

Lawrence Township Planning Board
Regular Meeting
Monday, May 5, 2014

Present: Christopher Bobbitt
Ian J. Dember
Philip Duran
Richard S. Krawczun, Municipal Manager
Stephen Brame, Councilman
James S. Kownacki, Councilman
Aaron D. Duff
Kim Y. Taylor, Vice Chairperson
Doris M. Weisberg, Chairperson

Excused Absence: Terrence Leggett
Glenn Collins

Absent: None

Also Present: James F. Parvesse, Municipal Engineer
Brian S. Slauch, Planning Consultant
Neil Yoskin, Planning Board Attorney
Bruce Eisenstein, PE, Radio Frequency Specialist
Susan Snook, Recording Secretary

1. **Statement of Proper Notice**

Adequate notice of this meeting of the Lawrence Township Planning Board has been provided by filing the annual meeting schedule with the Municipal Clerk as required by law, and by filing this agenda and notice with the Municipal Clerk, posting prominently in the Municipal Building, and mailing to the Trenton Times, and the Lawrence Ledger newspapers.

2. **Public Participation (for items no on the agenda)**

None

3. **Minutes for Approval**

Monday, March 17, 2014 minutes were unanimously approved.
Monday, April 7, 2014 minutes were unanimously approved.

4. **Resolutions**

Major Site Plan Application – Preliminary & Final Approval Application No. SP-14/13; **Auto Lenders Car Sales Facility**, Brunswick Pike and Brunswick Pike and Magnetic Drive, Tax Map Page 20.01, Block 2206, Lots 3.02 and 3.04 was approved per unanimous vote.

5. **Applications**

Minor Site Plan Application No. SP-12/13; **New Cingular Wireless PCS, LLC (AT&T Mobility)**, 960 Spruce Street; Tax Map Page 2, Block 201, Lot 27

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Mr. Yoskin stated that at the last meeting because there was a discussion of changing the configuration of the tower to include externally mounted antennas because that had been an issue when it was approved previously and we asked Mr. Stilwell to give supplemental notice for a possibility that would occur and the notice was provided.

Warren Stilwell stated that he did not think there was anybody on the Board this evening who can't participate in a vote. Mr. Yoskin stated that anybody who was not at the April 7, 2014 meeting cannot vote tonight if they did not listen to the tape and if there is not a vote tonight that you will have the opportunity to listen to the tape of the April 7, 2014 meeting. Mr. Stilwell questioned if there will be enough votes and there were six members present.

Mr. Stilwell stated he will have testimony from Mr. Rubin, radio frequency engineer. A propagation study was prepared for different heights and based on the outcome of the propagation studies and discussions with the client and the tower owner, it has been determined that the height can be lowered to 135' if the nature of the construction is a unipole (all antennas on the inside) or to 130' with the nature of the tower would be a monopole with a cluster mounted antennas on the interior.

Witness #1 – Mark Rubin (still under oath from the April 7, 2014 meeting). Exhibit A6A (which was presented to the Board members) and Mr. Rubin gave testimony for each exhibit and stated that the green shaded area gets smaller and the white shaded area gets larger. Page 8 showed the large gaps in reliable service at 85'.

Mr. Rubin stated when he evaluated the data the effect happened as the transmitters are lowered the green areas shrink and the white areas become larger and as the drop in height from the 145' of the original application to lower heights, the change in coverage was diminimus (not a whole lot). The compromise would reduce coverage, would not make a significant adverse effect on the subscriber experience and accommodate how high the structure would be and what it would look like.

Mr. Rubin stated it would be a reduction of 20' from the original tip of the structure to the antenna centerline of 145' the original type of a unipole would have to be 150'; change the structure types to a monopole, making the antennas mountable on the outside of the structure, the structure height would drop 20' from 150' to 130' and would still achieve the objective with a manageable reduction. The original desire is to go with the monopole with a cluster mount, it would be half as many antennas' (6); and they would be much tighter in standing off the center of the monopole.

