

February 24, 2020

The workshop portion of the meeting was called to order at 7:30 p.m. by Ms. Daly Vice-Chairman.

ROLL CALL:

Members Present:

Ms. Daly
Mr. Aschenbach
Mr. Ashrafi
Mr. Lucas
Mr. Salomon

Members Absent:

Mr. Marotta
Mr. Quinn

Alternates Present:

Mr. Savino
Mr. Rees

Alternates Absent:

None

Also in attendance: Mark Rothman, Esquire, Kathy Lenahan, Board Administrator

COMMUNICATIONS:

None

MINUTES:

Motion to adopt the minutes of the January 27, 2020 meeting was made by Mr. Aschenbach, seconded by Mr. Savino and passed on unanimous voice vote.

Motion to adopt the minutes of the February 3, 2020 meeting was made by Mr. Aschenbach, seconded by Mr. Lucas and passed on unanimous voice vote.

RESOLUTIONS:

None

OLD/NEW BUSINESS

There was discussion regarding the amended tolling agreement. A motion to accept the amended agreement was made by Mr. Lucas and seconded by Mr. Aschenbach and passed on unanimous voice vote.

The workshop portion of the meeting concluded at 7:36 p.m.

PUBLIC PORTION:

A public meeting of the Cranford Board of Adjustment was called to order by Ms. Daly on February 24, 2020 at 7:45 p.m. in Room 107 of the Municipal Building, 8 Springfield Avenue, Cranford, New Jersey. Ms. Lenahan, announced in accordance with the terms and conditions of the Open Public Meetings Act, the Westfield Leader or Star Ledger has been notified and the agenda posted in the municipal building as required.

Ms. Daly explained the protocol, purpose and procedure that will be followed during the hearing

1. **Application # ZBA 19-010 - Continued from February 10, 2020**
Applicant: New York SMSA Limited Partnership
d/b/a Verizon Wireless, T-Mobil Northeast LLC
New Cingular Wireless PCS, LLC
Union County College
1033 Springfield Avenue
Block: 121 Lot: 2.01, E-1 Zone

Applicant is requesting preliminary and final site plan approval, a d(1), d(3) and a d(6) variance for a wireless telecommunications facility §255-37I(5) & (6), plus numerous c(2) variances. A variance for height where the maximum height permitted is 70 feet, and 140 feet to the top of the tower and 148 feet to the top of the concealment branches is proposed §255-37I(10)(a), a variance for setback where the minimum required setback to the closet property line is 185 feet and 112 feet 9 inches is proposed §255-7I(10)(b)(1), a variance for separation from the nearest residential unit where the minimum is 444 feet and 229 feet 7 inches is proposed §255-37I(10)(c) and if so required, variances to permit more than one principal use on a lot, for the continuation of the existing non-conforming lot area §255-37G(1)(c) and open space ratio §255-37G(1)(e).

Gregory Meese, Esq., appeared and stated he will be recalling Mr. Colosaurdo, the Architect and Mr. Pierson, the Radio Frequency Expert. Stated Mr. Colosaurdo was asked to determine if there was a different location further from the closest residence where the site would be suitable. Mr. Pierson was returning to discuss some of the sites noted by Mr. Gentile as to why they were not suitable for the site. He will also discuss the site at the Greek Orthodox Church.

Frank Colosaurdo, appeared and was reminded he was still under oath.

Questions posed by Mr. Meese to Mr. Colosaurdo ascertained the following:
Presented Exhibit A-28(EX 3A) as revised bulk charts on a new location for the site and (EX3B) as a compound plan and site elevation. Stated he was asked to find an alternate location. Tried to get the site as far away from Lot 17 as possible. He was able to move the site 134 feet southwest of the original proposed location. Original compound was 50 x 50, the alternate compound is 40 x 60. Bulk charts are a comparison of old vs. new. Closest home with old location was 229.7 feet, the alternate location is 362.10 feet away from the closet residence. Tower height is reduced by 5 feet. Top of branches to 143 feet from 148 feet and top of the tower from 140 to 135. Reviewed several of the setbacks for the old vs. new location. Pros for the old location are: no tree removal, no new grading. Pros for new location are: lower tower height and greater distance from Lot 17 on Princeton Road. The cons for the old location are: the proximity to Lot 17. Cons for new location are: need to remove trees. Ex3B of Exhibit A-28 listed the trees to be removed. There will be 32 trees removed and will need to do minimal grading. Ex3B shows a concrete stair case. In the old location, the techs would park next to compound. In the new location, there is a steep slope, the tech would park in lower area and walk up to the compound. Generator noise will meet State code at property lines. Some of the variances would change with the alternate location.

