

**MINUTES**

**CLINTON TOWNSHIP PLANNING BOARD**

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March 4, 2019

7:00PM

PUBLIC SAFETY BUILDING

1370 Route 31N

Annandale, NJ 08801

Chairman Cimei called the meeting to order at 7:01pm.

Chairman Cimei led the Flag Salute.

Chairman Cimei read the Public Notice.

This is a public meeting of the Planning Board of the Township of Clinton, County of Hunterdon and State of New Jersey. Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act in that an Annual Notice was published in the Hunterdon County Democrat and the notice of and agenda for this meeting was posted on the bulletin boards in the Municipal Building and faxed to the Hunterdon County Democrat, the Express Times, the Courier News, the Hunterdon Review, and the Star Ledger, no later than the Friday prior to the meeting.

**MEMBERS PRESENT**

Glaser, Higgins, Kleinhans, Kochanowski, Mardini, Scheick, Cimei

**MEMBERS ABSENT**

Butcher, Kilduff

**BOARD PROFESSIONALS/STAFF IN ATTENDANCE**

Jonathan Drill, Esq., Board Attorney

Denise Filardo, Board Secretary

**MEETING MINUTES**

1) MEETING MINUTES FEBRUARY 4, 2019

Mr. Kochanowski motioned and Mr. Mardini seconded the motion to adopt the Minutes of February 4, 2019. The vote record follows.

<b>Roll Call: Minutes of February 4, 2019</b>						
<b>Member</b>	<b>Motion</b>	<b>2nd</b>	<b>Yes</b>	<b>No</b>	<b>Not Eligible</b>	<b>Absent</b>
Butcher						X
Glaser (Alt. 2)			X			
Higgins			X			
Kochanowski	X		X			
Kilduff (Alt. 1)						X
Kleinhans					X	
Mardini, Vice Chair		X	X			
Scheick					X	
Cimei, Chair					X	

**RESOLUTIONS**

None.

**APPROVAL OF VOUCHERS**

Mr. Cimei motioned and Mr. Kochanowski seconded a motion to approve the vouchers for payment. The vote record follows.

<b>Roll Call: Payment of Vouchers</b>						
<b>Member</b>	<b>Motion</b>	<b>2nd</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Butcher						X
Glaser (Alt. 2)			X			
Higgins			X			
Kochanowski		X	X			
Kilduff (Alt. 1)						X
Kleinhans			X			
Mardini, Vice Chair			X			
Scheick			X			
Cimei, Chair	X		X			

1) NEW CINGULAR WIRELESS PCS, LLC (AT&T)

Block 89, Lot 5.02

1217 Route 31 South

Applicant is seeking Waiver of Site Plan to upgrade its existing Wireless Communications Facility.

Judith A. Fairweather, Esq. of PinilisHalpern, LLC represented the applicant.

Board Attorney Drill referenced § 165-36.1 Waiver of site plan review.

Noting that the approving authority may waive the requirement of site plan review, in part or in its entirety, if the Board finds that the proposed development:

1. Secured previous site plan approval under the terms of this title and the proposed development will have insignificant impact on the previously approved site plan; or
2. Involves normal repair, maintenance or replacement; or
3. Will not affect existing circulation, parking, drainage, building arrangements, landscaping, buffering, lighting and other considerations of site plan review.

Attorney Drill stated this application sounds like it would best apply to number one or number three, not number two.

The following individuals were sworn and testified during the hearing:

1. Edward Iamiceli, PE of Tectonic Engineering
2. Dan Penesso, RF Engineer Midland Park, NJ

Mr. Iamiceli's qualifications were accepted by the Board as a Civil Engineering Expert.

Mr. Penesso's qualifications were accepted by the Board as an RF Expert.

#### EXHIBITS

- Exhibit A-1 Structural Analysis Report for monopole prepared by Andrew T. Haldane, PE of American Tower Corporation dated 8/01/18.
- Exhibit A-2 Mount Elevation Letter for the platform prepared by Edward Iamiceli, PE of Tectonic Engineering & Surveying Consultants, PC dated November 6, 2018.

Discussion ensued including various questions regarding the Structural Analysis Reports.

The Board took a recess at 7:15pm for Board members to review the Structural Analysis Report of the monopole submitted as Exhibit A-1.

The Public Hearing resumed at 7:20pm.

Chairman Cimei noted that there was no one from the public in attendance.

Mr. Iamiceli clarified that the Tectonic Report dated November 16, 2018 is a structural analysis of the square antenna mount and the American Tower Report dated August 1, 2018 is a structural analysis of the monopole.

Vice Chairman Mardini opined that the American Tower Structural Analysis Report is adequate provided the plans are revised accordingly.

