SAYREVILLE BOARD OF ADJUSTMENT

**MINUTES OF MARCH 27, 2019**

**The regular meeting of the Board of Adjustment was called to order by Mr. Green, Chairman and opened with a salute to the flag. Mr. Green announced that the meeting was being conducted in accordance with the Sunshine Law.**

**Members of the Board of Adjustment present were: Mr. Green, Mr. Henry, Mr. Kuczynski,**

**Mr. Corrigan, Mr. Emma, Mr. Esposito (late), Mr. Sivilli, Mr. Foley**

**Absent Members: Ms. Catallo**

**Also present were: Mr. Kemm, Attorney, Mr. Cornell, Engineer, and Mr. Barre, Planner**

**#19-04 Tina Miller 14 Forrest Ave. Bulk Variance/Fence $ 50.00 App.**

**Mr. Kemm stated he reviewed the affidavit of publication and proof of public service and the Board had jurisdiction to hear the application.**

**Mr. Kemm Swore in Ms. Tina Miller. She is requesting a 10’ variance to extend her existing fence an additional 10 feet in the rear of her side yard located on Glenwood Avenue. There is no change to the fence, 6’ white PVC. Mr. Cornell stated since she is a corner lot, the concern would be the site triangle, but she falls within and no issue to report. No public attended.**

**Mr. Green asked for motion to close public portion. Mr. Kuczynski made motion; Mr. Henry seconded, motion carried.**

**Mr. Green asked for motion to approve this application. Mr. Henry made motion to approve the application, Mr. Corrigan seconded. Roll Call:**

**Yes: Mr. Green, Mr. Henry, Mr. Kuczynski, Mr. Corrigan, Mr. Emma, Mr. Esposito, Mr. Sivilli, Mr. Foley**

**Application Granted**

**Mr. Green advised the applicant the resolution will be memorialized at next meeting in April, after that meeting, she can start the work to move the fence.**

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**#19-02 T-Mobile 516 Raritan St. Wireless Communication $3,000.00 App.**

 **$3,700.00 Esc.**

**Mr. Kemm stated he reviewed the affidavit of publication and proof of public service and the Board had jurisdiction to hear the application. Mr. Frank Ferraro, Esq. is representing the applicant. The applicant is for a use variance, pipe variance and amended site plan approval, as well as some relief with USCA 1455 noted in application. T-Mobile is looking to install a new FCC licensed communication facility on Raritan Street; B-3 Highway Zone. There is an existing telecommunication facility 269’ lattice tower, proposed to 8 panel antennas; 1 dish antennas and add remote radio heads. Metro PCS was previously approved on this tower and bought by T-Mobile. They are utilizing Metro PCS ground space in the fence compound. There will be no net increase and it’s a replacement site. They will be removing their current site down further on Raritan Street.**

**Mr. Kemm Swore in: Benjamin Blankstein; Radio Frequency Engineer. Mr. Blankstein is an RF Engineer at Pure Con Solutions; BA in Science in Electrical Engineering at Manhattan College and have been accepted as an experience in the state of NJ. He has worked on dozens of sites. Mr. Blankstein credentials have been accepted by the board. Exhibit A-1 has been marked and is a detailed color map was discussed and explained to the board. The new site will provide capacity to 4 existing sites; along with the one site that will be removed. Capacity charts Exhibits A-2 LT2100 NJ08203B; A-3 NJ0852CA; A-4 NJ0852LCG; A-5 NJ08035A; A-6 LT1900 NJ08035A; A-7 LT1700 NJ08035A; A-8 LT1700 NJ08621BA; A-9 LT2100 NJ08370JB. The charts were marked and furthered discussed and explained to the board. Most of these sectors are at or above 70% utilization. Many of these sectors are hitting 90%. Per Mr. Blankstein, once 70% is met, they want to relief capacity and which will slow down or provide loss of service. The new site will alleviate the capacity deficiencies and coverage gap for the service. The site will run the allowable FCC limits. The antennae height proposed 124’ and the center height being 120’ with no interference of existing antennas on this site or in the area. Mr. Emma asked what utilization T-Mobile is hoping to achieve with these upgrades. Mr. Blankstein states, they are hoping to drop it to 40-50% from what is currently. 70% would decrease to 20-30%. Mr. Henry asks about the 6-7 sites, they seemed they are close together. He thought the antennae would be a larger area. Mr. Blankstein states for our 2100 frequency band, you get the most users and data, but doesn’t travel as far. It might look as if its close, it’s not; maybe ½ mile. Mr. Esposito asks, 70% is your red flag number; worst case scenario you will be at 50. If you hit 70% again, will you come in front of the board to request additional antennas or location? Yes, in the future if they exhausted, but with what is proposed we are not looking to come and want to provide the best service without adding more antennas. That’s why we are adding the 4th site. Mr. Kuczynski makes a mention of the location to the antennae being near the parkway and Route 9 and population. Mr. Blankstein states when speaking of percentage utilization they are based on 2 things – the people using the antennae and the data. Based on the 2100, there are 140 simultaneous users. Mr. Kuczynski states, you are removing the equipment from the one tower and placing new equipment on a second tower, that doesn’t seem like you are adding, and does the new equipment have more capacity? Mr. Blankstein states, the current location has 2100 technology; 700 (LTE 4G); 2100, JS1900 and our new site will add LT600, 1900 which is an addition of sector and more technology. Mr. Foley asks are you building a new tower. Mr. Blankstein states no – they are using an existing across the street.**

