

**MANCHESTER TOWNSHIP ZONING BOARD OF ADJUSTMENT**

**REGULAR MEETING**

**Thursday, July 29, 2010**

**Manchester Township Municipal Building  
1 Colonial Drive, Manchester, NJ**

**MINUTES OF MEETING**

1. The meeting of the Manchester Township Zoning Board of Adjustment was called to order at 7:20p.m. by Chairperson Linda Fazio.
2. This meeting had been duly advertised, filed and posted in accordance with the Open Public Meetings Act.
3. A Pledge of Allegiance and Salute to the Flag.
4. Roll Call:  
Members Present: P. Salvia, J. Vitale, W. Cook, L. Fazio, K. Vaccaro, J. Hankins, M. Dwyer, T. Umlauf, H. Glen  
  
Members Absent: None  
  
Also Present: C. Reid, Attorney  
R. Mullin, Engineer
5. Administrative Session:  
**Approval of Minutes:** The minutes for the June 24, 2010 were **APPROVED** on motion by W. Cook and seconded by K. Vaccaro. All in favor.  
  
**Payment of Bills:**  
**RFP #3713** for T & M Associates in the amount of \$1506.86 for General Board Matters  
**RFP #3556** for T & M Associates in the amount of \$37.41 for Case 0913  
**RFP #86930** for T & M Associates in the amount of \$367.50 for Case 1037  
**RFP #74430** for Cafarelli & Reid in the amount of \$450.00 for Case 1033  
**RFP #74431** for Cafarelli & Reid in the amount of \$560.00 for Case 1038-0915  
  
Bills were **APPROVED** on motion by W. Cook and seconded by K. Vaccaro.  
  
**ROLL CALL VOTE:** W. Cook, yes; K. Vaccaro, yes; P. Salvia, yes; J. Vitale, yes; J. Hankins, yes; M. Dwyer, yes; L. Fazio, yes.  
  
**Correspondence:** The Secretary stated she received a letter from Mrs. Babinski Fairweather asking that Case 0612 be carried to the August 26, 2010 meeting and received a letter from Mr. Batastini asking that Case 0802 be withdrawn.

**Professional Reports:** Mr. Reid discussed his letter dated July 29, 2010 with regard to the resolution for Case 0913 and the waiver of time Mr. Shea had agreed to with regard to same and it should be ready for the August 26, 2010 meeting. Received correspondence from Lynne Dunn dated 4/28/10 (copy attached) regarding 200 foot notice & ordinance requires 432 foot notice. The notice was not deficient and a 200 foot notice was sufficient.

Mr. Mullin has nothing at this time.

<b>Case 0802</b>	Pine Acres Manor Sales, Inc. 1881 Hwy 37 West Toms River, NJ 08757	Block 99.114 Lot 9 Chester Avenue WTR-40 Zone
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This application is for the construction of a single family dwelling on a lot not fronting an improved road. The applicant is proposing to construct an 18' wide gravel road.

This application was **WITHDRAWN without prejudice** on motion by W. Cook and seconded by M. Dwyer.

**ROLL CALL VOTE:** W. Cook, yes; M. Dwyer, yes; P. Salvia, yes; J. Vitale, yes; K. Vaccaro, yes; J. Hankins, yes; L. Fazio, yes.

<b>Case 0612</b>	A T & T Mobility 15 East Midland Avenue Paramus, NJ 07652	Block 99.161 Lot 6 Grant & Scranton Avenue WTR-40 Zone
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This application is for a Use Variance to erect a 170-foot tall monopole cell tower in a zone where the use is not permitted. The applicant is also requesting preliminary & final site plan approval for the proposed structure & appurtenant equipment.

This application **CARRIED to the August 26, 2010 meeting** on motion by W. Cook and seconded by K. Vaccaro. All in favor. A waiver of time was given.

Memorialization of a resolution of a variance denial for a Use Variance to operate a solid waste management business where the use is not permitted in this zone. The applicant also requested preliminary and final site plan approval to modify the property to accommodate the proposed use. The Board, however, did not address the site plan portion of the application because the use variance was denied. Applicant: Rosoca Holdings, LLC. Denied at the April 19, 2010 meeting. Case 0913

This resolution was **CARRIED to the August 26, 2010 meeting** per Mr. Reid's letter dated July 29, 2010 (copy attached) on motion by W. Cook and seconded by M. Dwyer. All in favor.

Memorialization of a resolution of a variance approval for the construction of an addition and an attached garage to an existing home having a front yard setback from Fourth Avenue of between 26'11" and 27'10" where 30' is required. Applicant: Frank & Margaret Clouse. Approved at the June 24, 2010 meeting. Case 1033

This resolution was **APPROVED** on motion by W. Cook and seconded by K. Vaccaro.

**ROLL CALL VOTE:** W. Cook, yes; K. Vaccaro, yes; J. Hankins, yes; M. Dwyer, yes; T. Umlauf, yes; H. Glen, yes.

A copy of the approved resolution is attached.

