

TOWNSHIP OF CHATHAM  
ZONING BOARD OF ADJUSTMENT

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IN THE MATTER OF: :  
: TRANSCRIPT  
CASE NO. BOA 17-95-18.01, : OF  
T-MOBILE & VERIZON : PROCEEDINGS  
WIRELESS, BLOCK: 95, LOT :  
18.01 :  
----- :

Wednesday, June 7, 2017  
Municipal Building  
54 Fairmount Avenue  
Chatham, New Jersey 07928  
Commencing at 7:35 p.m.

BOARD MEMBERS PRESENT:

TONY VIVONA, Chairman  
DENNIS NEWMAN  
JON WESTON  
TINA ROMANO  
RICK WILLIAMS  
MICHAEL HYLAND  
WILLIAM STYPLE  
GREGORY BORSINGER

ALSO PRESENT:

MARGARET SMITH, Secretary  
VICTOR VINEGRA, Planner  
JOHN K. RUSCHKE, P.E.

ALISON GULINO, CCR, RPR  
CERTIFIED COURT REPORTER

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**47 BRIAN ROAD**  
**WEST CALDWELL, NEW JERSEY 07006**  
**(973) 618-0872**  
**office@quickreporters.com**

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A P P E A R A N C E S :

STEPHEN H. SHAW, ESQ.  
Counsel for the Board

PRICE, MEESE, SHULMAN & D'ARMINIO, P.C.  
Mack-Cali Corporate Center  
50 Tice Boulevard  
Woodcliff Lake, New Jersey 07677  
By: JENNIFER KNARICH, ESQ.  
Counsel for the Applicant

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I N D E X

<u>APPLICANT'S WITNESS:</u>	<u>PAGE</u>
TIMOTHY KRONK	9

EXHIBITS MARKED INTO EVIDENCE

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1                   CHAIRMAN VIVONA: BOA 75-95-18.01,  
2 T-Mobile and Verizon, 300 Shunpike Road.

3                   MS. KNARICH: Good evening, Chairman,  
4 ladies and gentlemen of the Board. Jennifer Knarich  
5 from Price, Meese, Shulman & D'Arminio on behalf of  
6 T-Mobile, LLC, and New York SMSA Limited Partnership,  
7 d/b/a Verizon Wireless as co-applicants.

8                   Just to reiterate to the Board, we  
9 were last here back on May 10th. The project site  
10 is at Gloria Dei Lutheran Church at Block 95 and Lot  
11 18.01 and that is in the R3 residential zone.

12                   The co-applicants propose the  
13 installation of a 100-foot permanent cell tower at  
14 the approximate location of an existing 100-foot  
15 temporary tower that was approved by the township  
16 back in 2011. This would replace the temporary  
17 tower which was required at the time for continued  
18 service for a two-year period with extensions  
19 granted in 2014 and 2016. During this time, PSE&G  
20 is continuing to undertake the transmission tower  
21 replacement project.

22                   You heard from three witnesses at the  
23 last meeting, the applicant's engineer, RF engineer  
24 and RF compliance. I have one remaining witness for  
25 this evening, Tim Kronk, to provide professional

1 planning testimony.

2 Before I proceed with him, I want to  
3 address certain issues that were raised at the last  
4 meeting. In particular, I'll go by order of what I  
5 recall as being the issues.

6 First, the applicant provided a  
7 stormwater management report dated June 2, 2017. I  
8 believe you have a copy of that report. We also  
9 submitted the soil report as well; however, the  
10 application itself is in the process of being  
11 executed by the applicant.

12 In regard to the height of the tower,  
13 the applicant is willing to stipulate that the  
14 reduction of the height of the tower from 150 to  
15 140, as recommended by Dr. Eisenstein, is  
16 acceptable. The height of the T-Mobile antennas  
17 would be decreased from 146 to 136 and Verizon's  
18 antennas would be reduced from 136 to 126.

19 There's also the issue of the  
20 generator and the gas line. The applicant has been  
21 sensitive to the concerns of the residents and are  
22 willing to relocate that gasoline for the generator  
23 to the other side of the building along the driveway  
24 farthest away from the residents as proposed on the  
25 plans last revised December 13, 2016. This would be

1 subject to DEP review since it falls within the  
2 Wetlands delineation. We would not want this  
3 condition to hold up any construction. If the Board  
4 is in favor of the application, at the close of the  
5 applicant's case, we would request that we are  
6 permitted to construct the wireless facilities  
7 subject to DEP review of the generator and gas line  
8 only. The applicant is also willing, in the event  
9 that DEP is not favorable for the installation of  
10 the gas line, we would provide an alternative source  
11 such as propane.

12                   The last was the option of  
13 camouflaging the pole. We did discuss some options  
14 of what we can and cannot do. We are willing to  
15 stealth the antenna; however, the antenna panels are  
16 too large to place them internally into the pole;  
17 however, we can blend them into the existing tree  
18 line.

19                   I have no other items I need to  
20 address so I can put on my last witness unless the  
21 Board has questions.

22                   CHAIRMAN VIVONA: The branches on the  
23 thing, you said that some antennas can be in the  
24 pole?

25                   MS. KNARICH: Not this one. The

1 panels are too large. We could stealth it so it  
2 could be covered by like branches or colored to  
3 match the sky, like blue. Whatever the Board  
4 thinks. If it's aesthetically pleasing enough, we  
5 can consider that.

6 CHAIRMAN VIVONA: Okay. You wouldn't  
7 happen to have any pictures of what a pole that's  
8 been cloaked would look like?

9 MS. KNARICH: Like branches?

10 CHAIRMAN VIVONA: Yeah.

11 MS. KNARICH: No.

12 CHAIRMAN VIVONA: I have seen them.

13 MS. KNARICH: I don't know what the  
14 closest one would be, off the top of my head.

15 CHAIRMAN VIVONA: There's one on the  
16 Parkway I see all the time.

17 MR. SHAW: There's one in Denville on  
18 Route 10.

19 MR. HYLAND: I think they look worse,  
20 the fake trees that go out 6 feet even though they  
21 are 150 feet tall.

22 MS. ROMANO: What other options are  
23 there?

24 MS. KNARICH: Sky, painted to match  
25 the blue.

1 DR. EISENSTEIN: I heard, at some  
2 other meetings, they have better trees now, to the  
3 extent they are denser and look better and more  
4 realistic. I agree with you. The ones they put up  
5 look like bottle brushes but I have seen it at some  
6 of the other hearings I have been at. We have some  
7 ones that look nice.

8 MS. KNARICH: More realistic.

9 DR. EISENSTEIN: And denser branches  
10 and better put together. Perhaps you could generate  
11 pictures of some of them. I don't know where they  
12 are at now. I know that such things exist.

13 MS. KNARICH: If the Board is amenable  
14 to approving the application this evening, we can  
15 make that a condition with regard to -- I don't know  
16 if you want your Board engineer to review it or how  
17 you would handle it. Again, we are open to the  
18 option of changing what's there now just as the  
19 panels.

20 CHAIRMAN VIVONA: Okay. Anything  
21 else?

22 MR. BORSINGER: Relocating the gas  
23 line, is that from where it was proposed to where  
24 the road is?

25 MS. KNARICH: If you look at the plan

1 that was submitted December 13, 2016, I can pull it  
2 up.

3 MR. BORSINGER: Is it over by the  
4 road?

5 MS. KNARICH: Over on the other side  
6 of the building. It goes back to the  
7 Transcontinental driveway.

8 MS. ROMANO: Away from the residents?

9 MS. KNARICH: Correct.

10 CHAIRMAN VIVONA: I didn't realize  
11 propane was an option.

12 MS. KNARICH: At this point, if it's  
13 not -- if the DEP wouldn't let us do the gas line,  
14 they said they would -- they could look into doing  
15 it. It's ideal for them to have a generator there.  
16 They want to try whatever they can. At the moment,  
17 the gas line is what we are proposing subject to DEP  
18 because it's in the Wetlands.

19 CHAIRMAN VIVONA: Okay. If there's  
20 nothing else, bring your planner on.

21 T I M O T H Y K R O N K, first having been duly  
22 sworn, testified as follows:

23 MR. KRONK: I have a Bachelor's of  
24 Science from the University of Massachusetts. I  
25 have 25 years of the land use experience,

1 predominantly in New Jersey. I'm a New Jersey  
2 licensed professional planner and an AICP certified  
3 planner. I have testified throughout the state  
4 including this Board and the Planning Board here and  
5 been accepted as an expert in the area of land use  
6 planning.

7 CHAIRMAN VIVONA: Thank you.

8 DIRECT EXAMINATION BY MS. KNARICH:

9 Q. Mr. Kronk, you reviewed several  
10 documents  
11 in preparation for your testimony this evening?

12 A. Yes, I have reviewed the engineering  
13 drawings and all of their different derivations. I  
14 have reviewed the municipal zoning ordinance with  
15 specific attention to the telecommunications  
16 ordinance. I reviewed the Master Plan. I did  
17 attend the last hearings. I was here for all of the  
18 testimony. I was also involved in the application  
19 for the temporary ballast pole on the site so I'm  
20 familiar with how the PSE&G relocation process  
21 played out and how the carriers had a need to go on  
22 the temporary facilities and now, at least, T-Mobile  
23 is looking to maintain the installation at this  
24 facility.

25 Q. You were also present at the balloon

1 test, correct?

2 A. I was. I was at the test on January  
3 1st of last year, which was the original -- no.  
4 That is not the original. The first one was 160  
5 feet with AT&T. October 1st is when I did the  
6 balloon test for T-Mobile and Verizon at the reduced  
7 height of 150. I was also present at the balloon  
8 test performed for the Board and public on April  
9 22nd of this year.

10 Q. Thank you.

11 You are familiar with the site,  
12 correct?

13 A. I have visited the subject property on  
14 so many occasions, I couldn't even tell you.

15 Q. Could you provide the Board with your  
16 analysis with respect to the relief we are  
17 requesting this evening?

18 A. Certainly.

19 The application by T-Mobile and  
20 Verizon Wireless at this location of 300 Shunpike  
21 does require relief from the Board for numerous  
22 deviations related to wireless telecommunications  
23 use in the R3 zone.

24 First of all, a use variance is  
25 required since the wireless telecommunications

1 facility is proposed to be on a residentially-zoned  
2 lot. That would be in the nature of a D1 use  
3 variance.

4 Also in the nature of a D variance, we  
5 would have a D6 for a height deviation more than  
6 10 feet or 10 percent. The maximum height permitted  
7 in the R3 zone is 35 feet and our application is  
8 currently at 100 feet but we have the caveat that,  
9 with an approval by this Board, the applicants are  
10 willing to reduce the tower and their center lines  
11 by 10 feet each.

12 Q. For comparison purposes, the temporary  
13 tower that's there now is at what?

14 A. 120 feet.

15 Q. So we are going 20 feet higher?

16 A. Yes.

17 We also have a variance for the  
18 minimum allowable setback from a residential zone  
19 and it's 100 feet that's required and 0 feet is  
20 proposed because the facility is located in a  
21 residential zone so thus, we have no setback from  
22 that zone.

23 We also do have a variance required  
24 for the minimum allowable distance to an accessory  
25 structure. In this case, it is to the rear yard,

1 where 50 feet is required and 17 feet is proposed.

2 Next one is minimum allowable distance  
3 to an accessory structure cellular tower. We are in  
4 the R3 zone and the minimum rear yard setback is 50  
5 feet and on that, 145 feet is proposed.

6 There is also a number of deviations  
7 related to the wireless telecommunications  
8 ordinance. Although those -- this is not a  
9 permitted location, your ordinance still contains a  
10 number of deviations from the proposed plan. Most  
11 of these are more of technical deviations because  
12 they are related to the size of the antenna. Both  
13 T-Mobile and Verizon do require relief for the  
14 length and width of their antennas.

15 First of all, every time an  
16 application comes before a Board, we have different  
17 size antennas because the technology is continually  
18 evolving and, basically, the antennas are changing  
19 every two or three years so you might have had an  
20 application two years ago where we were able to  
21 conform with the antennas because that's what the  
22 technology was at that time and four years ago, it  
23 might have been a variance again so that's why.  
24 Sometimes we have this situation where you have an  
25 ordinance. I don't mean to call that "arbitrary"

1 but the framers of the ordinance said, "Right now,  
2 this is our antenna size" and, you know, "that will  
3 be our standard in the ordinance" but the carrier  
4 doesn't have the option to go in the catalog and say  
5 "We want this one" when they are deploying the  
6 technology. They selected a vendor and we need to  
7 use the equipment that the vendor has available at  
8 the time. So for T-Mobile and Verizon Wireless, we  
9 have deviations. I won't go through all of them.  
10 It's length and width for all of the antennas.

11           The next deviation is the maximum  
12 allowable impervious. In this situation, we are  
13 reducing the impervious as a result of this  
14 application so we will be going from a coverage of  
15 49,083 feet down to 48,693 feet. While that is a  
16 large area, an acre of coverage, that does encompass  
17 everything -- that's the parking lot, it's the  
18 playground -- on a site that's 3.05 acres so a third  
19 of the site will be paved.

20           An approval here will require a  
21 removal of the condition from the prior resolution.  
22 In that case, the application was approved subject  
23 upon the removal of the temporary facility and a  
24 reforestation plan being in place. Obviously, we  
25 are not able to reforest the location once the

1 ballast is moved because we will still be in a  
2 telecommunications compound. We would need the  
3 conditions from the prior application removed.

