

REORGANIZATION & REGULAR MEETING

Lebanon Township Planning Board
Municipal Bldg 530 West Hill Road Glen Gardner, N.J.

January 16, 2007

The 79th Regular Meeting of the Lebanon Township Planning Board was called to order at 7:07 p.m. by Board Clerk Gail Glashoff. Present were: Mr. Weeks, Mr. Schmidt, Mr. Gerlich, Mr. Rich, Mr. MacQueen, Ms. Bleck, Mr. Weiler, Mr. Piazza, Attorney Gallina, Planner Bolan and Engineer Risse. Mr. Piasecki arrived at 7:57 p.m.

In compliance with the "Open Public Meetings Act" notice is hereby given that the Lebanon Township Planning Board has scheduled their Reorganization & Business Meeting for January 16, 2007 prevailing time in the Main Meeting Room in the Municipal Building. The Business portion of the meeting will start at the conclusion of the Reorganization Meeting. Notice of this meeting was published in the Hunterdon Review on January 3, 2007 and the Hunterdon County Democrat on January 4, 2007. Copies of the agenda were sent to the Hunterdon Review, Hunterdon County Democrat, Express Times, Courier News, Star Ledger and posted on the bulletin board in the Municipal Building on January 9, 2007.

SWEAR IN:	Edward Post, Mayor	Class I	1 Year Term
	George Piazza, Mayor Designee	Class I	1 Year Term
	Jay Weeks, Committeeman	Class III	1 Year Term
	Art Gerlich	Class II	1 Year Term
	Joshua Rich	Class IV	4 Year Term
	Rich Weiler	Class IV	3 Year Unexpired Term

Ms. Glashoff asked Attorney Gallina and do the honors of swearing in the approve board members. Mayor Post was not present and will be sworn in at a later date. The board congratulated everyone on their appointments.

NOMINATIONS FOR CHAIRMAN:

Ms. Glashoff asked for nominations for Chairman. Motion by Mr. Rich and seconded by Ms. Bleck to nominate Mr. MacQueen. Being no further nominations, motion by Mr. Rich and seconded by Ms. Bleck to closed the nominations. Unanimously approved. Congratulations to Mr. MacQueen.

At this time Chairman MacQueen took over the meeting.

NOMINATIONS FOR VICE CHAIRMAN:

Chairman MacQueen asked for nominations for Vice Chair. Motion by Mr. Rich and seconded by Mr. Piazza to nominate Ms. Bleck. Being no further nominations, motion by Mr. Rich and seconded by Mr. Piazza to close the nominations. Unanimously approved. Congratulations to Ms. Bleck.

NOMINATIONS FOR SECRETARY:

Chairman MacQueen asked for nominations for Secretary. Motion by Ms. Bleck and seconded by Mr. Rich to appoint Mr. Gerlich. Being no further nominations, nominations were closed. Unanimously approved. Congratulations to Mr. Gerlich.

NOMINATIONS FOR ASSISTANT SECRETARY:

Chairman MacQueen asked for nominations for Assistant Secretary. Motion by Ms. Bleck and seconded by Mr. Piazza to appoint Mr. Weiler. Being no further nominations, nominations were closed. Unanimously approved. Congratulations to Mr. Weiler.

APPOINTMENTS:

a. John Gallina, Esq.

- b. Michael Bolan, Planner Banisch Associates
- c. Stephen Risse, Engr. Bayer/Risse Engrs.
- d. Gail W. Glashoff, Planning Board Clerk
- e. Mark Blount, Esq. (Alternate Atty)
- f. Jess Symonds, Engr. (Alternate Engr.)

Ms. Glashoff stated that she received a letter from Attorney Blount stating that he would cover for Attorney Gallina which she read into the record. Also, that she will be contacting Engineer Symonds as the alternate engineer. After a brief discussion, motion by Mr. Rich and seconded by Ms. Bleck to approve the above list of appointments. Unanimously approved.

