

**ZONING BOARD OF ADJUSTMENT
SPECIAL MEETING MINUTES
MARCH 8, 2010 AT 8:00 P.M.**

Mr. Karch called the meeting to order by reading the following statement: “As Presiding Officer of the Colts Neck Zoning Board, I hereby declare that the notice requirements of the law has been satisfied by prominently posting a notice of this meeting on the Township Bulletin Board, and that there has been transmitted by regular mail a copy of said Notice to the Asbury Park Press, and that a copy is on file in the office of the Township Clerk.”

Roll Call

PRESENT: Karch, Burry, Bennett, Hesslein, Farrell and Lewis

ABSENT: Sobieski, Wagar and Yodakis

ALSO PRESENT: Timothy Anfuso, P.P., Dr. Bruce Eisenstein, Mike Steib, Esq., and Ruth Leininger

Approval of Minutes:

None

RESOLUTIONS:

None

ADMINISTRATIVE ITEMS:

None

APPLICATIONS: Old Business

None

APPLICATIONS: New Business

Application ZB835 – Verizon Wireless – Block 43, Lot 1 – 59 Five Point Road

Application for a Minor Site Plan and Use Variance to install wireless communication antennas on a new 130’ monopole and a 11.5’ x 30’ equipment shelter in the AG Zone.

Twenty-five items were marked as exhibits – application, addendum to application, Freehold Regional High School District Consent, Disclosure Statement, Freehold Regional High School District authorization, Environmental Impact Statement, 18 8 ½” x 11” photos, report of title, VComm Analysis and Report, VComm RF Emission Study, Environmental Impact Report, existing condition conditions map, site plan, aerial photo of locations, memo from Mike Steib, Esq., report from Township Engineer, report from Township Planner, Fire Prevention comments, Township Landscape Architect review, Board of Health comments, Architectural Review comments, Verizon search request, three photoboards each with 6 photos depicting monopole as a flag, , three photoboards each with 6 photos depicting monopole as a cluster mount and three photoboards each with 6 photos depicting monopole as a tree.

Rich Stanzione, Esq. represented the applicant. William Perry, Select Wireless, LLC – sworn. Mr. Perry stated his company is responsible for finding suitable sites to locate a tower when contacted by a carrier. He first searched for existing structures to locate on; there is a site at the Route 18/537 intersection that was pursued. After several months the DOT stated they were not interested and Mr. Perry started looking at large parcels in the area. There is a large parcel abutting the school that is owned by the Township, but it is in Farmland Preservation and he dismissed it. It was determined there was nothing else available or landlord interest in the Route 18/537 vicinity and that is when the Freehold Regional School Board was approached.

When asked if the Township was aware of Verizon’s need – Tim Anfuso, Township Planner and Dr. Eisenstein, PhD – sworn. Mr. Anfuso told the Board Verizon told the town they were looking for a place to install a tower in 2000, it was not until 2007 the town was informed Freehold Regional High School District signed a contract with Verizon – the school never spoke to the Township prior to signing the contract.

Open to the public for questions – Dominick Sozio, Five Points Road asked if they knew how many towers were in town, there are six and he did not understand why another needed to be added. Mr. Perry said he did not know he is merely given the request to find a site. Teresa Pugliesi, Culpepper Court and member of the PTSO asked how the High School can lease property for a tower? They can not without having a variance granted. What if it is deemed the tower is not needed in the future, who maintains it? It is written in the lease that Verizon will maintain the site and if it is not needed it will be removed. Carl Accettola, 5 Pheasant Drive stated his property borders the high school. Will the tower be visible from Pheasant Road and Five Points Road? Yes, but it is located in the middle of the property so that it will be as far away from all property owners as possible. Michelle Battista, 8 White Oak Drive asked if they researched the history of Colts Neck High School and were aware they wanted to install lights for the football stadium and the town would not permit it? No, they were not aware of that.

Ron Igneri, Innovative Engineering – sworn. Mr. Igneri explained once Verizon had a contract with Freehold Regional High School District his company was hired to design the site. When placing the tower they considered neighboring properties and placed in it the center of the property so it would be as far as possible from all neighbors and the school. The compound will be monitored remotely and someone will physically visit the site only once every four to six weeks. The only utilities required are electric and phone which will be run underground. There will be a diesel generator inside of the 11’ x 36’ shelter that will be tested once a week for approximately 20 minutes. The noise level meets the requirements from the NJDEP. An eight foot high board on board fence will enclose the compound, but this can be reduced to six feet to eliminate the variance. The site is equipped to handle five to six

other carriers however if another carrier wants to collocate they would have to negotiate the lease with the school and get their own variance approvals. The property is currently over in building and lot coverage and the applicant feels the amount they are adding is diminimis. The monopole is 130' in height and the antennas would be approximately 4' – 7' higher.

Open to the public for questions. Dominick Sozio, Five Points Road asked if there would be a light on top of the tower? No, but that is something the FAA regulates. Michelle Battista, White Oak Drive asked if a fire truck can reach the site? Yes. How far is the site from the running path? 60'.

William Masters, Jr., Planner – sworn. Mr. Master's stated he reviewed the Colts Neck Master Plan and ordinance, all reports and visited the site. When he was at the site he flew a balloon simulation and took photos from various surrounding sites and transposed the balloon with a tower, silo, flag pole and cluster mount to make his exhibits. He stated in Land Use property ownership is not a criteria but land characteristics are, such as large lots to allow large setbacks. Since the FCC has issued a license that shows need. The suitability criteria is met by being close to major roadways, large property and the site has adequate space to collocate. There is a significant benefit to the public by enhancing Verizon customer's service. There is no detriment by granting the variances because the site is unmanned. Although the monopole is very tall it can be masked (as shown in the exhibits) by being either a flag pole, silo or cluster mount; Verizon will install any of these if it is a condition of approval. The height of a silo would be 20' taller because of the arch of the dome top, a tree would be an additional 5' in height where the cluster mount would be 130' in height. The Board can also impose whatever landscaping they feel would mitigate the potential impact. When asked if a use variance would be required if the antenna were located on the property to the south, Mr. Masters replied no.

Open to the public for questions. Carl Accettola, Pheasant Drive asked if there are any towers that do not have lights on them that are 130'? That is a FAA regulation, however typically the threshold for lights is 200' in height. Michele Battista, White Oak Drive asked when the simulation pictures were taken? May. Shouldn't they be taken now with less vegetation on the trees? It was done when the request was received. It really doesn't matter because the visual impact from the top is the same, you would just be able to see more of the bottom of the pole. How far is the tower to the school? 1303'.6'' How far is the tower from the track? 650' How far is the tower from the baseball field? 350' How far is the tower from the soccer field? 75' How far is the tower from the football field? 75'

Due to the hour, this application will be carried to a Special Zoning Board meeting scheduled for April 20, 2010 with no further notice.

DISCUSSION ITEMS:

None

EXECUTIVE SESSION

None

MOTION TO ADJOURN

A motion was made by Mr. Hesslein at 10:45 p.m. to adjourn the meeting, seconded by Mr. Bennett and unanimously carried.

I hereby certify that the above is a true and exact copy of the Meeting minutes for the meeting conducted on March 8, 2010 adopted by the Board of Adjustment of the Township of Colts Neck at its meeting held on April 15, 2010.

Ruth Leininger, Assistant Secretary
Board of Adjustment of the
Township of Colts Neck