**Mr. Kuczynski asked, if they are adding more antennas. Per Mr. Ferraro, Metro PCS was approved for 6, they are requesting 8. It would be an increase of 2.**

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**Mr. Kemm swore in: Mr. Adam Piombino from EBI Consulting for the past 5 years as a RFEM Technician. He has an undergraduate from University of Delaware and has a Master’s in environment science from Montclair University. He works in several difference capacities inspecting sites; taking readings with the monitor and modelling sites based on specification and handling remediation of the FCC limits. He has been accepted as an expert of radio transmission in the state of NJ. The board accepted his credentials.**

**Mr. Piombino created the report of December 24, 2018; radio frequency electronic magnetic compliance report. Based on the analysis, the proposed facility meet FCC admission requirements. The maximum admission level 4.3% FCC general public limit or 0.86% of the occupational limit. This is well in compliance within the FCC limits. Mr. Kuczynski states, what would cause the need of remediation? Mr. Piombino states if you are receiving super low numbers, they are a tower site, which the antennas are 100’+ or roof top locations. Mr. Kuczynski states we would not have to be concern at this site. Mr. Piombino states no, you would not.**

**Mr. Kemm swore in: Mr. Mark McCloskey, Professional Engineer has a BA of Science of Civil Engineering from UMASS of Amherst, Master’s degree UMASS of Amherst. He has been accepted as an expert civil engineer in NJ. The board accepted his credentials. The board has received the plans that were submitted by Mr. McCloskey; he discusses the current location and equipment noted on the plans. This is a very simple project, an equipment swap out, using the existing concrete pad and utilize the same electronical conduit from the connection point to the breaker shut off. A-2 is showing the 8 antennas and 1 dish antenna. No changes to the height or width; just adding support legs and arms. The equipment plan shows one cabinet and one future cabinet – totaling 2; generator proposed on the concrete pad – which would need to be extended 4’7” approx. 6’ long. The existing Metro PCS cable bridge will be used and the cabinet as well. All other Metro PCS equipment not being used will be removed. Operations to the facility will not need permitted employees. 4- 6 weeks a technician will arrive in a service van. In Mr. McCloskey’s opinion, no additional parking is necessary or any landscaping is needed. There are 2 access gates off of the street, plenty of room for a vehicle to park. The structural report was submitted to the board. Mr. McCloskey feels this site can accommodate this additional use. Mr. Foley asked about security to the location, Mr. McCloskey stated they have a special key or combination to access. Mr. Ferraro state he was uncertain if there are cameras at this location. The equipment cabinet is a steel enclosure that is locked. The equipment is monitored 24/7 remotely. Mr. Emma asked, if there is lighting – Mr. Ferraro stated yes, to the left of the concrete; Mr. McCloskey noted the lighting is motion censored. Mr. Kuczynski asked about the difference of antennas. The functions are different per Mr. Ferraro. Mr. Emma asked about the fencing and the gates are bang up, the fence is 8’ tall. They will notify the tower owner. Mr. Green asked the time span from start to finish. The estimate would be 60 days from start to finish.**

**Mr. Kemm swore in: Mr. David Karlebach, Professional Planner – Master Degree in City/Regional Planning Rutgers State University, has been a professional planner for 25 years and has been an expert in state of NJ. The board accepted his credentials. Mr. Karlebach reviewed the Borough of Sayreville ordinances, since this is a B-3 Zone, which is why they are requesting a use variance. Per Section 26-87F2B which discusses adding structures on towers. Per the Zoning Officer, D-1 variance was required. 4 steps of balancing has been met to determine the approval for this variance.**

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**No public attended.**

**Mr. Green asked for motion to approve/deny this application. Mr. Kruczynski made motion to approve the application, Mr. Corrigan seconded. Roll Call:**

**Yes: Mr. Green, Mr. Henry, Mr. Kuczynski, Mr. Corrigan, Mr. Emma, Mr. Esposito, Mr. Sivilli, Mr. Foley**

**Application Granted.**

**MEMORIALIZATION OF RESOLUTIONS**

**#18-13 Mark Vaysberg 17 Thomas St.**

**Mr. Green asked for motion to memorialize the resolution. Mr. Kuczynski made motion to memorialize the resolution; Mr. Emma seconded. Roll Call:**

**Yes: Mr. Green, Mr. Henry, Mr. Kuczynski, Mr. Corrigan, Mr. Emma, Mr. Esposito, Mr. Sivilli, Mr. Foley**

**ACCEPTANCE OF MINUTES**

# Mr. Green asked for motion to approve and accept the minutes both the Reorganization Meeting and Regular Meeting of January 24, 2019 meeting. Mr. Esposito made motion to accept the minutes Mr. Sivilli seconded, motion carried.

**ADJOURNMENT**

**There being no further business to discuss, Mr. Green asked for motion to adjourn, Mr. Kuczynski made motion to adjourn; Mr. Corrigan seconded, motion carried.**

 **Respectfully submitted,**

 **Beth Magnani**