

MARLBORO TOWNSHIP ZONING BOARD
APRIL 28, 2015

THE MEETING OF THE MARLBORO TOWNSHIP ZONING BOARD WAS CALLED TO ORDER BY THE ZONING BOARD ACTING CHAIRMAN SHAPIRO AT THE MARLBORO TOWNSHIP TOWN HALL, 1979 TOWNSHIP DRIVE, MARLBORO AT 7:30 P.M.

CHAIRMAN SHAPIRO READ THE MEETING NOTICE, ADEQUATE NOTICE PURSUANT TO THE OPEN PUBLIC MEETING ACT OF 1977 HAS BEEN GIVEN OF THIS MEETING BY PUBLICATION IN THE ASBURY PARK PRESS, AND BY POSTING IN THE MUNICIPAL BUILDING IN THE TOWNSHIP OF MARLBORO, FILED IN THE TOWNSHIP CLERK'S OFFICE AND PLACED ON THE TOWNSHIP WEBSITE AND CHANNEL 77.

ROLL CALL

**PRESENT ... MR. SOLON, MR. LEVIN, MR. ZWERIN, MR. WEILHEIMER
CHAIRMAN SHAPIRO, MS. DI GRANDE, DR. ADLER**

**PROFESSIONALS PRESENT... MS. NEUMANN, MR. CUCCHIARO ESQ. AND
MS. PARIS (Admin.Officer)**

SALUTE THE FLAG

**APPROVAL OF THE MARCH 10, 2015 ZONING BOARD OF ADJUSTMENT
MINUTES**

PUBLIC SESSION -

Paul Schlaflin 21 Stonehenge Way – Has concerns with the height of the tower, as well as the fall zone.

Dr. Adler asked the Mr. Cucchiaro if the application has been amended. Mr. Cucchiaro stated that the application wasn't amended at all.

Z.B. 14-6520 NEW YORK SMSA LP d/b/a VERIZON WIRELESS – Continued Public Hearing for Use Variance approval to construct 125 foot high monopole with associated equipment shelter, cabinet and 8 foot high chain link fence at 251 Spring Valley Road, Block 172 Lot 14, in the LC zone

Mr. Michael Beck Esq. gave a brief synopsis of the application. Mr. Beck discussed previous comments made by the board members regarding the height and design of the mon-pole.

Mr. Beck stated he reported the comments and concerns brought forward by the board members back to his clients. Mr. Beck stated, if the board was to make it a condition of approval that the mono-pole would need to be 150 feet, his client would agree to build to 150 feet.

Robert Foley of Dewberry Engineering Inc. was sworn in gave testimony. Mr. Beck asked if Mr. Foley if he or members of his firm prepared the Site Plan for this application. Mr. Foley stated “yes”. Mr. Beck asked Mr. Foley to describe the location of the site and its existing conditions. Mr. Foley stated that the site is located on Spring Valley Rd. Mr. Foley described the property having a driveway running through the entire lot. The applicant is proposing an 11’.8” x 26’ Verizon Wireless shelter as well as a 125 foot mono-pole with an 8 foot high lightening rod at the top for a total height of 133 feet. The mono-pole will have a total of twelve antennas and a small GPS antenna. Mr. Foley stated that the antennas are panels approximately 8 feet in height by 10” to 12” wide. Dr. Adler asked if they were to have colocation of carriers, where would they be located on the mono-pole. Mr. Foley stated typically they are generally are at 10 foot intervals, going either up or down the tower. The applicant is proposing an 8 foot high chain link fence around the perimeter of the leasehold on the property. The applicant is also proposing a gravel driveway to access from Spring Valley Rd. The applicant is proposing a 30K generator within the shelter for emergency power. Ms. Neumann asked Mr. Foley if the generator would be gas or diesel, Mr. Foley responded “diesel”. Ms. Neumann asked if they have the maneuverability for the diesel truck to get in to service the generator. Mr. Foley responded “yes, we do”. Mr. Shapiro asked if the tower was to fall, would it clear Spring Valley Rd. Mr. Foley said it’s like trying to predict which way a tree is going to fall. If the foundation held and this was strictly a structural failure of the tower, the rule of thumb is, it wants to lay over at about the third point. Mr. Shapiro asked is there a possibility of it falling into Spring Valley Rd. Mr. Foley stated if there was a foundation uplift, yes. Mr. Cucchiaro asked what are the uses of the surrounding properties. The property directly south is an open lot, mostly storage use. Mr. Cucchiaro asked if the proposed location is a complying lot. Ms. Neumann stated that it is not, it’s in the LC zone. Mr. Beck asked Mr. Foley if he has any concerns with the safety of the mono-pole. Mr. Foley responded “non what so ever.” Chairman Shapiro stated that most of the boards questions seem to be directed to the applicants planner and requested that he come up to speak.