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ADOPT RESOLUTIONS:

- a. Annual Notice Schedule

Ms. Glashoff reviewed for the board the meeting dates proposed for 2007. After a brief discussion, motion by Mr. Gerlich and seconded by Ms. Bleck to adopt the Annual Notice Schedule as presented. Unanimously approved.

- b. Authorizing Agreement for Professional Services

Ms. Glashoff reviewed for the board the Agreement for Professional Services. Motion by Mr. Gerlich and seconded by Mr. Piazza to adopt the Authorizing Agreement for Professional Services. Unanimously approved.

ADOPT RESOLUTIONS FOR PROFESSIONALS ON PAY TO PLAY:

- a. John Gallina, Esq.
- b. Mark Blount, Esq. (Alternate Attorney)
- c. Michael Bolan, Planner (Banisch Associates)
- d. Stephen Risse, Engr. (Bayer/Risse Engrs.)
- e. Jess Symonds, Engr. (Alternate Engineer)

Motion by Ms. Bleck and seconded by Mr. Gerlich to adopt the Resolutions for Professionals on Pay to Play. Unanimously approved.

ADOPT PROFESSIONAL CONTRACTS:

- a. John Gallina, Esq.
- b. Banisch Associates
- c. Bayer/Risse Engineering
- d. Authorizing Award of Non-Fair & Open Contracts for Professionals

Ms. Glashoff reviewed for the board all the contracts received stating that each has increased their fees for 2007 and gave the board a breakdown on each. After a brief discussion, motion by Mr. Piazza and seconded by Ms. Bleck to adopt the Professional Contracts as presented which also included the Authorizing Award of Non-Fair & Open Contracts for professionals. Unanimously approved.

APPOINT APPLICATION REVIEW COMMITTEE:

Chairman MacQueen suggested that instead of calling it an Application Review Committee, we should change it to just Review Committee since we are not getting applications like we use to because of the Highlands Act. The board agreed. Chairman MacQueen asked who is interested in being on the committee. Ms. Glashoff noted that for 2006 the following people were on the committee: Mr. MacQueen, Mr. Rich, Mr. Weeks and Ms. Glashoff. The committee from 2006 agreed to serve for 2007. Chairman MacQueen asked who would be willing to serve as an alternate. Mr. Weiler agreed. Motion by Ms. Bleck and seconded by Mr. Piazza to approve the committee as presented including the name change. Unanimously approved.

BILL REVIEW COMMITTEE:

Chairman MacQueen stated that Mr. Spatz had been the person reviewing the bills at each meeting and since he is no longer on the board we will need someone to replace him. After a brief discussion, Mr. Gerlich agreed to review the bills and Ms. Bleck will be the alternate in his absence with Ms. Glashoff reviewing and preparing the Bill Report and Chairman MacQueen as the signer. . Motion by Mr. Schmidt and seconded by Mr. Rich to approve the Bill Review Committee as discussed. Unanimously approved.

PRESENTATION OF MINUTES: December 12, 2006 Regular Meeting

Motion by Mr. Rich and seconded by Ms. Bleck to approve the minutes as presented. Unanimously approved. Engineer Risse made note of the Lot number change on page one from Lot #34 to Lot #35.

December 12, 2006 Executive

Session

Motion by Ms. Bleck and seconded by Mr. Rich to approve the Executive Minutes as presented. Unanimously approved.

FYI:

- a. Enclosed is the schedule for the Training Classes for Spring, 2007. Please review and give me your 1st and 2nd choices for attendance. Thank you.

Ms. Glashoff asked that everyone get their choices into her ASAP to guarantee a choice of Saturday.

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- b. NJDEP – Highlands Update
- c. Letter & Resolution from Highlands Council

AMEND FEE SCHEDULE ORDINANCE:

There has been a minor adjustment to the original approval of December 12, 2006. This is to re-affirm the approval. Attorney Gallina reviewed for the board the additional wording that was added to the amended ordinance. Motion by Mr. Rich and seconded by Ms. Bleck to reconfirm and send to the Township Committee for Introduction. Unanimously approved.