**Case 1037**

MetroPCS New York, LLC  
5 Skyline Drive  
Hawthorne, NY 10532

Block 85.03 Lot 12  
Lakewood & Central Ave  
WTRC-AF Zone

This application is for a Use Variance for the placement of additional antenna facilities on an existing 165-foot monopole (collocation), as well as Preliminary & Final Site Plan Approval for the installation of the associated ground-mounted equipment. Lynne Dunn, attorney for the applicant was present. They are here this evening to collocate at the existing monopole at 102 Lakewood Avenue. Mr. Ronald Igneri, Professional Engineer & Professional Planner and Mr. Hardik Gandhi, Radio Frequency Engineer with MetroPCS were both sworn in by Mr. Reid. Mrs. Fazio stated before the case could begin the issue of completeness waivers should be addressed. Mr. Igneri gave his credentials and was accepted by the Board. He discussed the 3 completeness waivers discussed in Mr. Mullin's July 13, 2010 letter. Mr. Mullin has no problem with the waivers being granted with regard to the Performance Guarantee that can be provided as part of a condition.

On motion by W. Cook and seconded by J. Vitale the Board approved the request for the completeness waivers.

**ROLL CALL VOTE:** W. Cook, yes; J. Vitale, yes; P. Salvia, yes; K. Vaccaro, yes; J. Hankins, yes; M. Dwyer, yes; L. Fazio, yes.

Mr. Igneri has mounted drawings Z-1 and Z-2 with revision number 4 dated 3/2/10, they were not marked into evidence because they were included as part of the application. He explained to the Board the location of the property and what exists on and around the site. The site is surrounded by heavy woods (evergreens). The equipment itself is not visible. They are not changing any of the existing setbacks as far as the compound is concerned. Towards the center of the compound is the existing monopole. It has been reinforced a number of times and has presently been reinforced to accommodate the addition of the proposed MetroPCS antennas and coaxial cables. There are existing carriers already there. There is a concrete pad in the northeast corner, there is a smaller concrete pad 10' x 10' then there is a large equipment building 12' x 40' then there is another equipment building for another carrier 10' x 20'. The access is off the existing driveway on Central Avenue with a double swing gate an asphalt driveway. What MetroPCS is proposing to do is to locate, they have a leased area that measures 16' x 10' that is located adjacent to the fence opposite the equipment shelter that is already there. Inside that leased area is a concrete pad and mounted on that pad would be 4 cabinets. There are electric meter banks on the site also. The only utilities needed are electric and telephone. The tower itself is 160 feet tall and Sprint is at the top of the tower just above that because of FAA requirements at 155 feet is a beacon, below Sprint is Verizon at 153 feet below Verizon is Nextel at 136 feet below Nextel is T-Mobile at 123 feet and below T-Mobile is AT & T at 114 feet. The pole is pretty full. There is a gap between Verizon and Nextel and working with Crown Castle who owns the tower they worked out an agreement with MetroPCS to lease the space at 144 feet. They propose on placing 6 antennas on standoff arms which are similar to what is already there. A technician will visit the site once every 4-6 weeks, they spend about 1-2 hours or less and there is no waste generated. It is just to check on the cabinets and make any adjustments that need to be performed. There is sufficient parking. There is no noise, odor, glare or vibration. The equipment is quiet. The most you would hear is a small fan if you go right next to the cabinets. Mr. Cook asked if there is any light proposed. Mr. Igneri stated they are proposing a light on a fifth cabinet that is on the corner of the cabinet where the phone & electric go into, above that cabinet will be a flood light. It won't have a photocell or motion switch, it will have a twist timer. The technicians visit the site during daylight hours, but in case they need to visit the site at night they twist the timer on and if they forget to shut it off it will go off automatically. Mr. Mullin asked how many antennas are on the tower currently. He's not sure, he never counted, quite a few, some carriers have 12 some use 9. It is a relatively small percent increase. MetroPCS is a new company; they are a new wireless carrier. Mr. Mullin asked once these antennas are installed is there capability to install any additional antennas. No there is not, the modifications were made to accommodate 6 antennas. Mr. Igneri spoke with Mr. Mullin with regard to the equipment cabinets, he referred to drawing Z-3 he has modified that drawing which was marked into evidence as **A-1** with a revision 5 dated 7/22/10. The drawing itself is the same with one exception,

