

**READINGTON TOWNSHIP BOARD OF ADJUSTMENT
MINUTES
November 16, 2006**

Chairperson Fort called the meeting to order at 7:38 p.m. announcing that all laws governing the Open Public Meetings Act had been met and that the meeting had been duly advertised.

A.

Mrs. Fort	present
Mrs. Flynn	absent
Mrs. Goodwin	present
Ms. Hendry	absent
Mr. Stettner	present
Mr. Shepherd	present
Mr. Staats	present
Mr. Thompson	present
Mr. Denning	present – arrived at 7:50

Donald Moore, Esq., Kelleher & Moore
John Hansen, Ferriero Engineering
Michael Sullivan, & Brent Kasner, Clarke, Caton & Hintz

B. APPROVAL OF MINUTES:

1. October 19, 2006 - Mr. Staats made a motion to approve the minutes. Mr. Shepherd seconded the motion. *Motion was carried with a vote of ayes, nays none recorded.*

C. CORRESPONDENCE:

Pursuant to the board's recommendation there was no correspondence read into the record.

D. TECHNICAL REVIEW COMMITTEE:

1. New Cingular Wireless PCS, LLC
Block 17, Lot 9
384 Route 22,
Variance
Action date: December 2, 2006

Mr. Staats made a motion to grant the waivers requested. Mrs. Goodwin seconded the motion. *Motion was carried with a vote of ayes, nays none recorded.*

Mr. Staats stated that the TRC found the application to be incomplete.

E. RESOLUTIONS:

1. Omnipoint Communications, Inc.

**Block 61, lot 5.02
Rt. 31 & Foothill Road
Preliminary Major Site Plan & Variance**

Mr. Staats made a motion to approve the resolution. Mrs. Goodwin seconded the motion.

Roll call:

Mrs. Goodwin	aye
Mr. Staats	aye
Mr. Stettner	aye
Madam Chair	aye

F. VOUCHER APPROVAL

Mr. Staats made a motion to approve the vouchers as submitted. Mr. Thompson seconded the motion. *Motion was carried with a vote of ayes, nays none recorded.*

G. PUBLIC HEARINGS

- 1. Joazee
Appeal Zoning Officer's Decision
-and-
Waste Management of NJ
Appeal Zoning Officer's Decision**

Madam Chair announced that his matter was carried to December 21, 2006.

- 2. Nicholas Villa
Use Variance & Preliminary Major Site Plan
135 Main St.
Block 23, lot 5
signed extension to November 16, 2006**

Lloyd Tubman, Esq., stated that she is the attorney for the applicant. The property consists of approximately .76 acres. It is located on Main Street and James Street in Whitehouse. The applicant is proposing a mixed retail use with residential development.

Mr. Moore swore in the following witnesses: James Mantz, Engineer; Nicholas Villa, owner/applicant; John Madden, Planner and Herbert Ryder, Architect. Mr. Moore swore in the board's professionals as well.

Ms. Tubman informed the board that the property is located in the Historic District and the Village Commercial area.

James Mantz stated that he is a licensed professional engineer, licensed in 1982 and land surveyor, licensed in 1992, in the State of New Jersey.

Exhibit A-1 Preliminary and Final Site Plan prepared by James Mantz, Professional Engineer, under date of October 26, 2006.

He testified that sheet one shows the overall existing plan of the property. The required lot area in the zone is 20,000 square feet. The existing lot 5 is 36,837 square feet. In dealing with the Hunterdon County Planning Board they requested that the applicant provide an easement for road purposes which would be 40 feet from the centerline. The location of the building precluded the applicant from granting that easement straight through the property so there is a jog in the easement line. After dedicating the easement, the area of the lot is 32,243 square feet. There is an existing one and two story building on the site located adjacent to the northerly lot line. This is currently a retail facility with one apartment on the upper floor. There is a two story framed barn on the property. This building was previously used for storage purposes. Mr. Mantz described the layout of the property for the board members.

He stated that the building height is 32 ½ feet. The building height of the smaller building is 24 ½ feet. The existing floor area of the larger building is 5,180 feet. The smaller building floor area consists of 1,095 square feet.