4           We do have a deviation for maximum  
5 fence height. Our ordinance permits only up to 6  
6 feet and we have 8 feet proposed for this  
7 application. Certainly, this is a facility that,  
8 this time of year, when you travel through the site  
9 and along Shunpike, there's very little visibility  
10 into the compound. We feel the additional security  
11 is appropriate. Like the pumping station, the gas  
12 transmission station in the rear, we worry about  
13 people accessing the facility. The additional  
14 height of the fence would be appropriate.

15           I think the last one is the minimum  
16 setback distance to a structure. Verizon Wireless,  
17 their canopy has a rear yard setback of 18 feet  
18 where 50 is required. We have three deviations  
19 related to the rear yard property line they share  
20 with the gas transmission pumping station.

21           Did I get them all?

22           Q.       I think you did.

23           A.       Okay.

24           Q.       In terms of the relief that we are  
25 requesting --

1 MS. KNARICH: Did we miss one?

2 MR. BORSINGER: You said it was going  
3 down. Our engineering report says it's going up.  
4 It's dated February 22nd.

5 MS. KNARICH: What page?

6 MR. BORSINGER: 3, Number 9.

7 MS. KNARICH: Correct. 48,693 is  
8 existing and we are going up to 49,083 square feet  
9 proposed.

10 MR. BORSINGER: So this is incorrect?

11 MR. KRONK: Let me grab the plans  
12 here.

13 MS. KNARICH: On the plan, we show  
14 49,379 square feet. Is that what you have?

15 MR. BORSINGER: I'm looking at the  
16 engineering report.

17 MS. ROMANO: Yeah.

18 MS. KNARICH: I'm going off the latest  
19 plan.

20 MS. ROMANO: 48,693 is existing.

21 MS. KNARICH: 49,378 is existing but  
22 you have 48 on your last plan?

23 MR. BORSINGER: 48,693.

24 MS. KNARICH: We had last submitted --  
25 to make sure we are looking at the right plan, it

1 was dated Revision 2, 3/28/17.

2 MS. ROMANO: February 22nd.

3 MS. KNARICH: Maybe it was after the  
4 fact.

5 MR. KRONK: So we are both right then.

6 MS. KNARICH: Since the preparation of  
7 the Board engineer's report, we since submitted  
8 revised plans that indicate, for the record,  
9 existing 49,379 square feet and proposed 49,083  
10 square feet.

11 MS. ROMANO: That's revised in March?

12 MS. KNARICH: Correct, 3/28/2017.  
13 That was revised per the engineer's 2/22 report.

14 CHAIRMAN VIVONA: Just to be clear,  
15 for the public, that huge number includes the paved  
16 parking lot and everything else.

17 MS. KNARICH: The church, the  
18 building...

19 CHAIRMAN VIVONA: Your facility  
20 coverage is only, pretty much, minimal.

21 MR. RUSCHKE: What was the proposed?

22 MR. KRONK: 49,083 square feet so we  
23 have a 3-acre site paved, a little over an acre, but  
24 that includes the building, driveways, parking lot,  
25 that would be the access road to the transmission

1 facility and the existing temporary compound so a  
2 little over a third of the existing site but we are  
3 reducing it but there is a variance required because  
4 we are exceeding the maximum permitted in the R3  
5 zone.

6 MS. ROMANO: Wasn't there something  
7 about that there was going to be additional gravel  
8 put down? Wasn't there a wet section? Am I getting  
9 my applications mixed up?

10 MR. RUSCHKE: For stormwater control?

11 MS. ROMANO: I thought it was  
12 currently wet to begin with?

13 MR. RUSCHKE: We requested a toe  
14 drain. It would collect the water.

15 MR. KRONK: So it's not increasing  
16 your impervious. I shouldn't be testifying to  
17 engineering.

18 CHAIRMAN VIVONA: What is the maximum  
19 allowable coverage?

20 MR. KRONK: The maximum would be, in  
21 the R3 zone, 18,957 square feet.

22 MR. HYLAND: So the existing tower now  
23 is how tall?

24 MR. KRONK: 120.

25 MS. KNARICH: The temporary, you are

1 referring to?

2 MR. HYLAND: Right. And the proposed  
3 is...

4 MR. KRONK: We are conceding to 10  
5 feet as recommended by your expert so down to 140.

6 MS. KNARICH: Good?

7 CHAIRMAN VIVONA: Uh-huh.

8 MR. KRONK: So as we were just talking  
9 about, the original application was for a monopole  
10 at 150 feet. The applicant is willing to concede  
11 the 10 feet as recommended by the municipal expert.  
12 T-Mobile's original installation of nine antennas  
13 was proposed to a 146 center line so it would drop  
14 to a center line of 136. Verizon Wireless was at  
15 136 with 12 antennas, would drop to 126. So even at  
16 that height, there still would be space available  
17 for collocation on the tower and still clear the  
18 tree line.

19 The compound is proposed to be 50 by  
20 50 feet. T-Mobile has a 4-by-20-foot concrete slab  
21 and on that, they have three equipment cabinets.  
22 Verizon Wireless has a 10-by-20 platform with a  
23 canopy. On that canopy is where their cabinets and  
24 generator would be located.

25 MR. SHAW: I was looking at the prior

1 resolution for the temporary approval. It indicates  
2 it was approved for a height of 100 feet.

3 MR. KRONK: Okay.

4 MR. HYLAND: I think your introductory  
5 statement said 100 feet too.

6 MR. KRONK: I will modify that to 100  
7 feet then because I did that from memory and,  
8 obviously, not very well so from 100 to 140.

9 As the Board is aware, this is a use  
10 that is evaluated using the four-step Sica analysis.  
11 Under the Sica analysis, the Boards have given us  
12 direction to use that in a situation where we have a  
13 use that's not inherently beneficial but is the next  
14 step to it. That was the New Jersey Supreme Court  
15 in *Smart vs. The Borough of Fair Lawn* and first, we  
16 identify the public interest at stake and determine  
17 what detrimental effects would ensue from the grant  
18 of the variance and impose reasonable conditions to  
19 ameliorate the impacts of the application and  
20 perform a balancing test between the positive and  
21 the negative with the ameliorating conditions.

22 Under that Sica analysis, the first  
23 step is to identify the public interest at stake.  
24 In this case, we have two wireless  
25 telecommunications carriers, Verizon Wireless and

1 T-Mobile. Both are FCC licensed to provide wireless  
2 telecommunications services in this area.

3 We have two different applications in  
4 the fact that Verizon Wireless is not located in  
5 this area and based upon the testimony we had from  
6 the radio frequency engineer, they have both  
7 coverage and capacity deficiencies and those  
8 deficiencies would be ameliorated by them locating  
9 at the subject property and at the revised  
10 elevation.

11 T-Mobile is in a very different  
12 situation. They have actually been here for about  
13 20 years providing customers, both residents of the  
14 area as well as people driving through, the ability  
15 to use the T-Mobile network. When they originally  
16 installed on the PSE&G transmission tower 20 years  
17 ago, they were in front of the Board and asked for  
18 approval to install a facility based upon the fact  
19 that they didn't have coverage and their site would  
20 provide that coverage. The site was up there for 15  
21 years or so and the PSE&G replacement project  
22 started. They came back to this Board and said "We  
23 need to find a temporary facility because the  
24 transmission tower we are located on is coming  
25 down," with every intention in the world to put the

1 temporary facility up at the church property and  
2 relocate to the PSE&G towers when they were  
3 reconstructed.

4           As things change, we are here to  
5 slightly modify that. In either way, T-Mobile has  
6 been providing coverage from a transmission tower or  
7 from a temporary facility for 20 years. We are not  
8 looking to obtain additional coverage or modify the  
9 network. It is just really a way to continue the  
10 service to the area, both Chatham Borough and  
11 Township and the people who transverse this area.  
12 For those reasons, I certainly do believe we have  
13 two carriers that have a need at this location and  
14 by locating on this proposed permanent structure, it  
15 will be able to address their different RF needs at  
16 this facility.

17           The site is also suited from the fact  
18 we do have an unusual situation here.

19           (Exhibit A-14, aerial photograph, was  
20 marked for Identification.)

21           A.       This is the aerial dated October 11,  
22 2017. You see Cougar Field; the subject property,  
23 3.5-acre Gloria Dei Church, outlined by the PSE&G  
24 right of way and fronting on Shunpike.

25           What I think is unique about this

1 area, when you look at the dense, small-lot  
2 structure of this portion of the municipality, we do  
3 have a large, compiled residentially-zoned but not  
4 residentially-used cluster. We have the church at  
5 3.5 acres. We have the gas substation to the rear  
6 of the church at 3.4 acres. We have Cougar Field  
7 Complex at 29 acres and we have the PSE&G easement  
8 running from Shunpike down to the Chatham Borough  
9 line at another 8.7 acres so it's very rare to see  
10 that type of nonresidentially-used property compiled  
11 into a what otherwise is a dense residential area  
12 surrounding this property on all sides. So that's  
13 one of the things I think that is unique about it.

14           And as a result of the cluster of the  
15 large nonresidential lots, this also allows this  
16 facility to provide greater setbacks to the closest  
17 residences. Where some of the applications we do  
18 along the PSE&G towers that were 40 or 50 feet from  
19 the tower or the equipment compound to the rear  
20 property line, in this case, from the proposed tower  
21 location, which is highlighted as a red dot on the  
22 aerial photograph, Exhibit A-14, if we head  
23 south-southeast across the PSE&G right of way to the  
24 closest residence, that structure would be 420 feet  
25 away from the tower location and that is the closest

1 residence and then if we head to the southwest, the  
2 residential property that fronts on Shunpike  
3 adjacent to Gloria Dei, that is  
4 490 feet away.

5           So this is something that, as the  
6 Board is aware, we run into problems where we have  
7 much smaller setbacks, especially from the  
8 equipment, when we are on the edge of the PSE&G  
9 tower right of way towers. This large,  
10 nonresidential-use cluster does help provide much  
11 greater setbacks than we do find when we are  
12 locating these types of installations directly in  
13 the right of way corridor.

14           This site is particularly suited from  
15 the fact that we will be able to maintain  
16 collocation on the site. Even with the reduction in  
17 height, there would still be space on the tower.  
18 This would be above the tree line. We all know that  
19 AT&T has dropped off the application but at least  
20 there's still another licensed FCC carrier in the  
21 area who might be able to use this facility at some  
22 time and not just the tower but also the compound  
23 has been sized for collocation.

24           For those reasons, I believe the  
25 subject property is particularly suited for this use

1 and combined with the special reasons of the general  
2 welfare through enhanced telecommunications  
3 services, I believe we meet the positive criteria  
4 for the statutory grant of the D1, D6 use variances.

5 With regard to the negative criteria,  
6 the second step of the balancing test, what we have  
7 here is a benign commercial use. This is a use that  
8 has none of traditional impacts associated with land  
9 development. There is no noise, glare, odor,  
10 vibration, no noxious characteristics. There will  
11 be sound produced as a result of the generator  
12 running but this will be in complete compliance with  
13 all DEP and municipal standards for the -- that type  
14 of installation. This is an installation that does  
15 not require any municipal utilities, no water or  
16 sewer. It requires electric and telephone will be  
17 provided by the carriers from their service  
18 providers.

19 There's no impact on traffic. This is  
20 an installation that, once the structure is  
21 completed, there would be a technician visit for  
22 each carrier once every four to six weeks.  
23 Essentially the same thing that's happening now with  
24 T-Mobile and AT&T once every four to six weeks for a  
25 regular maintenance visit. There's no impact on

1 traffic or parking, as we do have designated spaces  
2 provided just outside the compound gate.

3 With regards to the negative impact,  
4 the largest impact associated with these types of  
5 facilities is the visual impact. That is why we end  
6 up doing so many balloon tests on these facilities.  
7 I did perform balloon tests on two different dates,  
8 November 1st of 2016 and April 22nd of this year.  
9 As a result, I have a series of photo exhibits.  
10 There was four in the package that was submitted to  
11 the Board. That was submitted on --

12 MR. SHAW: Could you mark them all?  
13 They are not on the Board's...

14 MR. KRONK: I do have the original  
15 package. There was four. I do have these four as  
16 they were in the package. I do have two additional  
17 boards from the April 22nd that I want to make sure  
18 they are looked at differently.

19 MS. KNARICH: Is it your preference to  
20 mark each one separately?

21 MR. KRONK: The first four were in  
22 your package before --

23 MR. SHAW: Mark them A-15A through D.

24 (Exhibits A-15A through A-15D, photo  
25 simulations, were marked for Identification.)

1           Q.       Before I have you go through these  
2 photographs and what the balloon test depicted, I  
3 want to confirm this was taken when the proposed  
4 pole was scheduled for 150?

5           A.       Yes.   These photos, both balloon  
6 tests, were performed at the height of 150 feet and  
7 these have not been modified per the anticipated  
8 condition of the Board so, basically, what I was  
9 going to say, I guess, if you visually look at the  
10 tower and look at the height of the second set of  
11 antennas, that's the proposed tower height now.  
12 That would be the best way to look at it.

