

REGULAR Meeting

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

March 7, 2017

The 904th Regular Meeting of the Lebanon Township Planning Board was called to order at 7:04 p.m. by Chairman Gary MacQueen. Present were: Mr. McKee, Mr. Schmidt, Mr. Piasecki, Mr. Rich, Ms. Bleck, Mr. Weiler, Mr. Wunder, 1st Alternate Gerlich, 2nd Alternate Skidmore, Attorney Gallina, Planner Bolan & Engr. Risse. Excused: Mr. Duckworth. Also in attendance: Mayor Marc Laul, Deputy Mayor Mike Schmidt & Ms. Beverly Kohler.

In compliance with the "Open Public Meetings Act" the Lebanon Township Planning Board and Township Committee will have a Joint Meeting on Tuesday March 7, 2017 at 7:00 p.m. The purpose of this Joint Meeting is to review an application presented by Cellco Partnership, d/b/a Verizon Wireless seeking the Township's consent pursuant to N.J.S.A. 48:3-19 to use utility poles and occupy space located with the public right-of-way in the Township. The meeting was published in the Hunterdon Review on February 22, 2017 and faxed to the Hunterdon Review, Hunterdon County Democrat, Express Times, Courier News, Star Ledger and posted on the bulletin board in the Municipal Building and on the website on March 1, 2017.

SWEAR IN: Art Gerlich Class IV Alternate I 2 Year Term

Attorney Gallina swore in Mr. Gerlich for a 2 year term as Alternate 1.

ADOPT PROFESSIONAL CONTRACT:

a. Jess Symonds, Engr. – Alternate Engineer

Ms. Glashoff informed the board that in reviewing Engr. Symonds contract his hourly has not change in 10+ years. Motion by Ms. Bleck and seconded by Mr. Piasecki to approve Engr. Symonds contract as presented. Unanimously approved.

INFORMAL:

Cellco Partnership d/b/a Verizon Wireless
c/o Greg Meese, Esq.
50 Tice Boulevard
Woodcliff Lake, N.J. 07677

Discussion on Antenna nodes along Route 513

Attorney Louis D'Arminio was present this evening representing Cellco Partnership to discuss the application in the absence of Attorney Meese. Attorney D'Arminio informed the Planning Board that they met with the Township Committee a couple of weeks ago. Attorney D'Arminio stated when they met with the Township Committee, the Committee requested that they meet with the Planning Board in an advisory capacity and referenced MLUL 40:55D-25.b.3. Attorney D'Arminio said it is the Township Committee that has to give their consent under the statute NJSA 48:3-9. This presentation has to do with Verizon's small network nodes of their program. These nodes are rapidly becoming very popular and they are filling in the gaps for overloads. They are proposing 9 locations along Route 513 in the Township. Seven of these nodes will be on existing pole locations and two will be new poles. Attorney D'Arminio said there are tens of thousands of these antenna nodes in the state and if they had to get board approval for each they could never get rolling with the program. The Federal government and the Federal Communications Act wants them to get this going. The local zoning doesn't require us to file an application.

Attorney D'Arminio said with him this evening is Kathrine Windsor of Tillton Technology. Also is Suzanne Schnaars the RF Engineer who will discuss the location and nature of the location. Chairman MacQueen noted that this is an informal with nothing being binding. Attorney D'Arminio stated that he had discussed this with Attorney Gallina and their focus is with the Township Committee and this is not an application for development. Attorney D'Arminio said that approval will come from the Township Committee. Mayor Laul commented saying this is the first time the Township is seeing this and down the road other cell tower companies can be looking to put these nodes up for their use to fulfill gaps with their reception. Route 513 is littered with telephone poles and in checking there is no limit on how many telephone poles can be in the road ROW. Mayor Laul said Cellco came to the Township Committee and presented that there would be 8 nodes and the Committee asked for more information, it was approved and then the Committee got more information from the Township Attorney and found this is in turmoil in some areas. Mayor Laul said his big concern was this is the first time we have seen this and next month we could see this from another cell tower company and then Route 513 is littered with telephone

Lebanon Township Planning Board

March 7, 2017

Page 2

poles. Apparently there is nothing to say how many telephone poles can be in the ROW. Mayor Laul went on to say from the county's perception there could be nodes every 10'. The Committee also expressed concern that these transformers could be at ground level or at a reasonable level on the poles and with all these concerns the Committee decided to have Cellco come to the Planning Board to make them aware of what is going on and to see what we should be looking at and for the future so it doesn't become an eyesore. Chairman MacQueen thanked the Mayor for his comments.

At this time, Ms. Windsor was sworn in. Ms. Windsor had handouts for the Planning Board and Township Committee that she distributed at this time. Ms. Windsor referred to page three of the handouts and said this is our typical no frills installation. Ms. Windsor stated the nodes will be mounted on existing or new poles. Because of the many restrictions on poles they may need to install some new poles. The nodes will be placed in specific areas where needed. Planner Bolan asked Ms. Windsor if they have talked to the Hunterdon County Engineers office since these nodes will be on a County Road. Ms. Windsor said no. They will be contacting the County Freeholders for approval.