Chairman Shapiro called a five minute recess Mr. Solon second

William F. Masters Jr. P.P. was sworn in and gave testimony. Mr. Beck asked Mr. Masters if he is familiar with the Zoning requirements and Master Plan of Marlboro Township, Mr. Master

answered “yes I am.” Mr. Beck asked Mr. Masters to describe the surrounding properties. Mr. Masters stated that there are four contiguous undersized lots. Lots 14, 15, and 16 are vacant wooded properties. Lot 13 is a large open lot previously used as a junkyard, now currently it’s being used to store vehicles. Mr. Beck asked Mr. Masters to the best of his knowledge what the use is presently on lot 13, is it an existing non-conforming use, Mr. Masters answered “yes.” Evidence was entered in as A-34. Mr. Beck asked Mr. Masters to describe A-34 as a colored aerial photograph of the subject property and its surrounding properties, that Mr. Masters superimposed circles to identify the site, and its dated 9/6/2013. Evidence was entered in as A-35. Mr. Masters describe A-35 as a photo board with six colored photos of the proposed site. Mr. Masters stated that the photo simulations show that the view of the proposed mono-pole are extremely limited. The only visibility is along Spring Valley Road, and he feels no real detriment. Mr. Masters feels that the proposed site is particularly suited for a mono-pole. As the studies show that this site meets the technical requirements for Verizon Wireless. It’s a site that is heavily wooded and would provide a buffer for the ground equipment as well as the lower portion of the proposed mono-pole. Dr. Adler asked if the mono-pole could be moved back 75 feet. Mr. Masters said that it could be moved back except the property has a 75 foot rear yard setback requirement in a LC zone. Dr. Adler stated that it would be of a greater safety value if the mono-pole encroached on the rear setback, rather than where the applicant is proposing. Mr. Masters stated that he has no disagreement with Dr. Adler’s statement, it would of course require Verizon Wireless to get the approval from the landlord (property owner). Mr. Cucchiaro stated that if the lots were to merge, there would be any violation of the setback. Evidence was entered in as A-36, Mr. Masters described them as colored photos showing the mono-pole at 125 feet vs. 150 feet and a tree style mono-pole vs. a standard mono-pole. Mr. Masters recommended that if the board were to request the tree style mono-pole, that they do so at a height of 150 feet. Mr. Masters stated that it’s very difficult to add to the tree style and still maintain the realistic look.

Mr. Cucchiaro requested that the applicant notice 200 feet from lots 14, 15, and 16 Mr. Beck agreed and requested to carry the application 30 days. This application is carried to June 9, 2015.

MEMORIALIZATIONS

Z.B. 14-6528 ERIC PARETS - Memorialization of Resolution granting Bulk Variance approval to construct a 400 sq. ft. addition to existing home, which exceeds permitted lot coverage for principal structure at 10 Wabash Road, Block 234 Lot 11, in the R-30/20 zone.

Offered: Chairman Shapiro

Ayes: 5 (Mr. Solon, Mr. Zwerin,
Mr. Weilheimer, Chairman Shapiro,
Ms. DiGrande)

Second: Zwerin
Nays: 0
Absent: 0
Abstained: 1 Levin

A motion approve the Minutes from the March 10, 2015

Offered: Chairman Shapiro
Ayes: 7 (Mr. Solon, Mr. Levin, Mr. Zwerin,
Mr. Weilheimer, Chairman Shapiro,
Ms. DiGrande, Dr. Adler)

Second: Adler
Nays: 0
Absent: 0

A motion to adjourn was offered by Chairman Shapiro, seconded by Dr. Adler.

Respectfully submitted
Jennifer Bajar