Exhibit A-2 Rendering of proposed construction, superimposed upon the grading and drainage plan, depicting all new buildings and improvements, prepared by James Mantz, P. E., under date of October 26, 2006.

The plan shows the proposed 2 story mixed use facility. The first floor of both buildings will be used as commercial. The second floor of both buildings would be residential. They are proposing to construct a paved parking lot on the site with access from Main Street and access from James Street. The applicant is proposing 2, one bedroom apartments, with a requirement of 1.8 spaces per unit for a total of 4 parking spaces. There are 4 – two bedroom apartments with a requirement of 2 spaces per apartment for a total of 8 spaces. There is 4,875 square feet of retail space which requires 24 parking spaces. There is a restaurant/deli of 1400 square feet which has a dedication of 11 parking spaces. The total required number of parking spaces would be 47 parking spaces. They are proposing 43 parking spaces, including 2 handicap spaces. Mr. Mantz stated that they are reducing the amount of impervious coverage. The surface water will drain into a storm sewer on James Street.

Exhibit A- 3 Sheet 3 of 9 entitled Lighting Plan dated 10/26/06 prepared by Mr. Mantz

Mr. Mantz informed the board that the lighting plan would include goose-neck lighting fixtures. In addressing the comments from Michael Sullivan, Mr. Mantz agreed that they would provide a new set of photometrics which are contour maps

for lighting to demonstrate that they would be in compliance with the lighting requirement after 10:00 p.m.

John Hansen wanted clarification as to the hours of loading and unloading at the site and what type of vehicles did they anticipate performing the deliveries.

Mr. Mantz answered that the site is not conducive to have a loading dock for all of the stores. He felt that it would be best to have the handicapped parking space in space number 5, then the delivery trucks could stop by that parking space and unload their goods and by hand truck could be distributed to the stores.

Mrs. Fort asked how many stores the applicant is proposing to have. Mr. Villa answered 6.

Mrs. Fort asked if there was any on street parking. Mr. Mantz answered yes on the side street.

Mr. Hansen recommended that a traffic analysis should be performed on the site, however, it will depend upon the type of retail tenants.

Mr. Villa stated that he met with the county and a traffic analysis was performed. He did not feel that the additional traffic would make too much of an impact.

Mrs. Goodwin asked if the applicant had thought about the delivery times since they do not have their tenants yet. She stated that she is concerned since there is not a lot of space in the parking lot for delivery trucks. Mr. Villa answered these terms would be included in their lease.

Mr. Thompson stated that he felt it would be impossible not to have problems getting in and out of the parking lot, especially at rush hour. He would like to have a traffic study performed.

Mr. Villa stated that the increase in traffic was insignificant.

Mr. Staats was concerned where the residents in the upstairs apartments would be parking. Mr. Mantz stated that the parking spaces would be designated for the residents.

Mr. Hansen stated for the record that he did meet with Mr. Mantz and that the stormwater design meets the intent of the ordinance. There are a few minor items that still need to be checked to make sure that there is not an impact on adjacent property. The fire official is recommending that a fire hydrant be placed on the corner of Whitehouse and Main Street. Mr. Hansen stated that the applicant has to address this item.

Ms. Tubman stated that the applicant will meet the fire code and would pay his pro rata share if the township wanted to extend the water main.

Mr. Sullivan stated that he had asked for more detail regarding the wall seating area. He informed the board that he would prefer an alternative type of material rather than what is proposed or secondarily remove the wall from the plan.

Additionally, Mr. Hansen stated that there is a block retaining wall that extends from the one story block garage on Lot 4 into the property. Mr. Mantz answered that he does not know the purpose for that wall. He did not see a problem if that wall would be removed.

Exhibit A-4 – Landscape Plan, prepared by Statile and Todd, Far Hills, New Jersey under date of November 10, 2006, revised October 25, 2006

Mr. Mantz addressed the landscape plan. He stated that they are retaining one large existing tree located at the south westerly corner of the parking lot. They are proposing a tree with some small shrubs located at the northerly side of the entrance to James Street. He agreed with Mr. Sullivan's request to include the rail fence that is to be located along James Street.