13                    So the first one, A-15A, this is a  
14 view from 303 Shunpike with the existing conditions  
15 photo with the balloon on the left-hand side. On  
16 the right-hand side is the computer simulation and  
17 in that, the balloon has been removed and the tower  
18 was inserted at 150 feet so, basically, if you  
19 looked where the second set of antennas is, that is  
20 what you would anticipate the tower height to be if  
21 we dropped it 10 feet.

22                    Exhibit A-15B, this is the view from  
23 the intersection of Shunpike and Rose Terrace. This  
24 is a view that is 650 feet away from the tower with  
25 the balloon visible just above the house between the

1 transmission lines and then, if you follow that over  
2 to the right-hand side, once again, the same thing;  
3 the balloon has been removed. T-Mobile is on the  
4 top with nine antennas and then Verizon Wireless  
5 just below with twelve antennas.

6 Exhibit A-15C, this is the view from  
7 57 Barnsdale Avenue, a location that's 1150 feet  
8 away. The same thing with the balloon test November  
9 1st of 2016. The balloon is on the left-hand side  
10 of the house and then, on the right, the computer  
11 simulation with T-Mobile and Verizon Wireless on the  
12 tower at 150 feet.

13 A-15D, that is the view from the  
14 parking lot at Cougar Field, a location that's 500  
15 feet away from the November balloon test with the  
16 balloon visible between the two trees and then the  
17 computer simulation with the balloon removed and the  
18 antennas and tower at 150 feet are inserted.

19 DR. EISENSTEIN: Should I pass these  
20 to the public?

21 CHAIRMAN VIVONA: Yes.

22 MR. KRONK: As we move to the two  
23 boards, A-16A and A-16B, these were taken April 22nd  
24 at the public balloon test. Once again, the same  
25 procedure where the 3-foot-diameter balloon was

1 floated from the proposed tower location, I traveled  
2 the surrounding area and took photographs that were  
3 representative and found they are similar to the  
4 prior balloon test and photographs that were taken.

5           This location is 39 Edge Wood Road,  
6 1100 feet away. This did have a little more  
7 visibility from this location. That's why I did the  
8 computer simulation. As you can see, there's a  
9 bunch of branches around here that aren't fully  
10 leaved yet so I did have more visibility to do a  
11 simulation. That's what I have shown on the right.  
12 In the spring, there's some more visibility from  
13 this location.

14           The last one is from the view from  
15 Pine Street right where the PSE&G right of way  
16 crosses Pine 1300 feet away and this one just gives  
17 you a good shot of the PSE&G corridor with the new  
18 monopole tower on the right, the old lattice on the  
19 left and just off to the side of the right of way  
20 corridor, you see the balloon visible from this  
21 location and then, on the right, the computer  
22 simulation at 150 feet with T-Mobile and Verizon  
23 Wireless inserted in the photograph.

24           As we move to the third step of the  
25 Sica analysis for the Board to impose any reasonable

1 conditions to ameliorate the negative impacts of  
2 this application, we discussed a number of those:  
3 The reduction of the height, the relocation of the  
4 gas line from the westerly property over to the  
5 easterly side.

6                   With regard to the concealment  
7 options, I think it's pretty much as discussed  
8 before. The flagpoles are not becoming practical  
9 for any of the carriers. The antennas are getting  
10 bigger. Even if the face of them hasn't changed,  
11 they are getting deeper. The flagpoles are getting  
12 oversized and very difficult to get into a flagpole  
13 without making it so big that it doesn't look like a  
14 flagpole anymore and some are embarking on projects  
15 to eliminate the older poles and taking those sites  
16 down. That's no longer an option from T-Mobile's  
17 perspective in this situation and, you know, with  
18 regard to the trees, I certainly do agree with Dr.  
19 Eisenstein. You know, the technology and design of  
20 the concealment trees has gotten better. I still  
21 think the tree adds a lot more mass to the area but,  
22 you know, the Board -- if the Board thinks that's a  
23 reasonable condition, we certainly can do it but I  
24 think the Board has seen them. While they have  
25 gotten better, they haven't gotten that realistic-

1 looking yet.

2           In this situation, I don't think  
3 there's that much visibility of the tower that it  
4 screams out that we need concealment. This is an  
5 excellent location. As you can see from the balloon  
6 test, the visibility blends in with the other  
7 transmission towers and monopole structures in the  
8 right of way so this isn't screaming out as a  
9 location, from my perspective -- I wasn't  
10 uncomfortable presenting a monopole structure here.  
11 I thought it blended in and was well concealed. If  
12 the Board feels differently, we will address that  
13 under the third step of the Sica analysis.

14           For the fourth step of the analysis,  
15 that is where we perform the balancing test between  
16 the positive aspects of this application, adding in  
17 those ameliorating conditions, and determining, on  
18 balance, whether the Board can grant the variance  
19 without a substantial detriment to the public good.

20           We have two FCC-licensed providers of  
21 telecommunication services who promote the general  
22 welfare through enhanced telecommunications service.  
23 We are balancing that out against the negative  
24 impact of what comes down to visibility. When we  
25 perform that balancing test, the standard is not

1 whether or not the site is visible. We all know the  
2 site is visible. The standard is whether or not, on  
3 balance, the visual impact outweighs the promotion  
4 of the general welfare enough to make it a  
5 substantial detriment and this is certainly an  
6 application that I do not believe would rise to the  
7 level of a substantial detriment. Visible? Yes.  
8 From some locations. Visibility, from a negative  
9 aspect, high enough or close enough to people to  
10 rise to the level of a substantial detriment?  
11 Absolutely not. So I do believe the Board can grant  
12 this variance without any substantial detriment to  
13 the public good.

14 I do believe this is an application  
15 that will not impair the intent and purpose of your  
16 zone plan. We are in a location where we do abut  
17 two utilities, one, a utility property at over about  
18 4 acres and then a utility corridor running from  
19 Shunpike down to the Chatham Borough line, a total  
20 of 8 acres. The utility use is clearly established  
21 in the location and wireless telecommunications is a  
22 utility use no different than your water or sewer or  
23 gas or electric. We don't just put our utilities in  
24 industrial areas and say that we are not going to  
25 have those in residential areas. That's why we have

1 utility corridors running right through residential  
2 areas to bring the gas and electric utilities to  
3 residential areas. That's the same impact that this  
4 application is; it's a utility use. We are adjacent  
5 to two utility properties. We are bringing a  
6 service to the residential area and it certainly is  
7 compatible with the utility uses in this large,  
8 nonresidential -- residentially-zoned nonresidential  
9 use, 44.65-acre cluster of lots.

10 I do believe the Board can grant this  
11 variance without a substantial impairment to the  
12 zone plan. Once again, it's not just the idea  
13 putting this in a residential zone. We do believe  
14 we have a better solution here. In the fact that we  
15 have this large, nonresidential cluster, we are  
16 afforded the ability to provide the setbacks where  
17 the closest residential structure is 420 feet on the  
18 other side of the PSE&G right of way so that's the  
19 difference between what we have here and what the  
20 situation that we had run into on the PSE&G -- using  
21 the PSE&G tower.

22 MS. ROMANO: How is that distance  
23 measured? Is it from the base of the proposed  
24 monopole to the property line of the residents?

25 MR. KRONK: To the residential

1 structure. It's the proposed -- yes. I used -- the  
2 lot lines are on here graphically so they are not  
3 surveyed so where I'm able to pick on the corner of  
4 a house much more accurately, I wouldn't want to use  
5 that lot line so that's how it is so in both  
6 situations, it's the proposed tower to the  
7 residential structure.

8 MS. ROMANO: The base of the tower?

9 MR. KRONK: The base of the proposed  
10 tower to the residential structure. If that's 420  
11 -- I don't want to guess. The rear property line  
12 would be less and then up to the property on  
13 Shunpike adjacent to the church, you are 490 to the  
14 corner to the residential structure there.

15 MS. ROMANO: About the generator, I  
16 want to clarify that only makes a sound if it is  
17 turned on due to an emergency, not something that's  
18 constantly running.

19 MR. KRONK: It's only providing  
20 emergency service. There is an electric service for  
21 both carriers here. There is an exercise period.

22 MS. ROMANO: That's the visits. You  
23 did say there's four to six weeks between visits. I  
24 thought the generator service would have to come  
25 once a week and turn it on.

1                   MR. KRONK: They are serviced  
2 remotely. They push a button to start it. It's  
3 about a half hour during the week during the middle  
4 of the day once a week. The Board can set the  
5 hours.

6                   Do you have a home generator?

7                   MS. ROMANO: Yes.

8                   MR. KRONK: Does yours go on  
9 automatically to test itself?

10                  MS. ROMANO: No.

11                  MR. KRONK: Some home ones do. This  
12 would be just like a home unit.

13                  MS. ROMANO: I think someone comes out  
14 once a year to test it.

15                  MR. KRONK: This would be the same  
16 type of thing. This would be tested automatically  
17 during the day hours and can be set by the Board.

18                  MS. KNARICH: I believe they requested  
19 it to be during business hours, 9:00 to 5:00.

20                  MR. SHAW: Yes.

21                  MR. KRONK: That's why it's important  
22 it's during the day. That's when it would be in  
23 complete compliance with DEP and all the municipal  
24 standards.

25                  MS. ROMANO: So the only time someone

1 is visiting is to do the service once every four to  
2 six weeks, not on the generator. I'm thinking  
3 about, physically, cars going in and out of that  
4 area.

5 MR. KRONK: Like I said, it's the same  
6 that's occurring now where T-Mobile and AT&T are  
7 there so there's two carriers there and they have a  
8 service once every four to six weeks. Even if we  
9 switch AT&T with Verizon Wireless, the schedule  
10 stays the same. There's no additional impact as a  
11 result of this application over what has currently  
12 been going on for the last four years.

13 MS. ROMANO: That's during the week,  
14 I'm assuming, when they come?

15 MR. KRONK: During regular business  
16 hours. The only time somebody would be out there  
17 after would be on an emergency basis; otherwise, the  
18 regular service is during business hours.

19 BY MS. KNARICH:

20 Q. I have one other question for you. You  
21 reviewed the March 27, 2017 planner's report?

22 A. Yes.

23 Q. Most of your testimony covered what was  
24 requested by the Board planner to address the  
25 positive and negative criteria. After reviewing it,

1 you take no exception to any of the comments?

2 A. As long as I addressed them, I take no  
3 exception. Yes, I agree with all the comments.

4 MS. KNARICH: I don't have any further  
5 questions.

6 CHAIRMAN VIVONA: Any further  
7 questions?

8 Can you spell and define "ameliorate"?

9 (Laughter)

10 MR. KRONK: I use Spellcheck.

11 CHAIRMAN VIVONA: Some of these might  
12 not be for you. The antenna size, the variance, I  
13 think that the difference is inches?

14 MR. KRONK: Yes. It basically -- the  
15 other thing I meant to say about that is, at that  
16 height, you really wouldn't notice the difference.  
17 If you looked at the photo simulations, they are  
18 done accurately to show the different size. Did you  
19 notice any one sticking out any further?

20 CHAIRMAN VIVONA: Just one.

21 (Laughter)

22 MR. KRONK: At that elevation, you  
23 lose the ability to differentiate those few inches  
24 in terms of the length and width.

25 CHAIRMAN VIVONA: I want to let people

1 know it's not going to be going from a 3-foot to an  
2 8-foot. It's going from a 3-foot to a 3-foot-6-  
3 inch, basically.

4 MR. KRONK: Uh-huh.

5 CHAIRMAN VIVONA: You mentioned  
6 something about coloring. If we don't do the  
7 camouflage, the coloring, it's going to be a  
8 galvanized pole, correct?

9 MR. KRONK: Correct. Unfortunately, I  
10 do believe it blends in well with the steel-gray  
11 skies of New Jersey. We have more gray days in New  
12 Jersey than blue-sky days. That's why the monopoles  
13 that are blue in Florida are terrific but here, we  
14 have predominantly gray skies and the attempts at  
15 trying to match the trees or match the sky just  
16 don't seem to really work as well as the galvanized  
17 pole.

18 CHAIRMAN VIVONA: Okay. What we have  
19 done on other applications is colored the cables.

20 MR. SHAW: They are interior, aren't  
21 they?

22 MR. KRONK: Yes, they are. They are  
23 in the interior.

24 CHAIRMAN VIVONA: You mentioned the  
25 fence and it was, in the prior testimony, the fence

1 would be 8 feet with the lattice inside. I guess  
2 the lattice would be brown or green?

3 MR. KRONK: Correct.

4 CHAIRMAN VIVONA: We used brown in the  
5 other enclosures for others.

6 MS. KNARICH: You mean dark or lighter  
7 brown?

8 CHAIRMAN VIVONA: Lighter and it  
9 blends in fairly well, especially since it's in the  
10 woods. We would go with the lighter brown.

11 The lighting, there's only going to be  
12 emergency lighting on a timer facing down, no  
13 spotlights or anything, no motion detector. The  
14 light would be turned on by a timer when a  
15 technician is needed there on an emergency basis.  
16 They will not go out there at night for any  
17 servicing.

18 MR. KRONK: Correct.

19 CHAIRMAN VIVONA: Generator, you went  
20 to 20 KW from a 10.

21 MR. KRONK: Yes.

22 CHAIRMAN VIVONA: The generators, for  
23 the public, are basically silent. They have lots of  
24 muffling devices and sound attenuation. They  
25 wouldn't be loud. If you listen around your

1 neighborhoods on a Sunday morning, most home  
2 generators are set up to run their cycle for half an  
3 hour Sunday mornings and, basically, you hear a hum.  
4 They are self-start. They run a diagnostic and shut  
5 off.

