

**ZONING BOARD OF ADJUSTMENT
SPECIAL MEETING MINUTES
OCTOBER 21, 2003 AT 8:00 P.M.**

Chairman Bennett called the meeting to order by reading the following statement: "As Chairman and Presiding Officer of the Colts Neck Zoning Board, I hereby declare that the notice requirements of the law have been satisfied by prominently posting a notice of this meeting on the Township Bulletin Board, and that here 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: Bennett, McGarry, Burry, Yodakis, Sobieski, Megerle and Wager

ABSENT: Barnett and Behrens

ALSO PRESENT: Mike Steib, Esq., Timothy Anfusio, P.P. and Ruth Leininger

APPLICATIONS: Old Business:

None

APPLICATIONS: New Business

Application ZB609 – Verizon – Block 13, Lot 49 – Crine Road

Application for Minor Site Plan Approval as well as a Use Variance in the A-1 Zone. The applicant, Verizon Wireless, proposes to mount cellular antennas on an existing JCP&L power line tower. A Use Variance is required to permit a telecommunication facility in the A-1 Zone. Variances are required to permit an antenna height of 130' where 35' is the maximum height permitted, an antenna front setback of 23' where 75' is required and an equipment compound front setback of 15' where 75' is required.

Mr. Richard Stanzione, Esq. represented the applicant. Nine items were marked as exhibits – application, minor site plan, report by Pinnacle Telecom Group, report from Planner, report from Landscape Architect, report from Shade Tree Commission, report from Engineer, report from Fire Marshall and analysis report from VComm. Mr. Stanzione told the Board that Verizon would agree to the same conditions of approvals regarding landscaping and site improvements that was imposed on the recent AT&T application, if the Board chose to approve this application.

Dan Collins, Electrical Engineer – sworn. The FCC requires compliance of Federal Regulations which is much stricter than what the State requires, they comply with all Federal Regulations. Mr. Collins did his calculations verifying this by using both AT&T, which was recently approved, and Verizon' radiofrequency (RF) exposure and was still 238 times below the limit that is allowed. Open to the public – Al Davis, 3 Wellington Court. How long has this been studied? Since 1946, Federal Standards have been in effect since 1981. Is it dangerous over long periods of time? No, distance helps, the further away you are the more it dissipates. An average kitchen emits more frequency.

Dominick Vilecco, Radio Frequency Engineer – sworn. Mr. Vilecco reviewed the analysis report that he had prepared showing reliable service. By placing a tower in the MP zone, the only locations where towers are permitted, would not solve the coverage problem and another location would still be needed. Other GPU tower sites were looked at however they would still leave many gaps. Sights are also being sought in Marlboro and Freehold which could overlap and help Colts Neck. Verizon prefers to co-locate on an existing structure. Radio transmitters and receivers will be inside of the cabinets and monitored from an off-site location. Once a month the site will be visited for a visual inspection. Open to the public – Karen Moosvi, 28 Crine Road asked why it is Verizon’s policy to co-locate on existing towers? It is generally easier to obtain permits. Al Davis, 3 Wellington Court – Has the County approved the new driveway? Not yet, but AT&T has met with them and they seemed favorable.

Michael Tobia, Planner – sworn. Mr. Tobia stated that he reviewed the Master Plan and felt that this application followed the intent of it. Towers are only permitted in the MP Zone, which is municipal purposes – the Township owns this property. The property currently has power stations on approximately 11 acres, so it is used for public utilities. The Township Committee granted an easement to AT&T so that if this application is approved access could be gained. It was his opinion that it is much better planning to put an antenna on an existing tower than to construct something new. There is vegetation that screens the existing tower from the road. Open to the public. Al Davis, 3 Wellington Court – sworn. Mr. Davis stated that the vegetation only exists approximately seven months out of the year as can be seen now – all of the leaves are falling.

Open to the public for comments. Al Davis, 3 Wellington Court – sworn. Mr. Davis stated that he moved to Colts Neck to be in the country. He is very concerned with the aesthetics and traffic that will be created. He has seen the actual antenna that is being proposed and he feels that it looks very out of place and should not be allowed in people’s backyard.

The Board felt that communications is wanted by everyone. Everyone wants cell phones, that is why the service needs to be provided. It was felt that using existing structures was de minimis and the towers were in place before the surrounding homes were constructed. It was much less offensive to co-locate on an existing tower. It was agreed that the applicants would work with Shade Tree Commission and adequately screen the property.

Motion to Approve the Application:

OFFER: Burry

SECOND: Sobieski

AFFIRMATIVE: Bennett, McGarry, Burry, Yodakis, Sobieski, Megerle and Wagar

NEGATIVE: None

DISCUSSION ITEMS:

None

EXECUTIVE SESSION

If necessary

MOTION TO ADJOURN

A motion was made by Ms. McGarry to adjourn the meeting at 10:10 p.m., seconded by Mr. Sobieski and unanimously carried.

I hereby certify that the above is a true and exact copy of the Meeting minutes for the meeting conducted on October 21, 2003 adopted by the Board of Adjustment of the Township of Colts Neck at its meeting held on November 20, 2003.

Bernie Behrens, Secretary
Board of Adjustment of the
Township of Colts Neck