Councilman Brame questioned the height of the poles and the photo sims. Mr. Stilwell stated it is 135' unipole or 130' monopole and the picture is a structure of a unipole. Dr. Eisenstein commented that he reviewed the plans and the 20' reduction in height has no difference in coverage and agreed to take it down and the cluster mount is a better idea.

Dr. Eisenstein stated to have the applicant design the foundation and the lower part of the tower so it can be extended to 150' that way if a co-locator comes in and says they have to be at 145', they have the evidence to prove it, and can't extend the antenna and under the tele-communications act they would have the right to build another monopole.

Chairperson Brame stated this is a little concerning the whole purpose of this exercise is to reduce the height and in particularly to this applicant's proposal, it seems the applicant has recognized the fact that the Board is somewhat troubled by the height of the pole, so to prepare it so it can be built to 150'. Dr. Eisenstein stated that you cannot discriminate against providers, but at some later time

someone comes in they have to prove their case that they need more height that is presently available and you cannot give them that height because the pole was not designed properly, they can build their own pole. Mr. Duff questioned the height of the towers, why this had to be a 150' and where are there others towers in the Township and the heights. Mr. Parvesse stated whatever the minimum feasible height is and keeps it as low as we can. Mr. Caton stated this is a conditional use and the tower is limited to minimum height by ordinance. Mr. Rubin stated there are municipal exhibits and two structures are in the northern part at Eldridge Park is at 115' above sea level and Bakersville is at 118' above sea level.

Witness #2: Brian Seidel, PP. Mr. Seidel was involved with the original application and is familiar with the site, area and characteristics. The original application was to construct a 100' tower and construct it as a unipole style tower and the application is before the Board for a conditional use approval to extend the height of the tower from 100' to 150'

Mr. Seidel went through the seven standard conditions and stated all the conditions have been met. Exhibit A7 – Photo simulations, dated May 2, 2014 prepared by Seidel Planning & Design and the numbers reflect where the photographs were taken and to see where the tower would be visible, attached. Mr. Stilwell stated the photographs that show the 150' tower are being ignored because it is not being proposed.

Councilman Brame stated where is the 130' pole. Dr. Einstein stated the plan marked monopole should be 130' not 135'; and the unipole is at 135' on the corrected application. Mr. Stilwell stated he did not know they could make that offer until today. Mr. Caton stated the unipole would be larger than the monopole and whether the larger dimension is from ground up and at a given point how much of a difference. Mr. Seidel stated it from the ground up and the top of the tower needs to enclose the antenna that are mounted in that area, so the tower needs to be larger at the top and larger at the base. Mr. Stilwell stated it is a spine that is put inside the monopole which is attached to the regular base of the monopole and cover with fiber glass; see attached (Exhibit A8). Mr. Caton stated is it is 130' up what is the diameter of the unipole. Mr. Seidel stated the unipole is 8' across at the base and the top of the tower is 5' across and the spine is 4 – 5'. The monopole design is 2' narrower at the base and top and 6' at the bottom.

Mr. Caton stated at 130' tall monopole how many carriers. Mr. Stilwell stated if you keep a vertical separation you can keep stacking them down, but the normal separation from tip to tip is 10' center to center (130, 120, 110, 100, 90). Mr. Caton stated there would be one array and more co-locators.

Witness #3: Richard Mullen, P.E. from Advantage Engineers. Mr. Stilwell stated the applicant realizes that any approval from the Board would grant in this matter would be conditioned upon submitting a new revised set of plans to incorporate all of the conditions and changes.

Mr. Mullen gave a brief description of co-locator on the approved site plan in the approved 60 x 60 leased area with a shelter that will be 12' high that is for radio equipment and a generator, Exhibit A9 – Existing conditions. Exhibit A10 - Approved Site Plan (Trenton Farmers Market Building). The setback for a 150' tall tower is 165' and they meet the setback for the 130' tower with no bulk variances. The emergency generator is subject to New Jersey Department of Environmental Protection regulations and is not subject to day time. Mr. Stilwell went through the engineer's report dated March 21, 2014, attached and will meet all the conditions from previous reports and Clarke Caton & Hintz report dated March 21, 2014, copies attached of all reports.

