

REGULAR MEETING

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

November 2, 2010

The 832rd Regular Meeting of the Lebanon Township Planning Board was called to order at 7:08 p.m. by Chairman Gary MacQueen. Present were: Mr. Weeks, Mr. Schmidt, Mr. Gerlich, Mr. Piasecki, Ms. Bleck, Mr. Piazza, Mr. Weiler, Attorney Gallina and Planner Bolan. Engineer Risse arrived at 7:20 p.m.

Excused: Mr. Rich

This meeting was noticed in the "Annual Meeting Notice Schedule" adopted by this board on January 12, 2010 and mailed to the Hunterdon Review, Hunterdon County Democrat, Express Times, Courier News, Star Ledger and posted on the bulletin in the Municipal Building on October 27, 2010.

PRESENTATION OF MINUTES: October 5, 2010 Regular Meeting
(Enclosed is Transcript of 10/5/2010)

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

FYI: Hunterdon County Municipal Officers' Association
Tuesday November 20, 2010 American Legion Route 31 Flemington, N.J.
Speaker: SADC Executive Director Susan Kraft – Solar, Wind & Biomass Energy
(If you are interested in going I need to know on Nov 2nd.)

After a brief discussion, the board members will let Ms. Glashoff know if they will be attending the dinner.

The Township Committee is updating the microphones etc in the Meeting Room. I will discuss cost share with you at the meeting.

Ms. Glashoff informed the board what all will be done regarding the microphones and that the cost will be shared between the Township Committee, Board of Adjustment and the Planning Board for approximately \$925.00 ea.

RESOLUTION:

Lebanon Township Memorial Park Block #29 Lot #32.03
Install Score Board/Jr. Vikes Bunnvale Road R 1½

Motion by Ms. Bleck and seconded by Mr. Weiler to approve the resolution for the Memorial Park as presented.

ROLL CALL Yes: Mr. Schmidt Ms. Bleck **Abstain:** Mr. Gerlich **Absent:** Mr. Rich
Mr. Piasecki Mr. Weiler Mr. Piazza
Mr. MacQueen Mr. Weeks

APPLICATION TO DEEM COMPLETE, SET PUBLIC HEARING DATE:

Douglas Stryker Block #7 Lot #8
Minor Site Plan/Bulk Variances Route 31 B2
(Enclosed Ltr from Engr. Risse)

Mr. Stryker was present along with his Engineer George Folk who is employed by David Stires and Associates. Chairman MacQueen stated the board will have board Engineer Risse review his completeness letter along with waiver items requested. Engineer Risse noted some design issues that can be addressed during the public hearing. Engineer Risse addressed the following checklist items, Items #11 & 24 deal with the easements and deed restrictions. The applicant has supplied tonight copies of the deeds. The metes and bounds describing the limit of this easement are not shown on the plan per Engineer Risse. Engineer Folk referred to the deeds with the easement language. Engineer Risse informed the applicant that the board can not waive approvals from outside agencies having jurisdiction. Items #27, #30 & #31 can be recommended for completeness only. Checklist Items #32 & #33 ask for photos of the property. These were provided this evening by the applicant. Engineer Risse informed the board they can deem this application complete noting that Checklist Items #27, 30 & 31 are only for completeness with the understanding that these items will need to be addressed during the public hearing along with discussing the Key Issues in his report at the public hearing.

Motion by Mr. Piasecki and seconded by Mr. Piazza to deem the application complete per Engineer Risse's recommendations and set a public hearing date. Unanimously approved. Chairman MacQueen asked Ms. Glashoff for a public hearing date. Ms. Glashoff offered December 14, 2010. Everyone agreed to the date.