DEEM COMPLETE & SET PUBLIC HEARING DATE:

- a. Davara Industrial Center Block #6 Lot 31
Amend Site Plan for Portico Route 31 B2

Mr. English represented himself and stated that he would like to put a Portico on the Main Building which meant amending his Site Plan. Engineer Risse gave his report to the board. Engineer Risse stated the Site Plan was filed in April, 2005 and during the completeness review it became apparent that a lot of the conditions that were in the prior Site Plan had been changed or not constructed like the Fire Tank. Over the last year and half the plans have been updated and with all the construction that has taken place to finish out the approved Site Plan from 2003. Engineer Risse stated the final version of the plan was updated and now shows the portico. The application now appears to be complete. The portico has a covered step exterior entrance way in front of building #1 to replace a concrete stoop that goes to an interior vestibule which is a cosmetic addition on the front of the building. Engineer Risse stated the size of the portico is 11' x 14'. There is sufficient information on the plan for the board to review the application. At the conclusion of the discussion, motion by Ms. Bleck and seconded by Mr. Gerlich to deem the application complete and set a public hearing date of February 20, 2007. Unanimously approved.

NEW BUSINESS:

Omnipoint Communications
c/o Robert DelVecchio, Esq.
405 Lafayette Ave
Hawthorne, N.J. 07507

Block #11 Lot #43
Route 513 R3

PUBLIC HEARING

Conditional Use/Site Plan/Variations for Cell Tower

Mr. Schmidt announced that since he works for the Parks Commission he will excuse himself because of a conflict of interest. Attorney Gallina announced that all the notices are in order and the board can proceed with the hearing. The following items were marked into evidence: **A1**-Affidavit of Proof of Service, **A2**-Certified List of Property Owners, **A3**-POD slips, **A4**-Notice to Property Owners, **A5**-Notice in Newspaper, **A6**-taxes Paid, **A7**-Disclosure Statement.

Chairman MacQueen reviewed for the public the procedures that are followed for a public hearing. Attorney Robert DelVecchio stated that he represents the applicant and made a brief presentation to the board. At this time, RF Engineer Saurab Sood was sworn in to give testimony. Engineer Sood stated they have a considerable coverage gap that needs to be addressed. The Base Map was marked into evidence as **A8**. The Base Map is a coverage map which covers the boundaries of Lebanon Township, High Bridge and Route 78. The blue dots depict the on-air existing sites that provide coverage now. The red dot is the proposed site and the orange dots show future sites. The first overlay shows existing coverage around Route 31 and Route 513. The green portion on the map shows the reliable in-building coverage, the yellow part is in-car coverage for those traveling along Route 78. If someone now is traveling along Route 31 towards Route 513 which is the white area on the map, there is no coverage. The next overlay shows how the coverage would look like along Route 513. Engineer Sood stated that they will be using a monopole with a tree using 6 flat antennas. This will consist of two antennas per sector and there will be 3 sectors.

The site is unmanned and monitored once every 30 days. At the conclusion of Engineer Sood testimony, Chairman MacQueen asked if the board had questions. Mr. Piazza asked who else would use this monopole and would it require more antennas.. Engineer Sood said since this is a 140' monopole, other users can be set at different levels. Mr. Weeks asked if there were any other monopoles that Omnipoint could co-locate too. Engineer Sood stated in their investigation there were no other structures that would meet their coverage needs. Chairman MacQueen asked if technologies are different for why you can not co-locate to another tower, then how can other cell companies co-locate to your tower. Attorney DelVecchio stated that the technology is with the antennas which means you can not share antennas. Mr. Rich questioned the area of coverage. Engineer Sood stated that this site would provide coverage for mobility and in-building coverage in and around Route 513.

