

MARLBORO TOWNSHIP ZONING BOARD
APRIL 26, 2016

THE MEETING OF THE MARLBORO TOWNSHIP ZONING BOARD WAS CALLED TO ORDER BY THE TEMPORARY CHAIRMAN MR. RONALD D. CUCCHIARO, ESQ. AT THE MARLBORO TOWNSHIP OFFICES, 1979 TOWNSHIP DRIVE, MARLBORO AT 7:30P.M.

CHAIRMAN SHAPIRO READ THE MEETING NOTICE, ADEQUATE NOTICE PURSUANT TO THE OPEN PUBLIC MEETING ACT OF 1977 HAS BEEN GIVEN OF THIS MEETING BY PUBLICATION IN THE ASBURY PARK PRESS, AND BY POSTING IN THE MUNICIPAL BUILDING IN THE TOWNSHIP OF MARLBORO, FILED IN THE TOWNSHIP CLERK'S OFFICE AND PLACED ON THE TOWNSHIP WEBSITE AND CHANNEL 77.

ROLL CALL

PRESENT ... {7} MR. SOLON, MR. ZWERIN, MR. WEILHEIMER, CHAIRMAN SHAPIRO, MS. DI GRANDE, DR. ADLER, and MR. NAPPI

ABSENT... {2} MR. LEVIN, MR. VERDI

PROFESSIONALS PRESENT... MS. NEUMANN, MR. CUCCHIARO, and MS. SARAH PARIS

SALUTE THE FLAG

PUBLIC SESSION – *No one from the public signed up to speak.*

Z.B. 16-6572 VAZGEN SEVUMYANTS - Continued Hearing for a Bulk Variance to Construct a 576 sq. ft., Garage addition and to keep a 20'x30' concrete patio placed in wetland buffer and conservation easement, located at 345 Deerfield Road, Block 180, Lots 83.21 in the R30/40 zone

Application to be carried to May 24, 2016 without further notice to property owners.

Z.B. 15-6536 ANTISELL - Continued Public Hearing for a Use Variance and approval of a major 5 lot subdivision with bulk variances that is located on Reids Hill Road, Block 154 Lots 17 & 18 in a split zone (C-3 and LC)

Chester DeLorenzo, P.E., P.P. was sworn in and gave testimony on behalf of the applicant, after his qualifications as an expert in both engineering and planning had been accepted by the Board. Mr. DeLorenzo reviewed the subdivision plan, describing the five buildable lots proposed (including one flag lot), together with a sixth lot that Mr. DeLorenzo confirmed would be dedicated to Marlboro Township for open space. The Applicant confirmed that its earlier proposal to offer that sixth lot to a future homeowners association was no longer operative, and instead such lot would be dedicated to the municipality. Mr. DeLorenzo concluded his testimony by confirming the Applicant would comply with the various professional reports issued by the Board's professionals.

PUBLIC - *No one spoke on behalf of this application.*

A motion in the affirmative

Offered:	Chairman Shapiro	Ayes:	5 (Mr. Solon, Mr. Zwerin, Mr. Weilheimer, Chairman Shapiro Ms. DiGrande, Mr. Nappi)
		Recused:	0
		Nays:	1 (Dr. Adler)
Second:	Ms. DiGrande	Absent:	2 (Mr. Levin, Mr. Verdi)

Z.B. 16-6568 NEW YORK SMSA LTD. PARTNERSHIP d/b/a VERIZON WIRELESS (9 Timber Ln.) - Public Hearing for a Use Variance to install one antenna 24.2" high and 15.1" in diameter on existing rooftop, and install two equipment cabinets and associated electrical equipment inside of a proposed 10' x 12' ground space, proposed to be fenced with an 8' high with privacy slats, located at 9 Timber Ln., Block 361, Lot 3 in the LI zone

Michael R. Beck, Esq. was sworn in and gave testimony. Mr. Beck stated that the Applicant proposes to install a "small network node," consisting primarily of a single pole mounted, canister-style antenna to be located on the north side of the building's roof. The proposed "antenna" is approximately fifteen inches in diameter and two feet tall, which when mounted atop a

steel pole, will extend ten feet above the existing roof level, reaching an overall height of 46 feet above ground level. Two pad-mounted equipment cabinets, located on the ground surface adjacent to existing building utility equipment, will be enclosed within a fenced equipment compound, requiring the relocation of an existing tree elsewhere on the property. No additional site improvements are proposed.

Mr. Beck referenced Exhibit A-25, the Applicant's Radio Frequency Analysis and Report. In sum and substance, Exhibit A-25 provides that the small network node proposed for the subject property is needed to increase 4G LTE ("Long-Term Evolution") data capacity for Verizon Wireless subscribers in the area and to improve a coverage gap with respect to voice coverage. LTE is the current technology used for the Verizon Wireless data network, and the nearby existing wireless telecommunication facilities will soon be reaching capacity limits. Subscribers in the area will begin to experience a loss in data service if the impending deficit is not remedied, and the proposed small network node facility will provide that additional capacity. Moreover, Exhibit A-25 provides that Verizon Wireless requires an additional network node in this local area to service subscribers where a coverage gap exists. The proposed small network node is intended to specifically target the area where a deficit has been identified.

Mr. Beck referenced Exhibit A-26 which provides that the Applicant was FCC licensed and thereby complied with the FCC regulations with respect to radio frequency ("RF") emissions. In sum and substance, Exhibit A-26 provides that by satisfying the federal RF emissions standard, the Applicant also satisfied the State standard for RF emissions, confirming that the proposed facility posed no danger to the public in terms of RF emissions.

Mr. David Stern was sworn in and gave testimony. Mr. Stern, the author of both Exhibits A-25 and A-26, who was qualified as an expert in radio frequency engineering, who summarized the findings of the two reports regarding the need for a small network node at this location, given the absence of available and/or feasible locations within zones that permit wireless uses.

Mr. Arif Malick was sworn in and gave testimony. Mr. Malick, a New Jersey licensed professional engineer with Malick-Scherer, P.C., Hampton, New Jersey. Referring to the site plans, Mr. Malick provided an overview of the subject property and the proposed telecommunications facility. Mr. Malick stated that the Applicant was proposing to install a single pole mounted "can-tenna" on the existing rooftop, with associated equipment to be located in a fenced-in compound area adjacent to the building, requiring the relocation of a single tree. The can-tenna will be on a pipe mast attached to the existing roof structure at an overall height of 46 feet above ground level, where the existing rooftop is 36 feet above ground level.

Mr. David Karlebach, PP, PC, was sworn in and gave testimony. Mr. Karlebach distributed and described the photo simulations marked as Exhibits 29, 30 and 31, and further summarized the legal standards applicable to use variances for wireless communication facilities. Mr. Karlebach offered his opinion that the applicant's proposal satisfied the applicable standards for use variance relief.

PUBLIC - *No one spoke on behalf of this application.*

Respectfully submitted

Jennifer Bajar