6 MS. KNARICH: We would be required to  
7 comply with the noise standards.

8 MR. KRONK: Verizon does comply with  
9 the DEP standards. If there is an air quality issue  
10 put out by the DEP that day, they will cancel all of  
11 their tests that day. They don't even run the  
12 testing on air-quality issue days.

13 CHAIRMAN VIVONA: Okay.

14 On the temporary tower, there are  
15 satellite dishes for temporary...

16 MR. KRONK: Yes, a temporary microwave  
17 link on those current installations.

18 CHAIRMAN VIVONA: When this tower goes  
19 up, if it goes up, it will also have temporary  
20 satellite dishes on it until the following...

21 MR. KRONK: For a period of  
22 approximately six months, yes, until the fiber is  
23 able to be brought in. Lead times on fiber have  
24 just gone up exponentially with the demand for it  
25 so, pretty much, all applications now are coming in

1 with requests for temporary fiber backhaul until  
2 fiber is brought in and then they will be removed.  
3 That's six months from the start of construction.

4 CHAIRMAN VIVONA: The time for  
5 construction will vary due to the weather. How long  
6 would to take start to finish on average?

7 MR. KRONK: With the foundation,  
8 that's our lead time with the cure test on it so  
9 probably 8 weeks would be a reasonable guess.

10 CHAIRMAN VIVONA: This type of  
11 construction, obviously, you will have a crane for a  
12 short while but most of it is cement trucks coming  
13 in, ground equipment coming in. There's not eight  
14 weeks of...

15 MR. KRONK: There's not much ground  
16 leveling required since there's an existing compound  
17 and then a couple days for the concrete. A crane  
18 will be there for a couple days to stack the tower  
19 and put in the antennas on the tower and then it's  
20 mostly ground work after that so it's only a short  
21 period of having the larger equipment there. Much  
22 less time than you would have large equipment on a  
23 residential home installation.

24 CHAIRMAN VIVONA: When they put the  
25 power lines up, it's amazing how fast that part

1 went.

2 MR. KRONK: Yeah.

3 CHAIRMAN VIVONA: The antennas  
4 themselves, since the pole is going to stay  
5 galvanized, the antennas will be painted a light  
6 color so they don't have a big black tick up in the  
7 sky?

8 MR. KRONK: Certainly.

9 CHAIRMAN VIVONA: Generally, what has  
10 been the best look? Is a light gray or sky blue?

11 MR. KRONK: A lot of times, they come  
12 with the light gray. The manufacturers switch to a  
13 whiter or grayer. I believe the grayer are better.  
14 We can condition it, if they are not gray, the  
15 antennas will be painted gray.

16 CHAIRMAN VIVONA: Okay.

17 Getting back to the camo on the tower,  
18 personally, I mean, we will have a discussion about  
19 it. I think it would be less noticeable just to  
20 have a tower because it's significantly higher than  
21 the tree line and the -- it's going to look like a  
22 pine tree but a very dark-colored pine tree. I  
23 think it would stick out more -- like you said  
24 before, more mass as far as the beauty you might get  
25 out of it. I think it would fade away and into the

1 sky better without having that but we will discuss  
2 that with the public who is going to live near it.  
3 For the most part, you know what it is. It catches  
4 your eye because it's something different and being  
5 we have all the other poles there now, it might  
6 blend in better without having a chachki on top of  
7 it.

8 MR. KRONK: That's part of why I took  
9 that additional sim from Pine to show you how you  
10 see a monopole next to the utility corridor and it  
11 does not jump out at you. It looks like the utility  
12 corridor.

13 CHAIRMAN VIVONA: I think that's all I  
14 have. I think we covered everything else. I'm  
15 really interested in the propane as opposed to the  
16 gas. I know a lot of neighbors are concerned about  
17 gas, even though every house has gas. You get a  
18 500-gallon tank, it will last five years so you  
19 don't have to have constant servicing of that and  
20 propane burns clean so that's all I got.

21 Anybody else?

22 MR. BORSINGER: On the tower, the  
23 Verizon Wireless antennas versus the T-Mobile  
24 antenna has a wider base to it and takes up more  
25 space. Is that typical? Is there any ability to

1 make the two antennas' bases the same size so one  
2 doesn't stick out more than the other?

3 MR. KRONK: Well, Verizon has 12 and  
4 T-Mobile has 9.

5 MR. BORSINGER: There's no variation  
6 other than what's there?

7 MR. KRONK: I would have to defer to  
8 the RF person.

9 DR. EISENSTEIN: I think T-Mobile does  
10 not use as many frequencies as Verizon so they can  
11 use fewer antennas.

12 MR. BORSINGER: It's sticking out  
13 twice as much as the other one.

14 MR. KRONK: I think the question was  
15 whether there was the ability to put the Verizon  
16 antennas in any tighter on this.

17 MR. BORSINGER: Is there another  
18 configuration that's being used that's tighter, less  
19 spacious?

20 MR. KRONK: It's more related to how  
21 far apart the antennas have to be. If they have the  
22 12 antennas, there has to be a certain spacing  
23 between the antennas. That is where the variable  
24 comes in.

25 DR. EISENSTEIN: Is your engineer

1 here?

2 MS. KNARICH: Yes.

3 DR. EISENSTEIN: Why don't we ask him  
4 if we could use a T-mount or something else that  
5 brings it in closer for Verizon Wireless.

6 Could you use an 18-inch mount for the  
7 Verizon Wireless antennas? It looks like you have  
8 something like that for the T-Mobile antennas. I'm  
9 looking at SP2 on your...

10 MS. KNARICH: He's been previously  
11 sworn for the record.

12 MR. COTTRELL: I think the problem is  
13 each antenna requires a certain separation and then,  
14 the elevations view, you are only seeing one sector.  
15 When you put them in, the other two sectors, that  
16 would be an issue.

17 DR. EISENSTEIN: Do you have a  
18 vertical view looking down on the antennas?

19 MR. COTTRELL: I don't think that  
20 would help here.

21 DR. EISENSTEIN: When you are at a  
22 certain radius from the pole, when you space your 12  
23 antennas out, they each need that space or don't. I  
24 can't tell from the drawings whether they could pull  
25 it in another couple inches. You are not going to

1 get a big difference.

2 MR. BORSINGER: They don't stagger  
3 them to pull them in?

4 DR. EISENSTEIN: No. You can't do  
5 that. They want them at a consistent level so that  
6 they have that radiation level as a consistent  
7 level. They want them all together; otherwise, the  
8 antennas would be out of phase with one another and  
9 then they sectorize them but putting them around the  
10 pole in the right order.

11 MR. SHAW: How much would it reduce  
12 the circumference if they could do something?

13 DR. EISENSTEIN: The question would be  
14 -- I can't tell this because we don't have a drawing  
15 that shows this. At the distance they have it out  
16 from the pole, there's a certain circumference  
17 around there. I assume the antennas are evenly  
18 spaced. If they brought it in, you would you have a  
19 smaller circumference. That would bring the  
20 antennas together. I can tell you are not going to  
21 make a big difference.

22 MR. SHAW: What I'm trying to get  
23 at...

24 DR. EISENSTEIN: Do you know what the  
25 distance is right now that the antennas stick out

1 from the pole? We are talking about the Verizon  
2 Wireless antennas.

3 MR. COTTRELL: I don't know, off the  
4 top of my head.

5 DR. EISENSTEIN: Don't they usually  
6 have a detail? I usually remember seeing that on  
7 here.

8 MR. COTTRELL: SP2, on the area plan  
9 view, we show T-Mobile's antenna layout but not  
10 Verizon's. Usually, there's four antennas. Verizon  
11 would use a 10- or 12-foot platform, triangular  
12 platform, so it's probably about 6 feet on either  
13 side of the center of the pole.

14 DR. EISENSTEIN: Are they mounting the  
15 antennas -- this shows what looks to me like are a  
16 bar mount.

17 MR. COTTRELL: T-Mobile uses the  
18 T-arms.

19 DR. EISENSTEIN: Verizon would have a  
20 platform?

21 MR. COTTRELL: The triangular platform  
22 that is about 11 feet, 12 feet, 6 feet on each side  
23 of the center of the pole.

24 DR. EISENSTEIN: They can't pull them  
25 in. They are not using that kind of mount where they

1 are on poles away from the antenna. They are  
2 building a platform and putting them on a triangular  
3 platform in a ring around the platform.

4 If they could, let me ask you this,  
5 for the 12 antennas, can you do what you called a  
6 "T-bar mount"?

7 MR. COTTRELL: I'm trying to think, if  
8 we have done that before, if you can get a T-arm  
9 mount with four mounts. I don't think you can. I'm  
10 not saying you can't.

11 DR. EISENSTEIN: I think Mr. Feehan  
12 might have a comment.

13 MR. FIORE: The Verizon is four  
14 antennas spaced 4 or 5 feet each. The reason  
15 there's space is because, if you start to brick them  
16 close together, they have frequencies that can  
17 create interference and means the frequencies are  
18 mixing together and get out of one antenna and go  
19 into another one so that's the reason they are  
20 spaced 4 feet apart. Bringing them together would  
21 risk interference between themselves.

22 DR. EISENSTEIN: Close enough.

23 One of the things they get by spacing  
24 the antennas out is you get spatial diversity, which  
25 enables them to detect weaker signals better. By

1 making use of the fact that the antennas are further  
2 apart, they can take the strongest signal that's  
3 coming in. If you put them too close together, you  
4 lose that advantage and then they require another  
5 tower somewhere because they don't get as much  
6 coverage.

7 MR. BORSINGER: Okay. Thank you.

8 MR. SHAW: With the reservation that  
9 your firm hasn't had an opportunity to fully review  
10 the stormwater management report that came in so you  
11 are going to reserve any further...

12 MR. RUSCHKE: We started to look at  
13 it.

14 I have some questions on here.

15 MS. KNARICH: I'll bring him up.

16 MR. SHAW: Why don't we finish with  
17 this witness.

18 CHAIRMAN VIVONA: If anyone else on  
19 the Board has any questions for Mr. Kronk, we will  
20 open it up for Mr. Kronk's testimony from anyone in  
21 the public. This is just questions, no statements  
22 about his testimony.

23 MR. SHAW: After they complete the  
24 rest of their case, the public can have an  
25 opportunity to make any comments as to this matter

1 in addition to whatever questions you might want to  
2 make of Mr. Kronk.

3 (No response)

4 CHAIRMAN VIVONA: None heard.

5 So we will bring your engineer back.

6 MS. KNARICH: Sure.

7 CHAIRMAN VIVONA: You are here to  
8 ameliorate any other concerns that we have?

9 (Laughter)

10 MS. KNARICH: You prepared this report  
11 we will be reviewing with the Board engineer?

12 MR. COTTRELL: Yes. I did.

13 MR. RUSCHKE: I reviewed the  
14 stormwater stuff that you submitted and I had some  
15 concerns. The proposed development land use, it  
16 looks like you underestimated some of the gravel  
17 quantities and so that would change the numbers. I  
18 did some calculations on that.

19 MS. KNARICH: On what page?

20 MR. RUSCHKE: There's a spreadsheet  
21 towards the rear, the runoff calculations. The  
22 gravel for the proposed development, we estimated  
23 3,596 instead of your 2,257 and also, the wooded  
24 area, you have 2339. I estimated about 1,000 more  
25 square feet to that so instead of .68 I come up with

1 .74 so that would increase your volume required.  
2 Instead of 46, I'm guessing -- I came up -- not  
3 guessing. I'm estimating 5.8 for the two-year and  
4 7.56 for the ten-year.

5 MR. COTTRELL: We will look at that.

6 MR. RUSCHKE: I didn't estimate the  
7 hundred-year.

8 With that being said, another issue  
9 with the soil erosion sediment control application,  
10 you should be looking at the two-year and ten-year  
11 reduction, the 50 percent for the two-year and 25  
12 percent for the ten-year. When I looked at your  
13 volume, I took the percentage off from the existing  
14 or pre-developed volumes and with my new estimates  
15 for the proposed, I come up with about 500 cubic  
16 feet that would be required from your previous  
17 estimate of 400 so in considering the storage in the  
18 gravel compound, you have 280 cubic feet of volume  
19 there. That's fine. Your trench was estimated at  
20 120. With the revised number, you would probably  
21 need about 220 there.

22 MR. COTTRELL: We can probably  
23 increase the width of the trench or the depth or a  
24 combination of both to make up that difference.

25 MR. RUSCHKE: Another issue I have,

1 looking at the trench, you have it around the entire  
2 perimeter. Since the site seems to be sloping in  
3 one direction here, I thought maybe this would be  
4 better to have the trench on the downstream side.

5 MR. COTTRELL: On the northeast side?

6 MR. RUSCHKE: Yeah.

7 MR. COTTRELL: Just on one side?

8 MR. RUSCHKE: If you go 50 feet the  
9 length of that downstream side there, come out 5-1/2  
10 or 6 feet and maybe a 2-foot depth, you will get  
11 your volume with that with the stones.

