

Zoning Board Minutes
Regular Meeting- Virtual
August 11, 2020

Announcement by the Chairperson that “the meeting is being held by electronic means in accordance with the “Open Public Meetings Act,” Chapter 231, Public Law 1975, amended 2020, which explicitly permits a public body to conduct meetings electronically during a state of emergency. Adequate notice of the meeting has been provided to the Coaster and Asbury Park Press. All notices are on file with the Board Secretary. In addition, a notice regarding this virtual meeting and instructions were published in the Asbury Park Press and the City of Asbury Park website. A copy of that notice is on file with the Board Secretary. The notices and the conduct of this meeting are in accordance with the guidelines for virtual meetings issued by the New Jersey Department of Community Affairs.”

Board Members in Attendance: Chris Avallone, Russell Lewis, Tim Szlyk, Brittany Ashman, Catherine Minervini, Bonnie Nach, Daniel Harris & Christopher Gonzales

Board Members Absent: Jill Potter

Board Members Recused: Christopher Avallone

Board Staff: Jack Serpico (Board Attorney); Donna Miller (Board Planner), Doug Clelland (Board Engineer) & Irina Gasparyan (Board Secretary)

A. Roll Call

B. Minutes:

Approval of Minutes of July 28, 2020 regular virtual meeting

Motion to approve: Lewis Second: Harris All eligible in favor

C. Applications:

1. 1302 Mattison, LLC (CARRIED FROM May 26, 2020 without notice)
1302 Mattison Avenue, Block 1101 lot 23, R1A Zone

Use variance for three family structure, revised to exclude site plan for parking lot.

Motion to carry application to September 22, 2020 with further notice: Lewis Second: Ashman

All members vote in favor

APPLICATION CARRIED to Sept 22, 2020 with notice

2. New Cingular Wireless PCS, LLC (“AT&T”)

321 Sunset Avenue, Block 3606 Lot 10, R3 Zone

Height variance, waivers and site plan for installation of 20 telecommunications antennae & related equipment behind a proposed concealment frame and a generator on the rooftop of an existing multi-family building.

Board professionals sworn in

Judith Fairweather, attorney for applicant.

Fairweather: Introduce case, call 1st witness

Gary Lucas, Civil Engineer for applicant, sworn in

Lucas: Introduced site plan, elevation view

Exhibit A-3: Site Plan

Fairweather: site is monitored 24-7 & if something happens they are alerted immediately & tell us about generator

Lucas: correct. Go thru utility locations

Exhibit A-6: Photo sims by NB+C

Ashman: is there a reason they have to be so tall?

Lucas: they have to be set back from roof, in order to get

Ashman: is there a way to position so not so tall? This is the lowest can go?

Lucas: lowest it can go for the RF

Miller: youre saying these exhibits rep lower than original representation?

Gonzales: have u gotten any feedback from tenants in building?

Miller: is there reason for not putting generator at grade?

Lucas:

Clelland: as far as maintenance theyre going to pull up & maintain? No lighting is proposed?

Lucas: there is a sensor light

Cle: regarding generator how often cycle on & off

Lucas: think its 5 min

Clelland: Will it meet city/state sound regulations?

Lucas: yes

Clelland: gas lines- where will it run?

Open to public Qs

Avallone: clarify nothing has changed except showing us diff ways of hiding antenna?

Mignoli: does each & every tenant receive notice? Mignoli: what will signs say?

Lucas: author personnel only & guidelines notice

Fairweather: requirements of FCC

Mignoli: will anyone have access to roof?

Fairweather: don't know what access residents have to roof

Mignoli: could someone go on roof?

Paul Ricci, licensed professional planner for applicant, sworn in

Exhibit A-7: photographic simulations

Ricci: location 1 stealth enclosures, loc 2 lighter color screens, loc 3 550' from site

Fairweather: can u show one further down from sunset?

Exhibit A-8: view from Sunset

Ricci: Discussed variances, positive criteria, etc

Ashman: can u clarify what is RF on photos we have?