The board requested that the applicant meet with Mr. Sullivan to go over the landscaping plan. Mr. Sullivan felt that there should be additional shade trees planted to shade the parking lot and the board agreed.

Mrs. Goodwin asked the applicant if there was a sense of how many employees would be at this site and would there be designated parking for them. Mrs. Tubman answered that this is governed by ordinance.

PUBLIC COMMENTS:

There were no comments from the public.

Herbert Ryder, stated that he is a licensed architect in the State of New Jersey since 1972.

Exhibit A-5 – Architectural rendering prepared by Herbert Ryder, under date of May 2006 revised November 2005

He expanded the back of the one story hardware store. He picked up a theme in order to have the apartments above and the stores below. He tried to design the building to look like it did originally. It has a Victorian theme. The smaller building must be demolished. The footprint will be repeated and the height of the building will be slightly higher.

Exhibit A-6 – Floor plan of large building and elevations of small building prepared by Herbert Ryder, Licensed Architect under date of May 31, 2005, revised November 15, 2005.

Mr. Ryder addressed the interior of the building. They are proposing 4 rental retail stores. They have positioned the doors and windows in such a way that if a tenant wanted to rent two stores, they could do so. All of the stores will be handicapped accessible. They are proposing to use authentic Victorian colors.

Madam Chair asked the board if there were any questions from the board.

Mr. Thompson asked if the applicant had any idea what type of restaurant would occupy the space. Mr. Ryder answered that the applicant is not proposing a full scale restaurant.

Mr. Hansen asked if the building had to have fire sprinklers installed to meet the requirements of code. Mr. Ryder answered that the sprinklers were not required due to the separation. During construction, they will insert a 2 hour fire wall separation.

This matter was continued to December 21, 2006 without further notice.

**3. Verizon Wireless – Readington 4
1100 Barley Sheaf Road
Block 64, lot 31.03
Preliminary/Final Major Site Plan & Variance**

Gregory Meese, Esq., stated that he is the attorney for the applicant. He stated that the applicant is Cellco Partnership d/b/a Verizon Wireless. The applicant is seeking a variance regarding the equipment shelter size and the shelter height. The height limitation in the zone is 10 feet. The shelter they are proposing is 10 feet 3 inches. The shelter size is 345 feet as opposed to the ordinance requirement which is 200 feet. Also there is a variance request for the height of the fence. The fence limitation is 7 feet and the applicant is seeking an 8 foot fence for security purposes. The sign that they are proposing is 2.72 square feet, and the limitation is 2 square feet. The waivers that the applicant is seeking are site features within 200 feet of the property line. Also, they are seeking a waiver for the identification of the location of wells within 200 feet of the property line and drainage calculations since the impact is *di minimus*. Lastly, they are seeking a waiver for architectural floor plans because this is a pre-fab equipment building. Mr. Meese stated that this is an identical application that the board approved approximately one year ago for Verizon on Route 523 at the Vozzo property.

Mr. Staats stated that the board granted the waivers during the completeness phase. The Technical Review Committee announced on the record the waivers sought and the board granted same.

Mr. Meese stated that regarding Mr. Hansen's letter, they have met all of the outside agency approvals, specifically a county exemption dated October 9, 2005. The received a NJDEP wetlands LOI dated October 10, 2006 and also the Hunterdon County Soil Conservation Certification issued on May 19, 2006.

Mr. Moore swore in the following witnesses: William F. Masters, Jr., Planner; Frank Pazden, Civil Engineer with Dewberry and Goodkind; Danny Dichter, of Verizon Wireless, Radio Frequency Engineer.

Mr. Dichter stated that he has a Bachelor of Science in Computer Engineering from the University of Florida. He has worked at Verizon Wireless for 1 ½ years. He has testified at approximately 150 applications in the State of New Jersey, New York and Pennsylvania. He has previously been accepted by this board on two other occasions.

Mr. Dichter stated that the applicant has various sites around Readington Township. Those sites provide service to the community but there is currently a gap in that service.

Exhibit A- 1 – Base Map with 3 clear overlays. Entitled Verizon Wireless proposed Readington 4 facility dated 10/19/06, prepared by Mr. Dichter.