12 MR. COTTRELL: Okay. We have no  
13 problem with that.

14 MR. RUSCHKE: We would be happy with  
15 that.

16 MR. SHAW: So you will submit them  
17 subject to the approval of the township engineer.

18 MS. KNARICH: If necessary, the  
19 engineers can coordinate anything further required  
20 for the stormwater.

21 MR. RUSCHKE: I think, if he provides  
22 a trench with those similar dimensions, we are okay  
23 with the stormwater.

24 CHAIRMAN VIVONA: So you are good?

25 MR. RUSCHKE: Yes.

1                   CHAIRMAN VIVONA: Anything else for  
2 Mr. Cottrell?

3                   (No response)

4                   CHAIRMAN VIVONA: Okay.  
5                   Would you like to close?

6                   MS. KNARICH: I would like the  
7 opportunity to summarize after the public.

8                   CHAIRMAN VIVONA: At this point, you  
9 can ask any other questions you have or make any  
10 statements you have, just state your name and  
11 address.

12                   MR. WELZ: Robert Welz, 310 Shunpike  
13 Road. As per the map, you can see it's to the left.  
14 I think I'm the closest house. I'm right next to  
15 the church but whatever.

16                   Before I go on, I want to clarify  
17 something, that I want to clear the air with the  
18 church. We have no issues with the church. They  
19 have been great neighbors to us. We appreciate how  
20 they maintain the property. We have a great  
21 relationship. Our children go over there for the  
22 week-long bible camp during the summer. We like the  
23 church. We are very pleased with them being our  
24 neighbors.

25                   Also, I'd like to commend the Pine

1 Street residents on how they approached the issue of  
2 the cell tower being placed on the monopole that's  
3 already there. I think they did a great job,  
4 brought up a lot of issues, important issues.  
5 Unfortunately, I think they dropped the ball and I  
6 think the Board will see this, as it's a no-  
7 brainier, when I explain all the issues that the  
8 Pine Street residents had are intensified when it  
9 comes to this lot.

10           You know, issues with concerns with  
11 health risks. You know, 50 percent of people say it  
12 does not cause cancer; 50 say it does. 60 years  
13 ago, they said cigarettes didn't cause cancer. I  
14 want to be sure this isn't going to harm my family.  
15 You know, there were concerns about children walking  
16 past the Pine Street location. There was an  
17 estimate, I think, of 25 kids a day or whatever it  
18 was. Those kids are walking past that location and  
19 continue down to Cougar Field where they spend  
20 hours, hours. You know, their families are there.  
21 They are there all the time.

22           You know, there were things, as  
23 observed -- I read terrorist attacks. Now, you are  
24 talking about, instead of putting an 8-1/2-foot  
25 extension on a pole that's already there, you are

1 talking about putting it behind a church that has a  
2 nursery school next to the Board of Education  
3 property where Board of Education locker rooms are,  
4 facilities are at, you know, so all these concerns  
5 were for Pine Street and I think our concerns are  
6 even elaborated further with what you're proposing  
7 here today.

8           Vandalism, last year, a police officer  
9 knocked on our door and asked if we witnessed  
10 anything over the last couple days because copper  
11 wire was stolen from the temporary facility that's  
12 now becoming a permanent facility. There's kids  
13 there at Cougar Field there all night long. Where's  
14 the security in this? I feel like this is just  
15 going to be another problem that I have to deal  
16 with. In the middle of the night when I get home  
17 from work, sometimes I see cars pulling up and  
18 dumping garbage in the church dumpster. There's  
19 zero security back there.

20           You know, so you are going to put this  
21 thing in the woods behind the church. You know, the  
22 church should really think about what they are  
23 proposing here. They have little kids running  
24 around and they want a cell tower? I mean, it just  
25 does not seem right. A church, that's a sacred

1 place. They should be held to a higher standard  
2 because they are preaching this higher standard and  
3 they should be neighborly. We don't want it. We  
4 are asking the church to say no. They make the  
5 ultimate decision. They have little kids there all  
6 day long. How do they feel comfortable about doing  
7 this?

8           Last year, you know, there was another  
9 concern that the families weren't notified on Pine  
10 Street. Well, last year, there was a School Board  
11 referendum passed of 15 million. I think 2 million  
12 were allocated to the Cougar Field property, which  
13 includes a cinder track to be installed, so the  
14 families on Pine Street weren't notified. There's  
15 4,000 people that voted in the referendum. Were  
16 they notified that their money might not go as far  
17 now? The value of that property is going to be --  
18 possibly be drained? You know, the aesthetics of  
19 the property are going to be destroyed.

20           You know, the engineer was talking  
21 about there would be no traffic impact. You drive  
22 down the road; you see a 150-foot tower. You are  
23 like "Holy cow" looking at that thing. You take  
24 your eyes off the road. It can cause accidents. I  
25 mean, so if the Board saw that there was an issue on

1 Pine Street, I don't understand how they can't see  
2 the issue here. It's tenfold.

3           You know, when we came to Chatham --  
4 me and my wife, we have three kids. We came to  
5 Chatham and we were like "We want to buy a home."  
6 We found this place. It's like in a remote  
7 location. We paid for that remote location. It's  
8 in the middle of everything. It's surrounded by so  
9 much stuff but, like our neighbors, Ron and Trish  
10 and us, we feel like it's a little paradise that we  
11 are by ourselves right there and we are happy there.  
12 We did not buy our house next to power lines. We  
13 are directly next to power lines. We did not do  
14 that. You know, that's not our fault that other  
15 people did that. I'm getting mad about this because  
16 it's upsetting.

17           We work hard for this property, our  
18 home, and we don't want to see it destroyed by, you  
19 know, these people, these billion-dollar companies  
20 coming in here and building this tower and taking  
21 advantage of the situation. Like the church, I  
22 guess they need the money, the income, which is sad,  
23 you know? I want them to be prosperous and I think  
24 they -- I pay taxes. I believe the church does not  
25 pay taxes. You know, I want to see them succeed

1 too. I want them to be -- you know, have the money  
2 to maintain their church, you know, but where does  
3 it stop? Next week, are they going to have a  
4 billboard -- apply for a billboard that says "Enjoy  
5 Coca-Cola" to make more money? Where does it stop?

6 I'm not being ridiculous. This is  
7 ridiculous. You are asking for 15 variances that  
8 are absurd. You are talking about -- 35 feet is the  
9 standard. You are talking 150 feet, a skyscraper in  
10 the middle of our paradise, and it's one of the best  
11 assets. It's a Board of Education property, you  
12 know? How much -- that's worth a lot to the town,  
13 you know? We're talking about, like, paint and  
14 things. You are not going to cover this up at all.  
15 It's going to be an eyesore. All of the things that  
16 Pine Street said, I'm saying is tenfold here in this  
17 location so --

18 You know, there was a reason it was  
19 going to be on Pine Street, because there was a  
20 structure there already. You are talking about  
21 starting from scratch in this location so I'm  
22 assuming Pine Street was the optimal spot for  
23 coverage. You know, this gentleman said something  
24 about overlap. I'm not a scientist, obviously. If  
25 you -- I'm assuming the signal goes out in a circle.

1 If you move it a quarter mile down the road, you are  
2 going to have overlap somewhere. Am I wrong to say  
3 that? You know, we have the doctor over here who,  
4 obviously, would be able to answer that.

5 Also, I have concerns of the Wetlands.  
6 There's Wetlands right there. Has this been looked  
7 into? I mean, the gentleman back here, their  
8 witness, last week was saying he couldn't build a  
9 gas line on the one side of the property because  
10 it's Wetlands. Was this all looked into? Because  
11 he said "We will put it on this side. It shouldn't  
12 be an issue." It didn't sound like it was looked  
13 into properly. When I read in the Chatham bylaws  
14 about Wetlands, it said the majority of Wetlands in  
15 Chatham require a 150-foot buffer from the Wetlands  
16 property. I don't know; has this all been looked  
17 into?

18 You know, I really hope you guys can  
19 see my point and you could tell, my voice is  
20 cracking. I'm getting upset about this. This is  
21 bothering us a lot. We have little children. We  
22 don't tell them about this because they will be  
23 upset. They are not going to want to play outside.  
24 It's a deterrent to our quality of life. You know,  
25 I would really appreciate and really hope that you

1 guys could take this into consideration. This is  
2 going to really affect our lives.

3 Thank you.

4 MR. CORELLA: Ron Corella, 312  
5 Shunpike Road.

6 I am Rob's neighbor. I feel the same  
7 way. I feel these towers with the school there and  
8 all, I agree with Rob 100 percent. Nobody knows  
9 about these things. We only find out by cancer  
10 clusters in the future. That's how we find out  
11 about everything that is done like this, in the  
12 future. So I hope I have another 15, 20 years. I  
13 don't really want that tower behind my house. I  
14 don't want to subject my wife and my grandchildren,  
15 which come over all the time, to that tower.

16 And the other thing is, we worked our  
17 whole lives for that house. I put a lot of money  
18 into my house and Rob and I have both brought up  
19 that whole area. We have flowers everywhere. We  
20 made it beautiful. Okay? We spent a lot of money.  
21 I can't get that money back out of that house with  
22 this tower back there. Somebody is going to go by  
23 and say, "Look, it's a cancer tower" or something  
24 like that. There goes everything I ever worked for.  
25 300,000 that I put into this house is going to go

1 right out the window. Why? Because some church  
2 needs money.

3           The other thing, seriously, okay, is  
4 that I don't think it's fair. Just because we  
5 aren't 1,000 strong and we don't have all these  
6 signatures, we have needs. We are aging; my wife  
7 and I are aging. I can't go out and make this money  
8 over again. I'm subject to a place that I don't  
9 want to live in anymore. I mean, it wasn't bad  
10 enough on Shunpike Road. It wasn't bad enough we  
11 have the tower and the gravel in the parking lot  
12 that, every time a car goes in and out, there are  
13 all these crazy noises. It happens all night. The  
14 police go back there and do what they can do. Do we  
15 need a tower on top of this that's going to hum loud  
16 at night or whenever the generator is going on?

17           We don't need this. We didn't pay for  
18 this. We didn't buy this when we bought the house.  
19 We bought a beautiful little house that needed some  
20 work and we fixed it. We put all our savings into  
21 it thinking, someday, we would retire with the money  
22 from that house. Basically, who is going to buy a  
23 house with a tower behind it? Nobody.

24           The other thing I'm thinking is, why  
25 do we need such a sophisticated tower that shoots up

1 into the air 140 feet? Why? We have all these  
2 little towers that were working well. It's really  
3 ludicrous. It's ludicrous to have such a commercial  
4 tower in a residential section, a commercial tower.  
5 I mean, it's like putting a paint distilling company  
6 back there having this giant tower back there. It's  
7 disgusting. You have seen it in the pictures. It's  
8 ugly. I have to wake up to this every morning and  
9 see this lousy tower so a church could make some  
10 money and so the people can talk on their phones,  
11 when, before, these people talked on their phones.

12 I have Verizon. I never have a  
13 problem with my phone. It's ridiculous. That  
14 tower, you could take 25 feet and add it to that  
15 tower and take 25 feet and add it to the tower by  
16 the town pool or the Colonial Pool and just connect  
17 them that way. By adding the extra height to those  
18 two towers, you could eliminate putting this factory  
19 of horror in our backyards.

20 And thank you very much for listening  
21 to me. I appreciate it. I'm very upset over this.

22 MS. MARKWELL: Sonya Markwell, 77  
23 Woodland Road. I am right here on this map, right  
24 behind the church.

25 MS. KNARICH: Is your property on that

1 Google Earth map?

2 MS. MARKWELL: No, it's not.

3 I am sorry. I know you are very  
4 hurtful [sic] by what's going on. In life, you need  
5 electric and water. People need cell phones.

6 MR. CORELLA: I'm saying you don't  
7 need a factory tower there.

8 MS. MARKWELL: Gloria Dei is my  
9 church. That offends me that you are saying the  
10 church is a money grabber.

11 MR. CORELLA: Look at the energy power  
12 thing, the cell tower that you --

13 MR. SHAW: Your conversation should be  
14 to the Board, not to someone in the public.

15 MS. MARKWELL: Gloria Dei is my  
16 church. Yes, there's going to be a tower, like it  
17 or not, somewhere behind anybody's house at some  
18 point in time because the community is growing; the  
19 population is growing. There's a need to be  
20 connected. You want water, electric, a phone. It's  
21 going to happen. You don't want to buy a half-  
22 million-dollar house and right beside you, you have  
23 electric or power or cable or whatever happens,  
24 beside or behind your backyard but my point is, by  
25 offending a church by what they are doing, Gloria

1 Dei has a place where it can be posted there and  
2 yes, it's high and people are going to see. You  
3 will see the towers anywhere every time you drive.  
4 To me, it's there. I'm right behind from the  
5 church. Across from the power line, there's the  
6 train. It makes noise.

7           The statistic, there's no proof that  
8 towers with the electric cables cause cancer.  
9 People say, last week, coffee causes cancer and wine  
10 causes cancer. It's not about what causes it; it's  
11 just a matter of luck. You don't want it the way it  
12 looks beside your house because maybe you are going  
13 to lose 100,000 or maybe you are going to lose  
14 20,000 but blaming the church, the church is here.  
15 It's a money grab? That's not the point. The  
16 church has a place there and it's open to this  
17 community.