rather than use battery back up MetroPCS is using hydrogen fuel cells for back up power. It was depicted on the drawing, but wasn't clearly labeled, that is why he revised the drawing after speaking with Mr. Mullin. In order to operate the site you need radio equipment cabinets. He explained how the antennas are hooked up and how the phone lines work. Typically, up to this point in order to power those boxes they use battery cabinets because this equipment runs on DC current not AC. He explained how the electricity is converted from AC to DC in the battery cabinets. In the event of a power outage the batteries would continue to operate the equipment for a period of time. MetroPCS on selected sites have chosen to install hydrogen fuel cells instead of batteries. He explained hydrogen fuel cells and how they work. The fuel source is in a cabinet. In that cabinet there are 6 bottles about 55 inches tall about 8 or 9 inches in diameter. Each hydrogen canister has a valve on it; the system itself has a valve on it. There is no combustion; you are not burning the hydrogen. There is a membrane that allows certain ions to pass through and when there is a need or a draw some of the hydrogen gas against that membrane will release some ions and generate electricity. The byproduct of the hydrogen gas which generates electricity is water vapor. The cabinet itself is similar to the equipment cabinet with a small fan inside so that's the only noise. Anyone going into the site looking at it, it would look like any other equipment cabinet. It has been used at over 140 sites to date. It has been used to light the red carpet in Hollywood. It is even being used at the White House. The total capacity of the six tanks is equivalent to less than 5 gallons of gasoline, which is less combustion than what you could have with regular typical batteries. Hydrogen is 14 times lighter than air. In the event there is a leak the cabinets are alarmed, it just dissipates into the air. Mr. Cook asked where they are alarmed to. They go back to MetroPCS and the network operation center. It can be set up to alert the local fire department as well. Altery, the company who MetroPCS has opted to use, will actually come out and provide training for the local firefighters just in case of a leak or emergency. Inside the fuel storage tank cabinet there are 6 bottles, the fuel cell itself is similar to the one they use in hydrogen fuel cell cars. The bottles would be filled about 4 times a year, instead of filling them onsite they would be swapped out with new ones. At some point in time in the future, they would pull up with a fuel truck no different then they do with hydrogen fuel cell cars. There is really no maintenance except for an air filter like your home furnace has. There are 2 shut off valves, 1 interior and 1 on the exterior. They are going green from start to finish on this project. Mr. Mullin asked if there are any installations in New Jersey. He is not sure, but there has been one approved in Jackson Township. Mr. Dwyer asked about the explosion requirements, does it cover lightning strikes. Mr. Igneri stated there is no issue with lightning because wireless facilities everything is grounded on the site. Mrs. Fazio asked with the other 140 sites there have been no incidences. No, there haven't been. Mr. Umlauf asked if one of the other carriers wanted to do the same with the hydrogen cells. They would have to make their own application, and see what their needs would be. The 6 bottles are only serving MetroPCS.

Mr. Hardik Gandhi, radio frequency engineer for MetroPCS had A-2 marked into evidence which is a coverage map with an overlay. He gave his credentials and was accepted by the Board. He explained the existing coverage that MetroPCS currently has in the Township and then with the overlay the coverage they will have once the new antennas are installed. Currently, there really isn't that much coverage in Manchester Township. The proposed antenna centerline height of 144 feet is the minimum height necessary to provide the coverage.

Mr. Igneri now spoke as a Professional Planner. He gave his credentials and was accepted by the Board. They are looking for a D-1 use variance; they are also looking for a D-6 height variance. They are not going any higher than what is already there; they have space in the middle. Even though they are not increasing the height of the tower 10% or more the height of it itself exceeds the height allowed. They also need front yard setback, but the compound already exists so it is already a pre-existing non-conformance. MetroPCS has received the requisite licenses from the FCC. The site does exist and the monopole does exist. There will be no tree removal necessary. There will be no increase in impervious coverage. The site has already proven to be well suited for the use because there are already 5 existing carriers there. The addition of one additional carrier will not be a detriment. He discussed the Sica 4 step balancing test for the Board. The positive criteria is it provides telecommunications service. The negative criteria is typically on

these sites, visual. There were photo simulations in the application package. There is no difference because the tower already exists, just adding 6 additional antennas to it. It is in his opinion as a Planner that the carrier has met all the requirements and the relief can be granted without substantial detriment to the intent and purpose of the zoning ordinance and zoning plan. It is his opinion that this site remains particularly well suited.

Mrs. Fazio opened this portion of the meeting to the public. There being no public participation at this time, this portion of the meeting was closed.

Mr. Cook would like to include the following conditions with the approval of this application: (1) The fire department be trained in methods should there be an accident (2) no more than 6 cylinders be stored on site and in the cabinet only (3) a maintenance record be kept both onsite and off (4) the fire department be notified, should they get to the point where they do more than just a cylinder swap out, the fire department would be notified prior to any refilling operation at least 24 hours in advance.

This application was **APPROVED with conditions** on motion by W. Cook and seconded by K. Vaccaro.

**ROLL CALL VOTE:** W. Cook, yes; K. Vaccaro, yes; P. Salvia, yes; J. Vitale, yes; J. Hankins, yes; M. Dwyer, yes; L. Fazio, yes.

**Adjournment:** The meeting was adjourned at 8:15 p.m. on motion by J. Vitale and seconded by W. Cook. All in favor.

Respectfully submitted,

Darlene E. Garcia  
Secretary

Dated: August 21, 2010