Ms. Windsor stated when they use JCP&L poles, they have to put everything on the ground because JCP&L does not want anything on their poles. On exhibit 11 it shows how everything will look when using a JCP&L pole. Ms. Windsor noted that any poles they install will match existing poles so nothing will be out of place. They will keep the street scape the same with everything being uniformed. Ms. Windsor asked if the board had any questions at this time. Chairman MacQueen said you refer to JCP&L poles but what about telephone poles since most of the poles are telephone poles. Most of the telephone poles are owned by the telephone company vs JCP&L. Board Member Schmidt said that was his question, what is the breakdown of the poles and who owns them. Seven of the poles are JCP&L, there are actually 8 poles and one needs to be replaced. There will be two new poles and they will be owned by Verizon. Attorney D'Arminio said they have agreements with all the providers. They review the areas that need service and start with the ones with the greatest need for coverage. Mr. Piasecki said that the reason for all these questions because of the difference between page 3 and 11. During the discussion, Planner Bolan noted that 6 of the 9 of the boxes will be ground mounted. Mr. McKee said he spoke to the area manager at JCP&L and he was informed that JCP&L encourages co-locations vs new poles and they would decide which poles you could use. Mr. McKee said he also followed up with their distribution tech and she confirmed with what the area manager said. It seems that JCP&L has some kind of control over where these nodes can go and on which poles. Mr. McKee said his concern is with the two new poles which are additional poles that will be in the ROW that they plan on using. Mr. McKee noted the agreement with the County is site specific and you included an agreement that you have with Tewksbury not Lebanon Township. If there is a site change have you discussed it with the County Engineer regarding these poles. Ms. Windsor said no, not with these. They have worked with the County on other locations, but not with these locations. Mr. McKee asked if the County has approved the location of the poles for Lebanon Township. Ms. Windsor said not site specific, but we do have a working relationship with the County. Ms. Windsor said they are still in the process of doing the site drawings. When Attorney D'Arminio referred to co-locations, Mr. McKee stated that our ordinance clearly states that we encourage co-locations. Ms. Windsor said these are co-locatable structures.

Chairman MacQueen said these nodes are shown coming from Califon towards the High School with the proposed nodes, going towards Long Valley & Fairmount where are the nearest ones that are already setup and running. Board Member Schmidt said when this all started with the cell towers, they were along the highways and they were being installed on county roads within the Township. Will these nodes be going on Township Roads also, or just County Roads. Board Member Schmidt said, earlier Ms. Windsor referred to disasters and when Hurricane Irene hit, this Township was without power for weeks and do you see this expanding out throughout the Township. Ms. Windsor said that the RF Engineer would be the one to address that question. Ms. Windsor said for now, we are just focusing on these 9 nodes along Route 513. Mayor Laul said node 21 is smack in the middle of a cell tower right in the center of this whole thing. Deputy Mayor Schmidt stated that in the first presentation you gave the Township Committee regarding the pole mounting equipment and now you are talking about 6 out of the 9 being ground based. And now this evening you are telling us they will all be can antennas but on the materials that were sent over to us it showing the 5 sites in Tewksbury on Route 512. Their diagram shows an antenna but it's not to scale and you can't tell whether it is 12' or 20' pole and wanted to know what antennas we will have here. Ms. Windsor said at the time they came before the Township Committee they did not have site specific information. Planner Bolan noted on page 10 you have notes 10-25 and what you submitted you have 1-9, is 17 one and 25 nine on one sheet. At this time board discussed this amongst themselves. At the conclusion of Ms. Windsor's testimony, the RF Engineer Suzanne Schnaars was sworn to give testimony.

Ms. Schnaars gave a presentation to the board. Engineers. Schnaars stated that there is a lack of coverage along Route 513. Because of the lack of coverage there are dropped calls, slow data speeds. Ms. Schnaars said they look for existing structures and to have RF near the users and using existing telephones poles helps with covering

Lebanon Township Planning Board

March 7, 2017

Page 3

the gaps. Mayor Laul said there is a macro at node 21 and is owned by Cingular & AT&T and was able to have 4 co-locators on it and why can't you utilize existing. Engineer Schnaars explained to the board why they can't use existing co-locators of other users. It can cause interference and other problems. Chairman MacQueen noted that Route 513 is a major road thru the Township along with the fact of the High School is also on that route. Along with all the people who travel Route 513, the high school is a very heavy user. High School students are among the highest users and trying to keep up with this usage, it makes for a greater demand per Engineer Schnaars. Also, they have a lot of complaints because of the lack of coverage, they need to address those areas. Chairman MacQueen asked how long will it be before all the cell towers will become obsolete. Engineer Schnaars said when you get out into areas like Lebanon & Tewksbury these nodes will fill in the gaps. Engineer Schnaars said there are a lot of variables that come into play when deciding where to put these nodes. Chairman MacQueen reminded Engineer Schnaars of all the dead areas here in the Township where there is absolutely no service at all and wanted to know if they would be addressing those areas or only along major road areas. Engineer Schnaars said as the need up in those areas are known then they will address them. Chairman MacQueen said there are roads where there is no reception at all. Engineer Schnaars said as the need presents itself then they will look at how to address it and resolve the problem.