18           The connection here -- I have Verizon  
19 -- the connection is very poor. You don't have a  
20 connection in many of the locations here. I love my  
21 church. My kids go there. A lot of kids go to that  
22 church and there's going to be so many more  
23 generations.

24           We don't know; there's so many  
25 compounds that make cancer. I work for a medical

1 group. I can tell you about all different types of  
2 people -- of cancer of people I do every day but you  
3 pointed to one thing. It's not realistic what is  
4 going on here. My point of view is: I don't see  
5 nothing wrong with the tower going there. That's my  
6 point.

7 Thank you.

8 MR. CORELLA: The reason she doesn't  
9 see anything wrong with this is because she's not  
10 looked at it. We are looking at it every day.

11 Thank you.

12 MS. CORELLA: Patricia Corella, 312  
13 Shunpike Road.

14 We are not the only ones worried about  
15 this. I don't know if you saw CBS News but in  
16 Little Silver, New Jersey, they are having a fit  
17 because there's one of these. I'm not going to say  
18 it's this kind of tower because I don't know and  
19 Public Service, PSE&G, in Long Island put up some  
20 new tower so the people in Long Island are having a  
21 big fit. It's not just us who are worried but it  
22 seems like, as of this morning, there's a lot of  
23 people who are concerned about these kinds of  
24 towers.

25 MR. CORELLA: I don't see why, again,

1 we need such a commercial tower, one giant  
2 commercial tower, put in one location when, all  
3 these years, we have been operating the way we have.  
4 I don't see why. To put it all in one spot with the  
5 high-tension towers and everything else, what are we  
6 doing? What are we doing? All the kids that are  
7 there, what are we doing?

8 Thank you.

9 MS. WELZ: Rachel Welz, 310 Shunpike  
10 Road.

11 I think it's just a concern, I guess,  
12 for everybody in the community. You know, when a  
13 cell phone tower is going to go up next to their  
14 house, nobody wants it. So to me, it seems like  
15 everybody -- I shouldn't say "everybody." It seems,  
16 in this situation, do we want to just keep passing  
17 it up? "I don't want it next to my house. Maybe we  
18 can put it in this neighborhood or over here?"

19 When the person was explaining the  
20 church and the field and how it's unique in the  
21 sense that it's not as densely populated, well, I  
22 mean, there's kids at preschool playing every day.  
23 There's kids at Cougar Field every day. If certain  
24 people in certain neighborhoods are concerned about  
25 a cell phone tower going next to their homes and

1 they do not want it, we have the same concern. We  
2 feel the same way. It's not, you know, any  
3 different going next to our house.

4 I also was pretty surprised by the  
5 pictures with the balloon and then, you know, the  
6 simulated tower as to how high it is. There was one  
7 picture on Edgewood Road where you could see the  
8 tower and that was surprising to me that it's, you  
9 know, that large. So just, visually, I think, you  
10 know, for Chatham's sake, I don't think it's good.  
11 I don't think anybody in the community wants it.  
12 Think about your homes where you live. How would  
13 you feel? Nobody wants it; nobody does so that is  
14 it.

15 MR. CORELLA: Sir, why don't they put  
16 more little towers or add the 25 feet or the 25 feet  
17 to make the cross-section over the ridge that is on  
18 Pine Street? Why couldn't they do that instead of  
19 putting this gigantic, horrible monster in our  
20 backyards and on our football fields? Why? Is  
21 there a reason?

22 CHAIRMAN VIVONA: You can answer.

23 DR. EISENSTEIN: From my point of  
24 view, I haven't seen plans that would indicate they  
25 could or could not do that. What we have in front

1 of us is a proposal. The applicant has put forward  
2 what I consider to be satisfactory evidence that  
3 they need this site and that the proposal will fill  
4 their needs. Are there other ways of doing it? Of  
5 course. There's probably an infinite number of ways  
6 of doing it but my understanding is, when you have  
7 an application before a Zoning Board, the Zoning  
8 Board has to dispense with the application that's  
9 there and they can't send the applicant out,  
10 essentially, on a wild goose chase looking for other  
11 sites unless there's some preferred reason the other  
12 site would be better. I have sat through these  
13 hearings and heard the evidence. I have not heard  
14 anyone propose an alternate site that was tested and  
15 would be satisfactory.

16 MR. CORELLA: I say, leave the tower  
17 that's there and add 25 feet to it.

18 DR. EISENSTEIN: I have not looked at  
19 that. My understanding is, what's there is a  
20 temporary tower and a general temporary tower would  
21 not have the foundation or the base or the  
22 structural integrity to have something added to it.  
23 That would be my understanding. I haven't seen that  
24 and I'm not a structural engineer. I'm an  
25 electrical engineer.

1 MR. CORELLA: Wouldn't it be more  
2 economical to do it the way I suggested and spread  
3 it out evenly? Does this have to be a place where  
4 we are selling space on a tower so we can go up to  
5 the moon with this thing? Seriously, we are people  
6 too. We are human. We worked all our lives for  
7 what we have and I don't want to lose it on a tower.

8 DR. EISENSTEIN: Can I respond to some  
9 of the other comments that were made, the health  
10 comments?

11 MR. SHAW: Sure.

12 DR. EISENSTEIN: Let me try as best I  
13 can. I'm not on their side and I'm not on your  
14 side; I'm sorry to say. My role here is to serve as  
15 an expert witness to make sure what's being  
16 presented is accurate.

17 MR. CORELLA: I think you are very  
18 fair too.

19 DR. EISENSTEIN: I hope so. Let me  
20 try to answer your concerns.

21 I heard a lot about health concerns.  
22 Before we go too far into this, Mr. Shaw will advise  
23 the Board they are not permitted to consider that at  
24 all. The Congress and the FCC have ruled out any  
25 consideration of Boards of any environmental effects

1 due to the radiation from the cell tower. This was  
2 not done casually. This was done after the FCC  
3 conducted literally tens of thousands of tests.

4 I know, to the public, cell phone  
5 technology seems new but cell phone technology, the  
6 microwaves, the waves that are coming out of these  
7 towers, have been around since the earth was  
8 created. The light you are getting from the sun is  
9 a form of electromagnetic radiation. As we are  
10 sitting here today, there's a Wi-Fi in this building  
11 and I assume you have it at home?

12 MR. CORELLA: Of course.

13 DR. EISENSTEIN: You are getting 10 to  
14 100 times more power in your home from that Wi-Fi at  
15 the same frequencies that these cell phones operate  
16 at, the same signal, the same everything that would  
17 come from that tower. As a matter of fact, the  
18 amount of power coming from the cell phone tower --  
19 you have heard numbers like -95 dBm -- to put that  
20 in perspective, that is a hundred billionth of a  
21 milliwatt of power. A milliwatt is a thousandth of  
22 a watt. That's a level of power that, not too many  
23 years ago, I was teaching my students would be too  
24 small to use. It would not be a usable  
25 communication signal. It's really an infinitesimal

1 amount of power that is coming out of there. The  
2 only reason it's usable for cell phones is because  
3 the devices are such sophisticated computers that  
4 they are able to process the information and get an  
5 intelligible signal out of it. If you are going to  
6 worry about power and I don't but if you were, I  
7 would worry about the AM and FM stations not too far  
8 from here.

9 I live in a high part in the suburb of  
10 Philadelphia. I have, less than a quarter of a mile  
11 from me, a thousand-foot tower, the former Channel  
12 17. It puts out 100,000 watts. Here, we are  
13 talking about billionths of a milliwatt and this is  
14 putting out hundreds of thousands of watts. The  
15 television, radio stations have been around since  
16 the 1920s, you know.

17 Let me go to another thing about all  
18 these stories about the cancers and everything else.  
19 I have traveled, literally, around the world and  
20 observed cell systems all over the place. If you go  
21 to a densely-populated city like Hong Kong, you will  
22 find not only cell towers on apartment buildings but  
23 every third floor of the building on the outside of  
24 the building, every school, every factory, every  
25 office, is just dense with cell phones. Go to

1 Singapore right now. The largest most densely-used  
2 area for cell phones is Israel and most of the  
3 people are carrying two or three phones, not just  
4 one, and they have sites all over the place. If  
5 there were any effects --

6           And by the way, I should add, Asia and  
7 the Middle East were way ahead of the United States  
8 in cell phone deployment. The United States was  
9 very slow taking up cell phones because our early  
10 cell phones were mobile phones you had in your car.  
11 They were car phones and then you had the bag  
12 phones, the portable version. In Asia, for example,  
13 I'll use Hong Kong, they had the phones for  
14 pedestrians from day one; that meant in the mid-  
15 1980s. For 30-some years, they have been walking  
16 around with cell sites everywhere. If there were  
17 any effect whatsoever, you would see them dropping  
18 like flies in Hong Kong, in Singapore, in Paris, in  
19 Tel Aviv. I mean, these are places that have much  
20 more denser cell phones than anything we are talking  
21 about here.

22           You are talking about cell phone sites  
23 that are putting out small amounts of power at very  
24 large distances from residents. They mount them  
25 right on the house and the schools, right in the

1 classroom. Right up there, there would be a site.  
2 You know, from my point of view, I do not see any  
3 effects whatsoever. I know the amount is so small  
4 and I once did an analogy. I won't bore you by  
5 going through this again. I took, for example, the  
6 smoking of cigarettes, a pack a day, which everyone  
7 knows is harmful. The equivalent of the cell phone  
8 signal would be like taking one puff of a cigarette  
9 70 years ago. That would be the scale down for the  
10 power we are looking at, one puff 70 years ago, and,  
11 you know, if you think that's going to be harmful,  
12 well, you know, we are getting second- and third-  
13 hand smoke that is worse than that.

14           The other thing, in your house, you  
15 have Wi-Fi. You have a refrigerator. A  
16 refrigerator puts out more power than this tower in  
17 the range that we are talking about.

18           You have a phone on you, I assume?

19           MR. CORELLA: Yes. I do.

20           DR. EISENSTEIN: That's probably 1,000  
21 times more power than you would see from the tower  
22 where you are living, just the phone you are  
23 carrying on you. So I mean, I hear your concern and  
24 understand it. I hear them all the time but I have  
25 to tell you, from my point of view, I dismiss them

1 and I will also tell you that, legally, the Board is  
2 not allowed to consider them so it's a moot point.

3 MR. WELZ: Pine Street brought up all  
4 these concerns, right? They stated all these  
5 concerns, one being health. They were worried about  
6 health concerns. Nobody was worried about health  
7 concerns on Pine Street? Okay. I believe that was  
8 one of the concerns.

9 DR. EISENSTEIN: I don't know anything  
10 about Pine Street. I just found it on the map.

11 MR. WELZ: I wasn't looking for an  
12 explanation of health. I was just stating that Pine  
13 Street had concerns and I think our concerns are  
14 more valid. I don't see how they brought up the  
15 issues with the kids walking by, the kids end up  
16 here. This is where they end up every day and they  
17 will sit there with their families every day.

18 They brought up the issues of  
19 vandalism. Like I said, the cops knocked on our  
20 door saying "Did you happen to see anybody back  
21 here? A large amount of copper wire was stolen back  
22 here." You know, all these issues apply to me. I'm  
23 not talking about anything else except, if you said  
24 it shouldn't go on a tower that was there already,  
25 adding 8-1/2 feet, that's all that was happening on

1 the tower on Pine Street -- I'm sorry. That is the  
2 way I'm interpreting it. I don't want it on Pine  
3 Street either but I'm saying, you Board members  
4 denied it on Pine Street so how could you possibly  
5 think going and building a 150- foot structure from  
6 scratch in a Board of Education area, residential  
7 area, could possibly be any more of a better idea?  
8 This is not a solution. This only elaborates the  
9 problem. This is not where it was supposed to be.  
10 I don't think this is -- you are talking about  
11 starting from scratch with a tower. You had an  
12 existing tower that you could have used and put 8  
13 foot of an extension on the top so why are you are  
14 going to start from scratch in my back yard?

15 Trust me. Like I said, I have respect  
16 for the church and the Pine Street people. I want  
17 to reiterate that. I don't want hard feelings from  
18 anybody. It's not personal but I'm getting a little  
19 offended because it feels like, as soon as it was  
20 said "It's not going to be in my back yard," they  
21 are like, "Good." Now, it's in my backyard, you  
22 know.

23 So again, I'm reiterating: It was  
24 denied on Pine Street for these certain reasons. I  
25 think my reasons are this much higher; they are even

1 more.

2 MR. CORELLA: 150 feet.

3 MR. WELZ: That's my point tonight.

4 Thank you.

5 MS. KNARICH: If I can just say one  
6 thing. I know we have been referencing Pine Street.  
7 This application is for Shunpike Road. I want to  
8 make it clear, for the record, that we do want to  
9 focus as the record is clearly for this application  
10 only. Any reference to Pine Street, obviously, is  
11 public comment. They have a right to speak. I want  
12 the Board to be cognizant that, any reference to  
13 Pine Street, I don't see how it plays into this  
14 application here.

15 MS. CORELLA: Maybe it would be  
16 Chatham then because it's any street anywhere we  
17 live, the neighborhood we are in in Chatham, and  
18 this is how most of the residents are going to feel  
19 when it comes next to their home. Maybe we  
20 shouldn't refer to any street, just Chatham in  
21 general. Nobody is going to want it. Nobody is;  
22 nobody is.