Mr. Meese stated the Carriers will consent to a "post construction" noise test to confirm no noise issues.

Questions from the Board for this witness ascertained the following:
Trees near Colby Lane will not be removed. Wants to stay 30 feet back from crest of the steep slope. There have been no tests done to determine what is in the ground. The driveway to Campus Road is

gravel. May put down heavy gravel for equipment while constructing the tower. Any disturbance to the road would be fixed. Area could support a fire truck but could not turn around. The monopole and the equipment are not combustible. The selected area has a shallow mound. Will use extra soil for around the pole and use 4 x 4 wood ties. Existing drainage patterns will continue. Gravel can store water. Will do soil tests. Foundation will be designed to support the tower. The alternate site is closer to the cemetery, but not to any of the residences. Elevation of previous location is 98.3-foot contour and new location is 103-foot contour. New site is 130 feet away from the residence on Princeton Road and 130 feet closer to Colby Lane, but conforms to the setbacks to Colby Lane. If post construction noise test fails, will have to be corrected or cannot use the generators.

Ms. Daly asked if anyone from the Public had questions for this witness, no one appeared.

Questions from Mr. Simon to Mr. Colosaurdo ascertained the following:

Does not know if the area leases the driveway, but UCC will use the same driveway to get to the stockpile area. The stockpile will not be moved for the new location. Not sure if an environmental impact statement was submitted. Carriers have environmental consultants who review a site before it is proposed. New location has a change in the open space ratio due to size of compound and the proposed stairs. Based calculation on everything that is not impervious. Did not do a calculation % for Lot 2.01. Did consider putting tower in the lower parking lot (#5), but there are some wetland issues. He has not looked at any areas outside of UCC. AMSL is Above Mean Sea Level. There will be permits needed for the new location for installation of underground utilities. There was a tree inventory provided in the revised site plan dated 9-06-19. The steep slopes may require relief from the Board for the steps. The retaining walls will be no more than 6 inches above the grade adjacent to it. Finished grade for the original proposal is 96.5 feet at base of the tower and the new proposal finished grade is 102 feet at base of the tower. No storm water management is proposed for this site. The new proposal shows a location for a fourth carrier. The prior location provided a landscaping plan, the new plan does not. If the Board feels landscaping is needed, the applicant will provide a landscaping plan. The majority of trees being removed from the new plan are deciduous.

Ms. Daly asked if the Public had questions for this witness, the following appeared:

Marietta Horne – 42 Princeton Road – Asked about the separation of the tower to a residential property and about tree canopy height.

Mr. Colosaurdo stated it is 300 feet or 300% of the tower. A 143-foot tower equals 429 feet required and they are proposing 362.10 feet. Stated there are some trees that measured 100 feet, 50 feet and 60 feet.

Mr. Meese stated there will be a lease amendment and the lease provides for utility access to the compound.

Questions to Mr. Colosaurdo from Board ascertained the following:

It would not be a problem for the applicant to put in a better parking area or road if requested by the Board. He only looked at alternative areas on the college campus.

Follow up questions from Mr. Simon to Mr. Colosaurdo ascertain the following:

Exhibit A-28 is a partial survey with as little clutter as possible. He will present another survey on Wednesday. AIL on survey refers to the species of the trees.

Mr. Meese stated the alternative site is closer to the cemetery not to Colby Lane.

A discussion was held regarding notification regarding the alternate site.

Mr. Meese stated a new notification will be sent out.

Mr. Pierson appeared and reminded his is still under oath.

Questions by Mr. Meese to Mr. Pierson ascertained the following:

Reviewed what sites he looked at and what impact they would have on the proposal for the tower.
Presented Exhibit A-30 titled Exhibit N - AT&T Mobility existing 1900 MHz LTE Coverage. Prepared on February 21, 2020. The exhibit had letters for the properties as "KL" for the Board recommended sites and the sites "BS" for recommended site from Mr. Simon. Reviewed the sites as:

KL1 - 50 Cardinal Drive – Existing coverage
KL2 - 560 Springfield Avenue – Adjacent to KL1
KL3 - 50 Fadam Road – Further to East of Springfield site
KL4 – 160 North A St. – Separate search area – separate project
KL5 - 522 Springfield Avenue – Existing coverage
KL6 - 151 Kenilworth Avenue – Separate search area
KL7 - 251 Monroe Avenue – Next to KL4 – separate search area project
KL8, KL9 & KL10 - all small properties, existing coverage, intersection of Broad and Springfield
KL11 - 53 Cardinal Dr. – existing coverage

BS1 - 52 Fadam Rd – same as 50 Fadam - existing coverage
BS2 - 1130 Globe Avenue – Further and is in existing coverage
BS3 - Property in Garwood – Already have Garwood site
BS4 - Cranford High School – Not covered by existing, but houses directly adjacent and houses on all sides.