Mr. Iamiceli's testimony included reference to the Elevation Sheet A02 of the plans and was not limited to the following:

- The cell tower is owned by American Tower
- Positioning of the four (4) carriers collocated on this tower. From the top down: Sprint, T-Mobile, AT&T, Verizon.
- Increasing from nine (9) antennas to 16 antennas and adding another sector.
- Removing two (2) cabinets and adding another in its place.
- Each of the four (4) sectors has four (4) antennas, totaling 16 antennas
- The Azimuth which is the direction of the beam of that sector, will facilitate a better range of coverage allowing service to be provided up and down (North and South) Route 31 and East and West of Route 31

Mr. Penesso's testimony referencing the Antenna Layout Plan Sheet A04 included and was not limited to the following:

- AT&T is currently building out LTE (Long Term Evolution) which is the next generation of 4G. It is not 5G as that is not yet available.
- AT&T is taking over a slot on the monopole that was decommissioned by Nextel.
- Sixteen (16) antennas will allow service to be provided up and down (North and South) Route 31 and East and West of Route 31, which is four (4) sectors.
- The higher the elevation on the monopole the farther the signal goes and the more sectors gives you a better footprint of coverage.
- Windspeed is calculated at 60mph is a serviceability speed, not a maximum wind speed.
- Maintenance will continue to occur every four (4) to six (6) weeks
- Nextel decommissioned that array and we took that slot...if higher, signal goes further.
- Each of the different antennas are like eyes with spread out focal points enabling better reception. Some antennas are at different frequencies and there are approximately 2 ½ feet between each antenna.
- This new service will support FirstNet (First Responder Network Authority), delivering a dedicated, interoperable network and ecosystem that will give first responders the technology they need to better communicate and collaborate across agencies and jurisdictions – local, state and national.

Attorney Drill opined that the Waiver of Site Plan finding which best applies to this application is number three (3) below:

*Will not affect existing circulation, parking, drainage, building arrangements, landscaping, buffering, lighting and other considerations of site plan review*

Mr. Imiceli concurred, noting that the proposed upgrade will not affect existing circulation, parking, drainage, building arrangements, landscaping, buffering, lighting and other considerations of Site Plan Review.

The applicant will submit the following documents to the Board Secretary as a condition of approval:

- 1) Signed and Sealed Structural Analysis Report for the Monopole
- 2) Signed and Sealed Structural Analysis Report for the Mount
- 3) Six (6) sets of signed and sealed revised Plans

Mr. Higgins motioned and Mr. Mardini seconded a motion granting Waiver of Site Plan. The vote record follows.

<b>Roll Call: New Cingular Wireless PCS, LLC (AT&amp;T) Block 89, Lot 5.02</b>						
<b>Member</b>	<b>Motion</b>	<b>2nd</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Butcher						X
Glaser (Alt. 2)			X			
Higgins	X		X			
Kochanowski			X			
Kilduff (Alt. 1)						X
Kleinhans			X			
Mardini, Vice Chair		X	X			
Scheick			X			
Cimei, Chair			X			

Attorney Drill informed the Board that he just wrote an article on 5G Small Wireless Facilities for the next edition of The Planner. He will send the article to all Board members by the end of this week.

**REPORTS**

Report from Council

- Mr. Kochanowski reported that Council further discussed the deer culling and a study to count which would cost \$12,000.
- Mr. Higgins reported that additional discussions to be held with experts on the deer culling and there was a beekeeping discussion.

Report from Ordinance Committee

- Mr. Cimei reported that the Exxon Subcommittee did site visit to view the landscape buffering, they were not able to see the tanks or the new construction. They filled in the spots where there had been gaps. The sub-committee agreed with the Board's landscape architect that the screening installed by Exxon, both as to parking and the tanks, satisfied the condition imposed by the Board in the Resolution No. 2016-09 which memorialized Preliminary and Final Site Plan Approval with “C(1)” and “C(2)” Variances and Exceptions to allow construction of a two-story expansion of the existing research and engineering building, ancillary testing buildings, an above ground storage tank farm, and related site improvements.

Report from Open Space – Mr. Higgins reported the next meeting is scheduled for the day after council and they will have additional discussion regarding the deer culling.

Report from Environmental Commission – Nothing to report.

Mr. Cimei raised a question regarding lighting at Country Square Plaza. String of bright white flashing LED lights which are on at night after the business closes at 6:00pm. The lights are not illuminated during the day when the business is open. The next-door neighbor has followed suit and their lights are two (2) different colors. Discussion ensued as to whether this should be brought up to the Ordinance Subcommittee for clarification regarding permissibility or if this is a Zoning enforcement issue. It was determined that since the lighting in question is not part of a sign, it would pertain to the Lighting Ordinance Section 165-74E. It was further determined that this is an issue to be addressed by Mayor and Council. Attorney Drill opined that if Mayor and Council decide these lights should be permitted, then the Ordinance should be changed. If Mayor and Council determine that these lights are not permitted, then they would refer the matter to Zoning as an enforcement issue. Mr. Kochanowski volunteered that he and Mr. Higgins would raise this topic at the next meeting

#### MEMBER RESIGNATION

Vice Chairman Mardini announced that after ten (10) years this would be his last meeting as he is resigning from the Board. Mr. Mardini has accepted a new position as a Project Engineer with a local Engineering firm which represents applicants before this Board. Resultingly, Mr. Mardini has to resign. Mr. Mardini thanked the Board members, Board Attorney Drill, Mayor Higgins and Secretary Filardo for all of their contributions and support.

All in attendance wished Mr. Mardini well in his new position. Mr. Mardini will be missed by all.

#### ADJOURNMENT

Mr. Scheick motioned and Mr. Mardini seconded a motion to adjourn. The motion carried unanimously, and the meeting was adjourned at 8:01pm.

Respectfully Submitted,

*Denise Filardo*

Planning and Zoning Board Secretary

These minutes were approved on March 18, 2019.