Ashman: so couldn't go to other loc bc of RF?

Fairweather: correct

Miller: what asking board to consider is what suits their needs, but that's

Fairweather: object to that, Dan testified that other sites did not work for RF. We don't have to show u alternatives under laws of NJ, we did bc asked for that. Under FCC, no one else can tell them what they can

Minervini: what are materials of screening?

Lucas: composite material, color matched like a faux brick

Minervini: is condo association going to be able to paint that if they change the color? Theyre large panels so it would add cost to condo assoc. to paint that

Gonzales: is there any other antenna in town that has stealthing?

Fairweather: I don't think so, I cant say about other companies, but I've been with ATT for long time & we've done many.

Gonzales: do you have any photo of actual

Harris: have you had any problems w lighting or storm w antennas?

Open to Public Qs:

Mignoli: is most of the antenna going to be mounted on east?

Ricci: no

Mignoli: how many enclosed panels on roof?

Ricci: 5

Mignoli: is there any penthouse on roof?

Ricci: not my expertise, but they have to be fcc compliant

Lucas: no living space above the roof

Mignoli: looking at roof, going to be structures 9' above the roof?

Ricci: will see 3, 4 or 2 from different vantage points

Mignoli: what is footprint of each one of the shafts?

Ashman: spoke about emergency services, what are benefits to the city?

Ricci: ability to make emergency calls, cell phone use in times of need, family calls.

Ashman: just cell phone coverage not internet? Is this going to help w internet

Ricci: better abilities

Ashman: any way can give us summary of why this is best site for this?

Fairweather: radio frequency engineer testified that there is one tall building but we can't go there, of all the places in terms of RF standpoint & landlord standpoint, this is the only one that will work/available. Public services, emergency services, etc. There was a site to build 120' pole on private lot & don't want a large pole built in the city

Ashman: and the antennas on treatment plant?

Fairweather: city was great & let us put up temp, just won't allow permanent

Ashman: so saying this is only site that will work

Fairweather: not my testimony, but that was testimony given

Open public comments

Ernest Mignoli, Deal Lake Dr.

Close Public comments

Ashman: I don't think this, but as we heard the emergency. 2 conditions: I would like trees planted along web, and defer to Donna for best method for stealthing, would prefer the lighter color

Minervini: agree w Ashman, I would also defer to Donna for stealthing & I think the photos difficult to tell because they're on a cloudy day, very white sky. I think the dark would look better.

Gonzales: I used to live behind and I don't see issue w the height, think it would be a needed service, have no objections. On color would prefer darker color

Ashman: want to add that those temp towers did go up & they were hideous, so this may be the lesser of 2 evils

Szyk: as long as rooftop is secured then I don't have any other objection

Harris: don't care what color

Lewis: agree w lot of comments, agree would like to see trees planted, think stealthing is more attractive, on fence about color, no preference. also think usage is really important. I remember being at sea hear now & no one could use their phone, felt uncomfortable being in such a large crowd without service. Also agree safety of residents is important.

Miller: sounds like there's a consensus that screening panels would be satisfactory mitigation. Try to mitigate screen panels impact as well, in our report our suggestion was to extend the parapet wall to make it look like the whole building brought up to look like another story.

Lucas: once u increase area all the way around the building signif increases

Miller: can u put up the roof plan? That was recommend of report, not sure if theres a modification to that or not

Lewis: I'm not sure that a higher parapet wall will make project look better

Minnervini: I don't think this is bad, we've only seen them with or without, not sure

Harris: would the wall change antenna reception?

Lucas: no

Serpico: street trees on Webb as per CCH report, opting for panel screening, mimic building façade & parapet wall to blend in.

Motion to approve with conditions: Ashman Second: Minervini

All members vote in favor

APPLICATION APPROVED

Motion to Adjourn: Lewis Second: Ashman All in favor

Meeting Adjourned: 9:28pm