Marked Exhibit A-31 as Google Earth screen shot of Cranford High School

BS5 – Nearby an elementary school - borderline on site for west. Surrounded by homes, not a huge lot.
BS6 – Temple Emanu-El – second search area more of a Westfield project. Not a large lot.
BS7 - Greek Orthodox Church – Exhibit A-32 is Verizon coverage map showing church location. Putting on the equipment and antenna could get 30 feet. Dome would not have structural integrity for equipment.

Mr. Pierson stated the proposed location is the most centered location for the coverage gap. Does not feel a two-site solution would connect and would need significant structures.

Questions from the Board for this witness ascertain the following:

KL8, 9, 10, are small properties and are not viable. If you put site in the middle of Springfield with existing coverage, you might get a quarter of a mile of new coverage. Cranford Swim Club was the only area available at the time. Proposed site connects north and south. Still need an east to west solution. The Cranford parking garage is inferior to the Cleveland Plaza site. Echo Lake Country Club was submitted to review but not necessarily suitable from a radio perspective. The properties in Kenilworth would be an additional site, not in place of this site and depending on structure height if it could get to Springfield Avenue, but is a much smaller site. Verizon has a small cell on their building. Could expand in the future. Putting a structure at the Verizon building would get possibly to Riverside Drive.

Ms. Daly asked if the Public had any questions for this witness, the following appeared:

Marietta Horne – 42 Princeton Road – Asked about Trinity Church and it not being a suitable location. Asked about significant structures in Westfield and about the 40 acres of the Campus being usable.

Mr. Meese objected to the question and stated that it was a site that was investigated to determine if it would be viable from a radio frequency standpoint.

Mr. Pierson stated he is looking at it from a radio frequency standpoint. Looking at the size of lot will determine how far away you can be.

Kevin Buckman - 24 Colby Lane – Asked about the cemetery being a suitable location.

Mr. Pierson stated the cemetery would be a suitable location.

Hank Ford – 42 Rutgers Road – Asked which tower is he using at his home and about the Verizon building location and about satellites.

Mr. Meese objected to the question.

Mr. Pierson stated that might not be far enough to reach his home. Satellites are for low capacity remote areas.

Kristen Cascio – 37 Princeton Road – Asked about the health side effects of living near the tower.

Mr. Pierson stated the FCC has regulations that need to be compiled with and they are at 3% of the standards.

Jorge Santos – 19 Harvard Road – Asked about the Church of Christ & the Williams Nursery properties.

Mr. Pierson stated he did not have the list.

Tom Ganley – 29 Cornell Road – Asked how many monopoles are in residential areas in Union County. Asked about other potential poles in the future and about the antenna on the Library and a pole at the Greek Church solving the gap problem.

Mr. Meese objected to the first question.

Mr. Pierson stated they have been looking to fix this issue for over 15 years. The Library did not make a connection for T-Mobile to Springfield Avenue by Kenilworth Blvd. The rooftop at the Church for Verizon only adds to the cemetery, one of the other carriers might benefit. Would still have gaps in various areas.

Mr. Meese cited from the Mendham case regarding suitable sites.

Ted Exarhakos – 40 Princeton Road – Asked about Greek Church being a one story.

Mr. Pierson stated it would not make a difference as to one story or three story, it is still below the tree line.

Ms. Daly asked Mr. Simon if he could start his questioning of this witness on Wednesday.

Mr. Simon asked the applicant to provide a key to where the KL and BS properties are on Exhibit A-30.

Mr. Simon stated he will not be at the Wednesday evening meeting.

Mr. Meese stated he has one more witness, Mr. Masters the Planner.

Mr. Simon stated he objects to the tolling agreement. Stated he will present an objector's case and at least one witness.

Ms. Daly stated if more time is needed, they will ask for more time.

Mr. Rothman asked Mr. Simon about any reports he might be presenting.

Mr. Rothman stated the Board's witnesses will be at the completion of the applicant's and the objector's cases.

Ms. Daly stated the next meeting will be Wednesday, February 26th at 7:30 p.m. for the Workshop and the hearing will continue at 7:45 p.m.

PUBLIC PORTION:

None

CONCLUSION:

There being no further business, a motion to adjourn the meeting was regularly made, seconded and passed. The meeting concluded at 10:51 p.m.

Dan Aschenbach, Secretary