23 MR. DANENBERG: Brian Danenberg, 68  
24 Westminster.

25 I'm the former financial secretary of

1 Gloria Dei. I want to correct two things that you  
2 have been incorrectly informed. We lost our tax-  
3 exempt status for the portion of the property that  
4 the cell tower contains so we do pay property taxes  
5 every year to the lady across the hall. The idea  
6 that there's no taxation going on is incorrect.

7           The second is this isn't a money grab  
8 for us. We are not a poor congregation. The amount  
9 that we contribute in outreach to the larger  
10 community is almost exactly what our rent income is  
11 from the existing cell tower. We donate right down  
12 the hall to the senior center, the senior bus  
13 service, the EMS, the fire department. At the  
14 county level, we donate to the food pantry and at  
15 the state level, we donate to a homeless shelter.  
16 We donate at the national and international level.  
17 The thought that we are grabbing money here just  
18 isn't accurate. Every dollar coming in is going out  
19 in outreach.

20           If the tower -- if these antennas  
21 would go to a New Jersey American Water Tower or a  
22 PSE&G tower, these rent checks would be going to a  
23 P.O. Box in Omaha and not coming here so keep that  
24 in mind.

25           MR. WELZ: I emphasized that quite a

1 bit. I don't blame the church. I understand you do  
2 a lot for the community. We respect the church. I  
3 said I appreciate the way you maintain the property  
4 and we enjoy your church. We enjoy that. I'm  
5 saying that over and over again. It's not -- we are  
6 not saying anything personal to your church. Start  
7 from the center out maybe. Like, I'm your neighbor.  
8 You could talk to me. Come over to my house. Say,  
9 "Hey, we are going to do this to give money to  
10 Morristown Shelter." I might say -- I'm going to  
11 say no. I'm sorry about the people in Morristown.  
12 I need to worry about my family next door to you.  
13 Start from the center out maybe.

14 MR. DANENBERG: I don't want to repeat  
15 anything he said but another personal attack was a  
16 lack of concern for child safety and the safety of  
17 the children in the daycare. We did the due  
18 diligence that he talked about. There's one part  
19 where we are trying to be good neighbors but there's  
20 another part where there's lack of due diligence on  
21 our part and financial motivation. None of that is  
22 true and everything that you said, we already backed  
23 into.

24 MR. WELZ: Then, why do you need it?

25 CHAIRMAN VIVONA: Guys, we can't have

1 an argument here.

2 MR. WELZ: Then, I'm talking to you.  
3 He said something about his due diligence. What is  
4 the gain? What do you need a tower for? What do  
5 you need the tower for? What is that? It makes no  
6 sense to me. You are saying "It's not going to harm  
7 the children; we don't need the money; we are doing  
8 financially fine; we are giving all this money  
9 away." Then don't put the tower there. You don't  
10 need it.

11 CHAIRMAN VIVONA: Okay. When the  
12 licenses are given out, the wireless companies have  
13 got to provide coverage; is that correct?

14 DR. EISENSTEIN: They are given -- let  
15 me back off a little. When the wireless companies  
16 -- they are not given these licenses. They pay for  
17 the bandwidth. As a matter of fact, there's a  
18 recent auction, like 10 billion dollars, for a  
19 couple of tiny slices of bandwidth. The amount of  
20 money involved in their purchase is quite high. An  
21 investment for a company like Verizon or T-Mobile is  
22 enormous.

23 What the FCC does not want to have  
24 happen is what's come to be called "cyber  
25 squatting." They don't want the companies to buy up

1 spectrum and not use it so each company, every year,  
2 has to put forward a development plan for what they  
3 are doing to cover their business area, the area  
4 they have. If they fail to -- if the FCC doesn't  
5 approve of their development plan over some period  
6 of time, they could be warned and lose their  
7 license. It's not going to happen in one year or  
8 because of this application but they have to have a  
9 plan.

10                   What the plan is, if you step back and  
11 look at the big picture for the plan, the plan is  
12 that they want to have every square mile of the  
13 United States of America covered with wireless  
14 service. That's the big picture plan. That goes  
15 all the way from Chatham, New Jersey to the baron  
16 areas of Nevada and Wyoming. They want every single  
17 part covered, at some point, across the United  
18 States. There would be what the Congress has  
19 dictated to be a seamless and ubiquitous cell phone  
20 service, wireless service.

21                   They are in the process now of  
22 discussing the rollout of the fifth generation of  
23 cell phones. It will probably not come until 2020  
24 or maybe '21 but that's going to be an enormous  
25 enhancement from what's here now, a lot more

1 broadband capability than what we have now so you  
2 are not going to be able to stop the system. The  
3 companies have to keep growing their coverage areas  
4 and they're in now, unfortunately, and I understand  
5 this, the resident's point of view --

6 All the easy stuff has been done, the  
7 sites along the New Jersey Turnpike, 287, Garden  
8 State Parkway, they were easy. Sites in  
9 Philadelphia, where I live, were easy. Sites in  
10 Manhattan were easy. They have plenty of places to  
11 put the cell sites. You don't get this kind of  
12 thing. After they have gotten all the easy ones  
13 done, particularly, in this part of New Jersey, they  
14 are moving into more densely-populated suburban,  
15 rural areas so we are seeing more of the  
16 applications there. That's going to keep going.  
17 It's going to keep going because the companies have  
18 to maintain their development plan or the FCC will  
19 crack down on them.

20 MR. KOSTROWSKI: Paul Kostrowski, I  
21 was raised at 271 Shunpike Road. I was married at  
22 the church 40 years ago. I was the Building  
23 Chairman. We went through 11 years of design. I  
24 was before the Board many times when they built the  
25 sanctuary; that was 21 years ago.

1                   I take offense that you think we are  
2 out there to get the money. We were approached by  
3 the cell company.

4                   MR. SHAW: Please address the Board.

5                   MR. KOSTROWSKI: We did not go out and  
6 look for somebody to rent the property. They came  
7 to us and said "Yours is a perfect spot, in the  
8 woods, away from everyone. Would you be interested  
9 in leasing us the land?" Go back 23 years ago.  
10 PSE&G called our pastor and said "We need a gas  
11 substation in the Chatham area. You are right on  
12 the Transco pipeline. Would you be interested in  
13 selling?" We own seven and a half acres. We own  
14 from Shunpike to Woodland and I was a Building  
15 Chairman back then. They said "We would be  
16 interested in purchasing your back lot because you  
17 are right off the high-pressure gas line and we  
18 would put the pressure reduction station back there.  
19 No one would ever know it's there." So I met with  
20 Bob Fitzsimmons from PSE&G, who is a member of our  
21 church, and we talked it through and we sold the  
22 property to them. That is what built our sanctuary.  
23 PSE&G paid for half our sanctuary so we sold that  
24 property to PSE&G. We didn't go out there and sell  
25 the property; same thing, PSE&G approached us. It's

1 like the divine intervention. We need the money and  
2 PSE&G calls me.

3 T-Mobile, I think it's five years ago  
4 that they approached and I was on the Church  
5 Council, the Board of the church, and they  
6 approached us. I met with them. We had a committee  
7 in our church which decided to lease the property to  
8 them. We are not out there -- we are not money  
9 hungry.

10 MR. WELZ: I did not say that. You  
11 looked at me five times. This is the last time  
12 because it's ridiculous.

13 MR. DANENBERG: The statements were  
14 that we are out here soliciting. They feel that  
15 this is an ideal spot and, you know, as Brian said,  
16 our outreach is huge and we have a very vibrant  
17 congregation.

18 I'm also property chairman of the  
19 church and we are cleaning up our property. We have  
20 a workday every spring and we do a lot of lawn  
21 maintenance and cleaning so we have a very active  
22 church in the community and churches are the  
23 foundation of the family.

24 MR. WELZ: I'm right next door. Start  
25 at our home. I am telling you, I need your help for

1 my family. Is that laughing?

2 CHAIRMAN VIVONA: It's got to be to  
3 us. If you want to have your conversation outside,  
4 you can have it outside.

5 MR. WELZ: What I'm saying, if a  
6 garbage dump company approached me and said "Can I  
7 put a dump in your backyard," I would say no. You  
8 are telling me you do not need the money. I don't  
9 understand, then, why do you need a cell tower?

10 CHAIRMAN VIVONA: All right. We  
11 covered all this.

12 MS. CORELLA: I want to say one last  
13 thing. Not once did we say the church was going out  
14 soliciting for money for the cell tower. We did say  
15 that we feel that they are gaining financially from  
16 it. If getting rent is not -- that is basically  
17 what we are saying. That's the positive to them  
18 having this tower. Okay? We never said they were  
19 money hungry. Those words never left our mouths.  
20 Okay? We never said they do not care about  
21 children. We said there are other residents in our  
22 town and other towns who are concerned about their  
23 children when they have a cell tower next to them.  
24 Why is that not an issue in this spot? That is what  
25 we are saying.

1 MR. SHAW: I think Dr. Eisenstein  
2 addressed the health aspect.

3 MS. CORELLA: I'm saying, people argue  
4 and people in our town have argued that. Okay? So  
5 that is part of our argument as well so it's why is  
6 that not -- if it's a concern for some people having  
7 it next to their home, why wouldn't it be a concern  
8 for us? We never said that the church doesn't care  
9 about children. Never once did we say that. Okay?  
10 I just have to clarify that for everybody.

11 CHAIRMAN VIVONA: Okay.

12 Any other statements?

13 (No response)

14 CHAIRMAN VIVONA: Okay. You can go on  
15 to your summary.

16 MS. KNARICH: Thank you, Chairman.

17 Just to reel us back into what we are  
18 here for with respect to the proposed tower for the  
19 co-applicants, Verizon Wireless and T-Mobile, I'll  
20 briefly summarize. I know it's getting late.

21 The applicant presented testimony from  
22 an engineer with respect to the location of the  
23 proposed tower along with the distances to the  
24 adjoining properties. We provided testimony from a  
25 radio frequency engineer as to the need for coverage

1 for both applicants and we provided testimony from  
2 our radio frequency compliance engineer as to  
3 compliance with the state and federal regulations.  
4 We provided planning testimony that the applicant  
5 satisfies the positive and negative criteria and  
6 that the benefits outweigh the detriments, including  
7 any visual impact.

8 We appreciate the concerns from the  
9 public. I would ask the Board to focus on what it  
10 is permitted to focus on. As your esteemed wireless  
11 consultant described, this would be the  
12 Telecommunications Act and FCC.

13 This isn't a situation where the  
14 applicant is proposing a brand new tower. We are  
15 proposing this new tower in a location where there's  
16 already an existing temporary tower within an  
17 existing utility corridor where the closest  
18 residential structure is at 452 feet.

19 The applicant submits that this site  
20 is particularly suited for the proposed use. We  
21 respectfully submit that the applicant has met its  
22 burden of proof as to the positive and negative  
23 criteria. In light of the testimony provided and  
24 the demonstration of the requisite criteria having  
25 been met, we respectfully ask the Board to act

1 favorably on the application for the granting of a  
2 use variance on this application and other related  
3 variance relief for the installation of what is  
4 proposed, 140-foot permanent cell tower at the  
5 approximate location of what was an existing 100-  
6 foot temporary tower.

7                   There will be a total of nine antennas  
8 for T-Mobile at a height of 136 and twelve for  
9 Verizon Wireless at 126 along with other parking  
10 area as well as installation of several wireless  
11 equipment compound.

12                   I believe -- I don't know if you want  
13 to go through any conditions. There are certain  
14 conditions that were addressed that I can touch  
15 upon.

16                   MR. SHAW: If you want to, we can  
17 double-check it.

18                   MS. KNARICH: The first is the  
19 reduction in height from 150 to 140. We have the  
20 relocation of the gas line for the proposed  
21 generator and that would be what was initially  
22 proposed in the plans dated December 2016. That  
23 would be subject to DEP review. In the event that  
24 the DEP is not favorable to that location, the  
25 applicant would also consider a propane generator

1 that would be placed within the compound itself.

2 We discussed camouflaging. I know  
3 there was some back and forth with the Board with  
4 respect to that. That's something, I think, is  
5 still open to discussion. I don't know how the  
6 Board feels about that in terms of coloring and  
7 branches and so forth.

8 Also, the fencing for the proposed  
9 compound to be -- with respect to the lattice.

10 That's all I have.

11 MR. SHAW: The hours of the operation  
12 for the generator testing, 9:00 to 5:00, regular  
13 business hours, Monday through Friday.

14 CHAIRMAN VIVONA: Coloration of the  
15 antennas.

16 MR. SHAW: I think that's one of the  
17 things we talked about.

18 MS. KNARICH: We can talk about it  
19 together as to what you would like in terms of the  
20 color.

21 MR. SHAW: Just to clarify in terms of  
22 the 140-foot height, is it possible to do the third  
23 collocation without increasing the height?

24 MS. KNARICH: I believe the testimony  
25 was that you would have to go up but it would be

1 part of the Collocation Act. Again, that would be a  
2 separate application by another carrier.

3 MR. SHAW: Right.

4 Also, modification of the drainage,  
5 right?

6 MS. KNARICH: I consider that a  
7 general condition. If you want to make that more  
8 specific...

9 MR. SHAW: Subject to revised  
10 drainage, per the discussion, with the township  
11 engineer's approval.

12 CHAIRMAN VIVONA: At this point, the  
13 Board members can chime in on any other conditions.  
14 We discussed camouflage and colorations.