Mr. Dichter pointed out the existing sites on the exhibit. The gap in coverage exists mostly in the south eastern portion of the township. The area that is left in terms of a gap is an area that is approximately 2 ¾ miles on Route 629 Pleasant Run Road. They are proposing a 128 foot structure. They will fill their coverage gap.

A-2 Pinnacle compliance report dated August 8, 2005

Mr. Dichter stated that the report confirms that the emissions will be within the FCC guidelines. The actual number is slightly less than one percent. It is 113 times below the FCC limits.

PUBLIC COMMENTS:

There were no comments or questions from the public.

Frank Pazden stated that he received a Bachelor of Science in Civil Engineering licensed in the State of New Jersey in 2000. He has 9 years of experience in the design of telecommunication facilities. He has testified before this board on numerous occasions.

Mr. Pazden stated that the sheet Z-1 revised date 5/15/06 entitled site plan and site notes is a duplicate of what has been submitted to the board. The second one is sheet Z-3 revised date 5/15/06 entitled partial site plan elevation civil and instructional details both plans were signed by Anthony Suppa.

Mr. Pazden stated that exhibit A-3 shows the eastern portion of the site. They propose an access drive that will lead to the base of the existing tower where they are proposing to install the equipment compound. That compound consists of a fenced in area of approximately 18 ½ feet by 42 feet. Only electric and telephone utilities will be needed to operate the facility.

Regarding Exhibit A-4 it depicts the 12' x 20' parking area. This area will be used by the technician. It is an unmanned site. The average visit to the site will be every 4 to 6 weeks. The equipment shelter is approximately 10' 3" high. This will house the equipment and the emergency backup generator. The tower is currently 125 feet high. They are proposing an antenna mount which will house 3 sectors of

antennas with 4 antennas in each sector for a total of 12 antennas. They are proposing only signs for safety which will be posted on the gate and next to the gate.

Mr. Hansen stated that regarding his letter dated November 15, 2006 there were only some outstanding minor issues. The applicant agreed to comply with the items in his letter.

PUBLIC COMMENTS:

Mr. Mont 1157 Barley Sheaf Road. Mr. Mont read a letter into the record. The site is positioned directly in front of his property. He was concerned about the access road. He objected to the application. He showed the board photographs that shows the tower and his driveway.

Mrs. Fort wanted to know if his objection was the visibility of the structure and the access road.

Mr. Pazden testified that they are proposing to plant 2 deciduous trees in front of the parking area and 5 evergreen type trees to try to help shield the new installation. He stated that the tower located behind the resident's home, the elevation is approximately 30 feet lower. The height of that tower is similar in nature but because of the ground elevation there is a 30 foot difference. In order to provide the same level of coverage from the tower that the resident is referring too, they would have to extend the mount for approximately 30 feet. That would also require another variance from this board.

Mrs. Fort stated that the site could be landscaped to shield the equipment shelter. But the access road has to be limited to the PSE&G right-of-way. Could it be altered in any way so that it is not next to his mail box?

Mr. Pazden stated that that the access road is designed to turn left to get back to the compound. There is a berm that is proposed so that no one would be able to look directly down the access road and see the equipment shelter.

Mr. Hansen stated that Mr. Mont's driveway is a good distance south from the driveway entrance to this facility.

Mr. Pazden drew the approximately location of the driveway on the map. Mr. Mont's mailbox is south of the driveway.

Mr. Sullivan suggested trying to emulate the material and organization of the plants that are in the hedgerow and extend it along Barley Sheaf Road.

PUBLIC COMMENTS:

There were no other comments from the public.

Mr. Masters stated that he is a professional planner in the State of New Jersey since 1981. He has appeared before numerous boards throughout the State of New Jersey

as an expert in the field of land use planning, specializing in applications pertaining to wireless telecommunication facilities.