Mr. McKee asked if we could see a copy of the resolution with Tewksbury Township. Engineer Schnaars said yes. Chairman MacQueen said when there are complaints the County won't hear them but the Township will. Mayor Laul said there are 3 of these nodes that are questionable. Mayor Laul said the ones in question are 17/18 & 22. Planner Bolan said 22 is next to the gas station. Mayor Laul said it depends on where they are located, it could end up next to a residence, so it is questionable. Deputy Mayor Schmidt asked if it is going to cost us engineering studies pole by pole do the tax payers pay for the engineering study or how does that work. Attorney D'Arminio said they will submit escrow money to coverage the cost. Ms. Glashoff said that they have provided Escrow. Attorney D'Arminio said if more is needed they will provide more escrow to cover any costs. Mr. Skidmore stated that there is poor coverage all over the Township and asked how they selected this particular area. Engineer Schnaars said they look at traffic and also the High School. It was a combination of the two along a very busy county road. Mr. Skidmore asked how long will it take for all this to be up and running. Engineer Schnaars said it could take a few weeks or a month or two. Mr. Skidmore asked if they will be turned on individually or as a system. Ms. Windsor said individually. Mayor Laul said that the Hickory Run Bridge will be out and Route 513 will be closed from the last day of school until just before school reopens. The Hickory Run Bridge will be torn down and totally replaced.

Deputy Mayor Schmidt said node 23 will probably have the most traffic over time since it is right by the High School and said that one will have the most growth and traffic over time. Deputy Mayor Schmidt said a year from now if you have to double the capacity asked is this hardware expandable or would you have to put more antennas up or ground units. Engineer Schnaars said the ground units that are proposed now they could use remote radio heads. Planner Bolan asked what the spacing is between nodes. Engineer Schnaars said about 500' in either direction. Mr. Rich said he was under the impression that all these poles would eventually be replaced with satellites. Engineer Schnaars said she was not qualified to speak on something that far in advance. Chairman MacQueen asked if anyone else on the board had any questions. Chairman MacQueen asked Ms. Glashoff when was the first cell tower before either board. Ms. Glashoff said early to mid-nineties. Chairman MacQueen said what is being proposed is less intrusive than having more cell towers.

Attorney D'Arminio thanked the board for their input. Chairman MacQueen asked Mayor Laul if he felt that the Committee's questions have been answered. Mayor Laul said as long as the Board is satisfied with all the answers to the questions. The response was yes.

ITEMS FOR DISCUSSION:

a. Any updates on Affordable Housing – Planner Bolan

Planner Bolan said the temporary immunity was extended to August 31, 2017. This is to give the municipalities time to talk settlement with FSHC. Planner Bolan said the trial in Mercer County has been going on for 15 days and the 5 towns involved are spending up to \$3,000.00 per day and it is expected to go on through May. Planner Bolan said that Judge Miller will extend the time again if it is needed to insure settlement.

b. Ltr. From Community Options, Inc. re: affordable housing

Planner Bolan said that this is something to keep in mind especially if we have a very low number for our obligation. Planner Bolan said it is a well thought of group.

Lebanon Township Planning Board

March 7, 2017

Page 4

PRESENTATION OF BILLS:

a. John Gallina, Esq.	\$ 300.00 – Attend Mtg 2/7/2017
b. Jim Kyle, PP	\$ 942.50 – M.P. Maps Update
c. Michael Bolan, PP	\$ 729.00 – Attend PB Mtg, Highlands Exemption, ROSI Update
b. H.C. Planning/Zoning Admin.	\$ 25.00 – Luncheon/Seminar G. Glashoff
Total:	\$1,996.50

Planner Bolan & Planner Kyle' bills were on the Agenda Addendum which totaled \$1,671.50 bringing the grand total of the bills to \$1,996.50. Mr. Gerlich said he reviewed all the bills and everything is in order. Motion by Mr. Gerlich and seconded by Mr. Piasecki to approve the bills as presented. Unanimously approved.

PRESENTATION OF MINUTES: February 7, 2017 Reorganization & Regular Meeting

Motion by Mr. Schmidt and seconded by Mr. Rich to approve the minutes as presented. Unanimously approved.

CORRESPONDENCE: Ms. Glashoff noted the correspondence was placed in front of each board member.

Being no further business to come before the board, nor comments from the publics, motion by Ms. Bleck and seconded by Mr. Piasecki to adjourn the meeting at 8:50 p.m. Unanimously approved.

CHAIRMAN GARY MACQUEEN

GAIL W. GLASHOFF, PLANNING BOARD CLERK