

**Minutes of the
Unified Planning/Zoning Board of Adjustment
May 7, 2012
7:00 PM**

A regular meeting of the Unified Planning/Zoning Board of Adjustment of the Borough of Matawan, New Jersey, was held at the Matawan Municipal Community Center, 201 Broad Street, Matawan, New Jersey on May 7, 2012. The meeting was called to order at 7:00 PM by Chairman Kenneth Cassidy presiding. Chairman Cassidy called the meeting to order, pursuant to Section 5 of the Open Public Meetings Act that adequate notice of this meeting has been provided in the notice which was published in the *Asbury Park Press* on January 26, 2011, by sending notice to *The Independent*, and by posting.

Chairman Cassidy requested everyone to stand for the Salute to the Flag.

Chairman Cassidy requested a roll call.

On roll call the following members responded present:

Yes: Paul Buccellato
Yes: Rickey Butler
Yes: Kenneth Cassidy
Yes: Angelo Gallego, Jr.
Yes: Andy Lopez
Rochele Malanga
Yes: John McKenna
Robert Montfort
Joseph Saporito
Yes: Joseph Urciuoli

Also present were Michael A. Irene, Jr., Esq., Planning Zoning Board Attorney and Philip A. Haderer, Planning Zoning Board Engineer.

Approval of Minutes

Chairman Cassidy requested a motion to approve the minutes of April 2, 2012. Mr. Butler made the motion, seconded by Mr. Gallego. Chairman Cassidy requested a roll call vote. A roll call vote was taken.

Yes: Paul Buccellato
Yes: Rickey Butler
Yes: Kenneth Cassidy
Yes: Angelo Gallego, Jr.
Yes: Andy Lopez
Rochele Malanga
Yes: John McKenna
Robert Montfort

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Abstain: Joseph Saporito
 Joseph Urciuoli

Motion passed.

Applicants

Max Bezrodny – 46 Ravine Drive – Block 82, Lot 13.01 (Variance)

Mr. Bezrodny appeared before the board to seek approval to proceed with the renovations to his dwelling.

He presented the following witnesses who were sworn in by Mr. Irene and stated their credentials for the record:

Andrew J Podberezniak- Licensed Architect
11 High Point Dr
Springfield, NJ 07081

Mr. Podberezniak stated that he would proceed with the plans from exhibit A-3, last revised 4/16/11.

James Guider-Licensed Engineer
364 Parsippany Road
Parsippany, NJ

Mr. Guider stated that he would proceed with the plans from exhibit A-7, last revised 4/19/12.

Bruce Davies- Licensed Landscape Architect
1 Lorraine Road
Morris Plains, NJ

Mr. Davies stated that he would proceed with exhibit A-8, last revised 4/20/12.

He explained his concept of using Helical piles to support the deck in the rear of the house and affirmed his belief that this procedure would insure the stability of the deck.

Chairman Cassidy requested a motion. Mr. Urciuoli made the motion, seconded by Mr. Gallego. Chairman Cassidy requested a roll call vote. A roll call vote was taken.

Yes: Paul Buccellato
Yes: Rickey Butler
Yes: Kenneth Cassidy
Yes: Angelo Gallego, Jr.

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Yes: Andy Lopez

Non Participating : John McKenna

Yes: Joseph Urciuoli

Motion passed.

James & Susan Murphy – 15 Lakeside Drive – Block 115, Lot 30 (Variance)

Mr. Irene informed the board that the Murphy application was unsigned and incomplete. It was agreed that no date to continue would be appointed until further notice.

TMobile (Celltower) – 58 Main Street – Block 6, Lot 7 (Capital Review)

Mr. Pasquale Menna was sworn in and stated that he was appearing on behalf of The Borough of Matawan as well as TMobile and Metro PCS for the joint application of capital review pursuant to the property owned by the Borough of Matawan regarding the proposal that placement of antennas were for salutary public purpose.

Mr. Menna presented five witnesses. The following witnesses were sworn in by Mr. Irene and stated their credentials which were approved by the board.

Michael Bohlinger- Professional Engineer
KM Consulting
32 West Upper Ferry Road
Ewing, NJ

Mr. Bohlinger explained that the cell tower would be placed in a fenced in area with no commercial signs, he stated that any landscaping disturbed during the installation of the tower would be repaired or replaced. He also said that there would be a Turn On Timer that could be reset and that there is no emergency power or generators on site; the pole is secure and will be monitored remotely. There will be virtually no increase to traffic after the four to five weeks of construction are completed. Mr. Bohlinger also said that the tower would accommodate up to five carriers.

Joseph Menio- Radio frequency engineer
TMobile
63 Beaver Brook Road
Lincoln Park, NJ

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Hardik Gandhi-Electrical Engineer and radio frequency expert
Metro PCS
130 Clinton Road
Fairfield, NJ

Mr. Menio and Mr. Gandhi each spoke to the advantages of placing a cell tower at 58 Main Street. Using charts and overlays, both men showed a gap in existing coverage and the extended coverage to be gained with the new antennas. They alleged that increased coverage would promote general welfare and benefits to the municipality to increase communication in conformity.

David Collins-Federal Communications Commission (FCC) radio frequency expert
Pinnacle Telecom Group, LLC
14 Ridgedale Ave.
Cedar Knolls, NJ

Mr. Collins spoke to the safety of the cell tower. He said the facility complies with Federal and State regulations for the emission of radio signal emissions.
The maximum permissible standard of the radio frequency energy was 1.0967% - more than 90% below the federal level and more than 450 times below state level.

Timothy M. Kronk- Licensed Landscape Architect
PO Box 465
Mendham, N.J.

Mr. Kronk used exhibit A-8, a *Balloon Test* which involve raising a large balloon to the proposed height of the antenna to give a better idea of how the tower would fit in with its surroundings. This test was performed on Sept. 20, 2012 and was met with SHIPPO historic preservation guidelines.

Chairman Cassidy requested a motion. Mr. Butler made the motion, seconded by Mr. McKenna. Chairman Cassidy requested a roll call vote. A roll call vote was taken.

Recused: Paul Buccellato
Yes: Rickey Butler
Yes: Kenneth Cassidy
Yes: Angelo Gallego, Jr.
Recused: Andy Lopez
Rochele Malanga
Yes: John McKenna
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Yes: Joseph Urciuoli

Motion passed.

A motion to reduce the escrow from \$4750.00 to \$3600.00 for Café 34 was made and approved.

Adjournment

Chairman Cassidy requested a motion to adjourn. Mr. Urciuoli made the motion, seconded by Mr. Lopez.

The meeting was adjourned at 9:30 PM.

Respectfully submitted
Nancy Jo Palermo
Recording Secretary