Mr. Masters stated that pursuant to his review of the application the applicant is seeking a use variance relief for a wireless communications facility. The specific deviation pertains to the equipment shelter. There is also variance relief pertaining to the square footage of the signage. They are also seeking a variance relative to the height of the fence. The variance relief requests satisfy the statutory criteria required for the grant of this type of variance. The burden of proof is on the deviation or departure itself and whether or not the site continues to be a suitable site in light of the deviation or departure from the ordinance. The variance relief relative to the height of the equipment shelter and the area of equipment shelter would be a variance sought regardless of where it was located in the township. In his opinion the variance relief could be granted in such a fashion so as the site can continue to be a particularly suited site without substantial impairment to the zone plan and the zoning ordinance and without substantial detriment to the public good.

Exhibit A-5 Photo board consisting of 8 colored photographs entitled Block 64, Lot 31.03, Township of Readington, Hunterdon County, NJ dated November 16, 2006.

Mr. Masters testified that the 4 photographs located on the left side are photographs of the existing 125 foot tall electric transmission tower. The photographs were taken by Mr. Masters. The photographs on the right side of the exhibit are computer enhanced simulated renderings of the proposed Verizon Wireless installation on the existing electric transmission tower on Barley Sheaf Road. The first series of photographs on the top of A-5 is a view of the existing high tension tower from Barley Sheaf Road in the vicinity of the proposed access drive facing west. The corresponding photo simulation in the right hand corner of the exhibit shows the proposed wireless installation. Also shown in this picture is the proposed equipment shelter contained within the fence. The second series of the photographs in the A-5 exhibit would be the side view of the tower facing in a northerly direction. The third series of photographs is a view from Barley Sheaf Road facing in a northerly direction. The corresponding photograph shows the proposed antennae installation at the top of the tower and a partial glimpse of the equipment shelter. The last series of photographs is facing south from the subject property. The last photo simulation in the right hand corner shows the proposed installation.

Exhibit A-6 Fifth series of photographs-taken by Mr. Masters dated July 10, 2004.

This exhibit is a photograph from the existing utility right-of-way on the subject property. The photograph on the left is facing east. The corresponding photo simulation on the right you see the proposed installation.

In conclusion, the variance relief could be granted for this application without substantial detriment to the public good and without substantial impairment to the comprehensive zone plan and the zoning ordinance.

Mr. Thompson wanted to know if they were proposing to install air conditioning units.

Mr. Master answered yes. Mr. Pazden answered that there are 2 five tons units, but they are a redundant system, so only one is operating at a time. They meet all of the NDEP standards for noise both in the daytime and the night time operation.

Mr. Stettner wanted to know if the air conditioning units could be pointed towards the woods. Mr. Pazden answered that you would either have the generator or the air conditioning units. The applicant agreed to move the air conditioning units towards the woods. The entrance to the shelter would be moved to accommodate that move.

PUBLIC COMMENTS:

There were no comments from the public.

Mrs. Fort wanted to know if the shelter could be made any less visible from the neighbor's house. Mr. Masters stated that the applicant will take Mr. Sullivan's advice and perhaps change some of the species, subject to PSE&G's approval. They are trying to install the cabinetry so that it would not be visible and attention drawn to it. Mr. Sullivan suggested planting a mass of native deciduous material to help buffer the site.

The applicant agreed to work with the board's applicant. Mr. Sullivan suggested that they meet at the site after the installation of the driveway and the other facilities to view from the roadside to make sure there are sufficient plantings.

The board determined that the fence should be gray in color.

Mr. Shepherd stated that everyone is in agreement to address the concern of the one resident.

Mr. Meese stated that the resolution should reflect that if there is a problem with PSE&G regarding the plantings that the applicant will come back to the board to work out the details.

Mr. Thompson made a motion to approve the application with the details of the landscaping to be worked out between the applicant and the board's professionals. Mr. Shepherd seconded the motion.

Roll Call:

Mr. Denning	aye
Mrs. Goodwin	aye
Mr. Shepherd	aye
Mr. Staats	aye
Mr. Stettner	aye
Mr. Thompson	aye
Madam Chair	aye

H. ADJOURNMENT:

Mr. Denning made a motion to adjourn. Mr. Shepherd seconded the motion. Motion was carried with a vote of ayes, nays none recorded

Respectfully submitted,

Linda A. Jacukowicz