15 MR. HYLAND: I want to revisit the  
16 third-party collocation. A big part of the  
17 advantage of this site seems to be the potential to  
18 get a number of providers in there. Can we or  
19 whoever is responsible for that part of the  
20 testimony, can we revisit whether there's a  
21 potential for a third party to get in there with an  
22 extension of the tower? Can we discuss that again?  
23 I would like to make sure I know what the options  
24 are.

25 DR. EISENSTEIN: I'll help you out.

1 Usually, what I advise when they are putting up a  
2 tower, I advise them to build the foundation and the  
3 lower part of the tower so it could sustain the  
4 extra height, if necessary. That way, if another  
5 provider comes in, they -- you don't have to build a  
6 new tower for them. You can put them on. It's  
7 possible that the new provider could fit under at  
8 the 116 height. It's possible that they might want  
9 to increase it but I almost -- always advise the  
10 Board to ask the applicant to build the foundation  
11 and the lower part of the tower to accommodate extra  
12 height, if necessary.

13 MR. WILLIAMS: The plans, didn't you  
14 say this was constructed so it would take a third  
15 carrier?

16 MS. KNARICH: Yeah. The compound is  
17 equipped to have a third carrier.

18 MR. HYLAND: Can you come up? I have  
19 a few questions, given our esteemed expert.

20 It must be flattery every time you  
21 come out.

22 DR. EISENSTEIN: Yeah. I love this.

23 MR. HYLAND: Is everything he said  
24 about the foundation and the strength of the pole in  
25 your plan?

1 MR. COTTRELL: Yes. So --

2 MR. HYLAND: If a third party wanted  
3 to show up and use this down the road, where would  
4 they go?

5 MR. COTTRELL: That depends on the  
6 carrier and what height they require. I don't know  
7 that.

8 MR. HYLAND: What options would they  
9 have?

10 MR. COTTRELL: Go 10 feet below  
11 Verizon Wireless or 10 feet above T-Mobile.

12 MR. HYLAND: So 10 feet below at 116.  
13 The pole is there. If they want to go 10 feet  
14 above, they are 136.

15 DR. EISENSTEIN: 146.

16 MR. HYLAND: How do they get to 146?  
17 Do they put a 10-foot extension on top of the pole?

18 MR. COTTRELL: Assuming this gets  
19 approved, T-Mobile orders the pole. They will ask  
20 the manufacturer to design the pole so the  
21 foundation is assuming a carrier at that 146 level  
22 so it will be designed to accommodate the future  
23 extension.

24 MR. HYLAND: That seems to me, in  
25 terms of my vote, to be a big positive for this

1 site, the fact that we can consolidate a number of  
2 potential providers in one place.

3 MS. ROMANO: The reason we are  
4 lowering it to 10 feet now is because we don't have  
5 a third so why have the height if we don't have the  
6 third but it's still built to have them.

7 MR. SHAW: And it's possible the third  
8 can go lower.

9 MS. KNARICH: It will depend on their  
10 radio frequency and what they require in terms of  
11 height.

12 CHAIRMAN VIVONA: Right now, you are  
13 at 140 feet. You are 6 foot shorter than the power  
14 poles.

15 MS. KNARICH: Correct.

16 CHAIRMAN VIVONA: They are 143 or 146.

17 MS. KNARICH: 146.

18 CHAIRMAN VIVONA: Plus, when you go on  
19 top of the tower pole, you are on top so you are  
20 146-plus.

21 MS. ROMANO: Okay. So this is lower  
22 than if someone went on the power lines?

23 MS. KNARICH: We are lower because we  
24 can still provide the coverage proposed at 150 at  
25 140 so we take no exception to the lowering of the

1 pole at the request of the Board and the Board's  
2 consultant.

3 CHAIRMAN VIVONA: Okay.

4 The next question is: Tree-like or  
5 stealth-like? Any opinions?

6 MR. HYLAND: I go stealth.

7 MR. WESTON: I go stealth.

8 CHAIRMAN VIVONA: I think the trees  
9 would look like a big black spot, personally.

10 MR. WILLIAMS: Yes. The ones I have  
11 seen don't look good.

12 CHAIRMAN VIVONA: The ones I have seen  
13 are not as tall.

14 MR. WILLIAMS: If they are not that  
15 much taller than the tree line, they are not that  
16 bad.

17 CHAIRMAN VIVONA: The next thing would  
18 be --

19 MR. SHAW: Is there a consensus as to  
20 whether or not you want to have it stealth or have  
21 it as it is? Stealth is doing some sort of tree.

22 CHAIRMAN VIVONA: I'm sorry. That's  
23 camo. Stealth is blending in.

24 MR. SHAW: I guess it's one's  
25 perspective.

1                   CHAIRMAN VIVONA: Camo would be tree-  
2 like. I don't think that would fit.

3                   MR. HYLAND: I like the plain pole.

4                   CHAIRMAN VIVONA: So it looks like a  
5 plain pole.

6                   MS. KNARICH: Do you want to poll the  
7 Board so you have it on the record?

8                   MR. WESTON: Stealth.

9                   MR. HYLAND: Stealth.

10                  MR. NEWMAN: Stealth.

11                  MS. ROMANO: Stealth.

12                  MR. WILLIAMS: Stealth.

13                  MR. BORSINGER: Stealth.

14                  CHAIRMAN VIVONA: Wire will be on the  
15 inside and not seen and make sure that the antennas  
16 would be not black, hidden as possible. I guess the  
17 framework would be galvanized too.

18                  MR. SHAW: You are talking about gray  
19 or gray painted?

20                  MS. KNARICH: To blend into the  
21 natural atmosphere.

22                  CHAIRMAN VIVONA: I think that's it.

23                  MR. SHAW: I think, you know, what  
24 would need to be done is, if there's nothing further  
25 to be addressed, someone should make a motion

1 incorporating all the conditions we indicated.

2 MR. WESTON: Is the propane an issue?

3 CHAIRMAN VIVONA: Right now, it's to  
4 be determined. If DEP does not grant --

5 MR. SHAW: What I would intend to do  
6 is put in a condition that the gas line would be  
7 used provided the applicant is able to obtain DEP  
8 approval in what they deem to be a reasonable time.  
9 If they are not, they would proceed with a propane  
10 tank to be installed within the compound.

11 MS. KNARICH: Yeah. Again --

12 MR. SHAW: You might very well -- the  
13 DEP --

14 MS. KNARICH: Yeah. It's going to  
15 depend on the DEP review but our real concern is we  
16 don't want -- because DEP does take a turnaround  
17 time that is long, we want to have the opportunity  
18 to proceed with the installation of the wireless  
19 facility itself. It's just the generator that is  
20 using the gas line. It has no impact with the  
21 antennas, the compound or pole or anything else that  
22 would be constructed.

23 MR. SHAW: So you might go forward  
24 with construction before the generator is hooked up?

25 MR. JENKINS: Yes. Absolutely.

1 MR. HYLAND: Did we get extra  
2 screening for one of the neighbors on one of these  
3 sites, extra trees or something? Did we make that a  
4 contingency for someone that was going on the pole  
5 in the PSE&G corridor?

6 MR. WILLIAMS: This location is  
7 surrounded by woods. It's kind of like...

8 MS. KNARICH: Having walked back  
9 there, it's heavily vegetated.

10 MR. HYLAND: I don't know what this  
11 looks like from the neighbor's kitchen nook or  
12 whatever.

13 MR. WELZ: There's no way of blocking  
14 it. You are going to see it. You are going to see  
15 it when you go outside from inside, when we wake up  
16 in the morning.

17 MS. KNARICH: Are you asking the  
18 applicant if they would consider putting in more  
19 trees there?

20 MR. HYLAND: Along the property line  
21 so they don't have to see it out the back of the  
22 house.

23 MR. NEWMAN: You are talking about the  
24 equipment shed, not the pole?

25 MR. HYLAND: If I'm doing my slope

1 correctly, this is 500 feet and this is only up 150  
2 feet. It's about 50 feet, I'm guessing, to the  
3 property line so you probably only need a 20-foot  
4 tree so you don't have to see the tower from the  
5 guy's back window.

6 MS. KNARICH: We don't have anything  
7 proposed for that. I would make that a condition  
8 that we would coordinate with your township engineer  
9 with respect to any further landscaping and  
10 buffering.

11 MR. HYLAND: I am sympathetic to  
12 people who purchased property and end up with  
13 something in their backyard.

14 MR. SHAW: Could you put up a copy of  
15 the site plan to orient what we are looking at?

16 MR. COTTRELL: What residences are you  
17 thinking about providing the buffer?

18 MR. HYLAND: The two residents that  
19 are here.

20 MS. KNARICH: To the left.

21 MR. HYLAND: Roughly where your fist  
22 is.

23 MR. COTTRELL: Without remembering  
24 what is -- there's already a buffer there without  
25 remembering what it looks like, you would propose to

1 put something along the property line closer to the  
2 house?

3 MR. HYLAND: I'm just thinking outside  
4 the box.

5 MS. KNARICH: We can coordinate that.  
6 We don't know what's there now.

7 MR. HYLAND: I recall we got somebody  
8 to put in some pine trees for another application so  
9 people didn't have to look out their back slider and  
10 see the pole.

11 MR. COTTRELL: We would have to see  
12 what kind of vegetation is there and even if it's  
13 feasible to plant more trees there. I don't know.  
14 It might be too much shade but we will have to look  
15 at it and do an assessment on that.

16 MR. SHAW: I assume it would be a  
17 deciduous buffer that could be planted?

18 MS. KNARICH: Correct. If feasible.

19 DR. EISENSTEIN: I think you mean  
20 "evergreen"?

21 MR. SHAW: Yes, evergreen.

22 MR. HYLAND: I guess, also, only if  
23 it's agreeable to the parties involved. I don't  
24 want to force somebody to get a pine tree they don't  
25 want.

1 MS. KNARICH: Well, it has to be on  
2 our property.

3 MR. CORELLA: We would like that and I  
4 thank you.

5 MR. HYLAND: Yep.

6 CHAIRMAN VIVONA: So the trees are a  
7 condition if it can be done. Do you think the  
8 planner or engineer should be the one signing off?  
9 Do you have a landscape architect?

10 MR. RUSCHKE: Our firm does.

11 MR. CORELLA: Can we be part of it  
12 since it's in our area? Can we be part of that, the  
13 two homeowners?

14 CHAIRMAN VIVONA: Yeah. I mean --

15 MS. KNARICH: You could work with your  
16 township. The applicant cannot engage in any  
17 private agreement.

18 CHAIRMAN VIVONA: They will plant but  
19 -- if your office's horticulturist will come out,  
20 perhaps we could at least consult with the  
21 neighbors.

22 MR. RUSCHKE: I'll speak to John about  
23 that.

24 MR. CORELLA: I appreciate that.  
25 Thank you.

1 MS. KNARICH: Do you have a card to  
2 give to him?

3 MR. RUSCHKE: Yes.

4 CHAIRMAN VIVONA: All right. Any  
5 other comments?

6 (No response)

7 CHAIRMAN VIVONA: We are good. All  
8 right. At this point, we will bring it up for a  
9 motion.

10 MR. HYLAND: How many votes do we  
11 need?

12 MR. SHAW: Five.

13 MS. KNARICH: Before you poll the  
14 Board, can I confirm that everybody is eligible to  
15 vote?

16 MS. SMITH: They are, everybody that  
17 is here.

18 MS. KNARICH: Thank you.

19 MS. SMITH: Four Board members had  
20 missed one or more but read the transcripts and  
21 signed off on it.

22 MS. KNARICH: Great. Thank you.

23 CHAIRMAN VIVONA: Can I have a motion?

24 MR. BORSINGER: I move that we approve  
25 the application with the conditions as noted.

1 MR. VILLECCO: Second.

2 MS. SMITH: Mr. Vivona?

3 CHAIRMAN VIVONA: With consideration  
4 to the neighbors, we know that nobody wants these in  
5 their backyards. Fortunately, these are almost 500  
6 feet from your homes and more than that from the  
7 schools. I have to vote yes.

8 MS. SMITH: Mr. Weston?

9 MR. WESTON: Yes.

10 MS. SMITH: Mr. Williams?

11 MR. WILLIAMS: Yes.

12 MS. SMITH: Ms. Romano?

13 MS. ROMANO: No.

14 MS. SMITH: Mr. Borsinger?

15 MR. BORSINGER: Yes.

16 MS. SMITH: Mr. Newman?

17 MR. NEWMAN: No.

18 MS. SMITH: Mr. Hyland?

19 MR. HYLAND: Yes.

20 MR. SHAW: Okay. 5-2, the application  
21 was approved. We will have a draft resolution,  
22 hopefully, for the 15th.

23 MS. KNARICH: Thank you very much.

24 Have a good evening.

25 (The hearing concluded at 10:03 p.m.)

C E R T I F I C A T E

I, ALISON GULINO, a Certified Court Reporter, Registered Professional Reporter and Notary Public of the State of New Jersey, authorized to administer oaths pursuant to R.S. 41:2-1, do hereby state that the foregoing is a true and accurate verbatim transcript of my stenographic notes of the within proceedings, to the best of my ability.

*Alison Gulino, CCR, RPR*

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