DC generator.

The fourth step is for the Board to determine whether the positive attributes outweigh the negative. The benefits are the availability to safe, secure and on-demand communication from potentially a wide variety of wireless providers, enhanced public safety through improved wireless communications and increased work productivity and efficiency. There are no significant detriments. The benefits far outweigh any perceived detriment. There is no substantial impairment of the zone plan or public good.

The meeting was opened to the public.

Ken Kirch asked Mr. Karlebach if he was qualified to evaluate the level of service along the Route 206 corridor. Mr. Karlebach testified he is not and that he is relying on the testimony of Mr. Stern, the RF Engineer.

The Board discussed the two locations and found the side location is preferable. The applicant will file the plan for the side yard location.

The application was continued to the July 18, 2017 meeting. No further notice is required. An extension to August 31, 2017 was granted.

There being no further business to come before the Board, the meeting was adjourned at 10:15 p.m.