Engineer Sood informed the board they have had a lot of complaints because of lack of coverage. Traffic is increasing which means customer numbers will increase. Chairman MacQueen asked about other towers in the area. Engineer Sood noted that there are towers north towards Califon which are not shown on this

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base map. Chairman MacQueen stated it would be beneficial to show the entire area where towers are located. Engineer Risse asked how far the coverage extends for the Tower on the Melick property north of Califon and how many towers might be needed to close the gap for total coverage along Route 513.. Attorney DelVecchio informed the board they have a larger scale map. The following was marked into evidence as **A9-Larger Scale Coverage Map**. Engineer Sood stated this map is a zoomed-out map of the Township which shows a monopole at 125' on the Melick property along Route 513 in Califon. Engineer Sood stated it depends on the location and the height of the tower. Chairman MacQueen asked why the applicant doesn't preplan a whole grid and why they don't have any plans for future sites. Engineer Sood responded stating that the technology is a ring-by-ring and they are just filling up the missing part of the puzzle for now.

Planner Bolan asked if Omnipoint was looking to co-locate with Cingular at the Hoffmans Crossing site since there is an application presently at the Board of Adjustment. Engineer Sood stated no. Planner Bolan asked if the applicant had considered co-locating on a power line. Engineer Sood stated they tried to contact the property owner since last March with no response. The applicant took it as they were not interested. Planner Bolan suggested that the applicant get documentation that there was no interest in a co-location. At the conclusion of the testimony, Chairman MacQueen opened the hearing to the public for questions. Many questions were asked by the following people: Doug Diehl, John Kurth, Bob Taggart, John Locker, Paula Locker, Linda Kurth and Charles Roth.

Chairman MacQueen announced the board would recess at this time. When the board reconvened at 8:40 p.m. the next witness was sworn in to give testimony. Daniel Collins, Electrical Engineer of Pinnacle Telecom Group was sworn in. Mr. Collins stated the FCC standard was established back in 1997 that establishes a safe level for continuous, meaning lifelong, human exposure to radio frequency fields that are emitted by these antennas. The FCC also released a series of mathematical models on how to assess the RF frequency levels from proposed antennas and determine the safety limits. Mr. Collins referred to his report and reviewed it for the board. The following was marked into evidence: **A10-Antenna Site FCC RF Compliance Assessment & Report** dated February 6, 2006. The FCC standard describes the mathematical formula used to do the calculations. The calculation demonstrates the RF levels are going to be 3,000 times lower than the federal standard. The RF level will be 100 times less than the lowest level measured with state-of-the-art equipment about 500 times less than the level every one would get if you open your refrigerator door and suffer the exposure to the little bit of electronic leakage that comes out. At the conclusion of Mr. Collins testimony, Chairman MacQueen asked if the board and professionals had questions of the witness. There were none. Chairman MacQueen opened the hearing to the public for questions. The following people asked questions: Paula Locker, John Locker and John Kurth.

Attorney DelVecchio had Charles Whelan, licensed Architect sworn in to give testimony at this time. Attorney DelVecchio asked to have the Site Plan marked into evidence. The following was marked: **A11-Omnipoint Site Plan** consisting of 7 sheets, dated April 13, 2004 with revisions through January 2, 2007.

Mr. Whelan reviewed for the board the site plan. The monopole disguised as a tree will be 140' in height, is designed to support 3 carriers. The tower will sit within an equipment compound which measures 15' x 30'. Within the compound will be a concrete slab with radio cabinets, plus a power and telco cabinet. There are cables that run between these cabinets and the antennas. The cables are supported on a bridge, which connects to the bottom of the tree, the cables are routed up the interior of the monopole. The compound will be fenced with a 7' high wood board-on-board fence. The fenced area will be surrounded by arborvitae, with several rows off arborvitae landscaping around the base. The antennas are 6' in height and are 6 5/8" in width.

Mr. Collins informed the board the actual construction timeline is 6 to 8 weeks to build. At the conclusion of Mr. Collins testimony, Chairman MacQueen asked for questions from the board and professionals. Engineer Risse questioned if this compound would accommodate two more carriers. Mr. Collins answered no, this compound is for Omnipoint only. Engineer Risse asked where the other two carrier compounds would be located. Mr. Collins referred to page Z2 of the Site Plan. Engineer Risse asked what type of utilities are going to be provided for the

compound. Mr. Collins stated the installation requires electric and telephone service and there is an existing pole line that run up to serve the residential dwelling unit on the property. If anymore poles were needed they would go underground. Mr. Rich asked if each carrier would have their own 15'x30' space. Mr. Collins stated other carriers will come before the board with their proposals of what they want to install for your approval. On the plan it shows where future installations could go. Each compound would be 15'x 30'