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UNFINISHED BUSINESS:

Cellco Partnership/dba Verizon Wireless
141 Industrial Parkway
Branchburg, N.J. 08876
&
Nextel of New York, Inc. (collocation)
6391 Sprint Parkway
Overland Park, KS 66251

Block #29 Lot #32.01
West Hill Road R 1½

CONTINUATION OF A PUBLIC HEARING

Conditional Use/Site Plan/Variances

Chairman MacQueen announced that Mayor Weeks and Committeeman Piazza due to a conflict of interest have stepped down from this application. Attorney Richard Schneider was present to continue with the application on behalf of Cellco Partnership. At this time, Planner Masters who was sworn in at the last meeting will give testimony. Planner Masters noted that he has reviewed all the reports and the site plan on this application. Planner Masters stated that the property in question consists of 5 acres. The monopole that is proposed will be 151' in height with a lightning rod at the top, two arrays of antennas, 12 antennas in each array with a total of 24 for Verizon and Nextel's use. It is situated within a 40' x 40', 1600 square feet fenced equipment compound situated at the rear of the municipal building and fenced within an 8' board on board fence. Proposed are two 12' x 20' equipment buildings, one will house Verizon equipment and the other the Nextel equipment. This site is ideally situated from a technical perspective to meet the coverage requirements for Verizon and Nextel for this particular area of the Township. The property is proximate to major traffic corridors which covers, West Hill, Red Mill, Woodglen and Bunnvale Roads. The property is located in the R 1½ zone, with the use of the property being non-residential. The proposed use is compatible with the existing use of the property. This site is able to accommodate future collocations.

Planner Masters said the applicant has been able to obtain Highlands's certification. Also, having the cell tower on municipal property will provide a revenue source for the Township. With this proposed use it will assume the characteristics of an inherently beneficial use. In referring to Planner Bolan's letter, the conditional use standards that are identified in the letter under paragraph 4, those issues were addressed by our RF Engineer Mr. Pierson. Planner Masters stated the first variance relates to the maximum size of the equipment compound. The ordinance states a maximum of 1500 square feet and the applicant is requesting 1600 square feet. The additional 100 square will better accommodate future collocators. The C-type variance that the applicant is seeking relates to the minimum setback of the tower to an existing residence in a residential zone. The applicant's burden under the C-2 standards is the deviation from the ordinance requirement, that the benefits substantially outweigh any detriment. There are numerous homes within the 1,000' radius and the closest residence is approximately 330' away. During Planner Masters testimony, he stated the application does not pose a substantial detriment to adjacent properties, nor cause substantial impairment to the comprehensive zone plan and zoning ordinance of the Township. At the conclusion of Planner Masters testimony, Chairman MacQueen asked if the board had questions of the witness. Mr. Piasecki expressed concern that the notices to adjoining property owners is 200' and the ordinance states 1000' to residences with the closest residence being 330'. Mr. Piasecki said the 100' difference for the compound wasn't an issue with him. Mr. Piasecki asked about the stone aggregate and Planner Masters stated the shelters are customarily finished with a stone aggregate. Mr. Weiler asked Planner Master to explain the difference between a C variance and other types of variances.

Chairman MacQueen asked if the 15 residences that are within the 1000' are considered excessive. Planner Master said no because the distances are still substantial in terms of the location of the homes. Most of them setback considerable distances off of West Hill Road. Chairman MacQueen asked about the fall zone. Planner Masters said the setback distances exceed the height of the monopole from the property lines. Planner Bolan stated we normally see the tower superimposed on a photograph with a balloon along with pictures taken from various distances. Planner Masters said they have not done that since the location of the pole was such as was dictated by the bid documents to the rear of the existing municipal building and they comply with the height requirements for the pole. At the conclusion of the board's questions, Chairman MacQueen opened the hearing to the public. The following person had many questions of the witness: Anthony Casale. Chairman MacQueen asked if there were any other questions by interested parties. There were none. The questions reverted back to the board. There were several questions by board members. At the conclusion of the questions, Chairman MacQueen asked for a motion to close the public portion of the hearing. Motion by Ms. Bleck and seconded by Mr. Schmidt to close the public portion of the meeting. Unanimously approved.

Chairman MacQueen announced the board will take a 10 minute break at 8:20 p.m. When the board reconvened at 8:32 p.m. Chairman MacQueen asked Attorney Schneider to give his summation. At the conclusion of Attorney Schneider summation, the board deliberated at length. During the deliberations, the board opened the hearing back up with a motion by Ms. Bleck and seconded by Mr. Piasecki. Unanimously approved. When opened to the public, Mr. Casale had additional questions. Chairman MacQueen asked for a motion to close the public portion. Motion by Ms. Bleck and seconded by Mr. Piasecki to close the public portion of the hearing. Unanimously approved. The board continued with their