Engineer Risse asked about the setback requirements from residences. Attorney DelVecchio informed Engineer Risse that their Planner will address those issues. Engineer Risse asked about noise levels. Mr. Collins stated the radio cabinets do have a built-in cooling system and each cabinet would put out 60 decibels at a distance of one meter from the cabinet. Combining 3 cabinets the sound level shouldn't be more than 62decibels. Coming from the compound to the residential house, by the time you reach the house you would not hear any noise at all. Mr. Rich asked how high are the cabinets. Mr. Collins answered 6' in height. Mr. Collins stated on page Z5 of the Site Plan, is shows the equipment plan and the planting around the exterior of the equipment compound with the planting details. Also a gravel detail for the extension of the driveway to the compound. Ms. Bleck questioned the size of the compound since other

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carriers have smaller compounds. Mr. Collins explained their monopole will go within the compound where other carriers have their monopoles outside of the compound. At the conclusion of the board's questions, Chairman MacQueen opened the hearing to the public for questions. The following people asked questions: Paula Locker, John Locker, John Kurth and Bob Taggart.

Attorney DelVecchio stated that he has two additional witnesses to give testimony. Chairman MacQueen noted the time and that the board adjourns at 10:00 pm. Chairman MacQueen asked Ms. Glashoff if the time was good. Ms. Glashoff informed the board that this application was deemed complete at the December meeting and that we are good with the time even through the February meeting date. Ms. Glashoff offered February 20th for the continuation of the public hearing at 7:00 p.m.. Attorney DelVecchio stated the date was good and will return with their 2 additional witnesses. Attorney Gallina announced the public hearing will be continued to February 20th at 7:00 p.m. with no further notice given.

Mr. Schmidt returned to the board at the conclusion of the Omnipoint public hearing.

ITEMS FOR DISCUSSION:

- a. NJLM Update re: RCA's
- b. NJLM Update re: Time of Decision
- c. Road Garage Update on Diamond Property – Warren Newman, Chair Environmental Commission
(Memo enclosed)
- d. Fence/Monuments/Pillars on Residential Properties – Planner Bolan

Chairman MacQueen asked that the Road Garage Update be placed on the next agenda for discussion up front before applications and that the other three items be placed on the March agenda for discussion. The board agreed.

PRESENTATION OF BILLS & REPORT:

a. John Gallina, Esq.	\$1,049.10
b. Bayer/Risse Engr.	\$1,565.50
Total:	\$2,614.60

Mr. Gerlich stated that all the bills are in order. Motion by Mr. Gerlich and seconded by Ms. Bleck to approve the bills as presented. Unanimously approved.

CORRESPONDENCE:

- a. Letter from Attorney Gallina re: Omnipoint Communications*
- b. Letter from Attorney Benbrook re: Omnipoint Communications*
- c. New Jersey Planner*
- d. Farmland Preservation News – Winter 2007*

Chairman MacQueen asked Mr. Schmidt and Mr. Weiler to give a brief report on the meeting they attended at the County regarding the Highlands Master Plan. Mr. Schmidt stated they presented a color coated map. They do not know what they will allow for a septic system as far as acreage. Apparently they (the Highlands) would not commit to acreage and Lebanon Township needs to know. They are now looking for information on existing sewer and water lines because they do not have any information at this time. Planner Bolan noted they are also looking for information on open space. Once they have the information on the sewer and water lines it could open up growth areas. Mr. Schmidt stated that he tried to find out the difference between the preservation area and the conservation area and could not get an answer. The conservation is considered agriculture and open and preservation is no development, basically they are the same.

Being no further business to come before the board, nor comments from the public, motion by Ms. Bleck and seconded by Mr. Piazza to adjourn the meeting at 9:45 p.m. Unanimously approved.

CHAIRMAN GARY MACQUEEN

GAIL W. GLASHOFF, PLANNING BOARD CLERK