Mr. Stilwell stated they are not changing anything in terms of landscaping, access, utility runs; everything remains the same from the approval of the prior applicant. The plans will be changed for the monopole or unipole and the correct height. Mr. Mullen gave the differences between a monopole and a unipole. A monopole is cylinder that is hollow inside and is made of steel and the base is the unipole and above that is stuffing and inside is steel inside and fiberglass on the outside where you do not see the antenna's.

Dr. Eisenstein stated the lower on the pole less the coverage and stated only two carriers on a unipole. The advantage for a monopole a carrier only takes one level and on a unipole they take two levels to get their antennas around. Councilman Brame stated, per testimony, at 130' we can get up to five carriers and our expert is saying it is unrealistic; so how does this difference get reconciled. .

Mr. Mullen stated for the strength of the pole you could be five carriers (structurally) and radio frequency it depends upon the carrier, their needs and network. Councilman Brame asked Mr. Mullen if he was going to change his testimony that it represents that structurally the pole can handle up to five co-locations. Mr. Mullen stated he will clarify his testimony. Dr. Eisenstein gave a brief summary of the plans submitted.

Mr. Duff stated we have to allow companies for coverage, is there a percentage for the coverage provided, 100%, 90%, 88%. Dr. Eisenstein stated they are looking at percentage of area coverage; however, that is not the criteria; they are looking at the grade of service which is the ability to the user to access the system and the law states they have to have 2% rate of coverage, which means 1 in 50 calls can be blocked or dropped, but if it exceeds that 1 in 50, then they dropped under that 2% rate of service and they are entitled to better coverage than that.

Mr. Yoskin asked if the tower has to be illuminated on top and calculation of the maximum deflection in a storm. Mr. Mullen stated it does not have to be illuminated and it is based on less wind criteria; the wind would have to be 95 mph at this address, but when looked at the service wind it is only 50 mph.

Mr. Duff stated if you went with the pole you are requesting, 2 to 3 years from now would the applicant be back asking for another pole up north and if this is the case, just put in two smaller poles. Mr. Mullen stated the coverage is very small, reference to Exhibit A6, Page 2. Mr. Krawczun stated there are two poles that were approved but are not built, Township owned piece of property on Carter Road and the Peterson site.

Mr. Krawczun stated too many towers too close to each other would have a negative impact on the signals. Mr. Rubin stated a negative impact on capacity. Mr. Caton stated the applicant has met the conditions and the application is in front of the right Board and the applicant has agreed to meet all the conditions of the prior approval. The decision is 130' monopole vs. the 135' unipole and the suggestion to build a base to allow for expansion. Chairperson Weisberg wanted the professionals to discuss the heights of the poles.

Mr. Krawczun stated based on the 135' unipole the peak diameter would be approximately 5', but would not see any additional antennas for the entire height of the pole; a monopole is approximately 3 – 4' in diameter with an additional 2' in each direction and the additional antenna's along the rest of the structure; though the diameter may be smaller of the pole, the diameter of the structure would be wider. As far as service, no testimony in the difference between the unipole and monopole and the unipole at 135' would be preferable would let the carrier meet the service requirements. Chairperson Weisberg stated this is a cleaner looking pole. Vice Chairperson Taylor asked if the unipole would need an increase in the base.

Public Participation:

Ermelo Oblada, 1 Greenfield, W. Windsor. Mr. Oblada has a business on Princeton Avenue and since that time has seen more vehicular traffic and foot traffic and has seen more application for gas stations, which was not approved, because there are already too many existing gas stations. It is the location of the tower, whether it is 130 or 150'. It may not be visible from the north or south, the Trenton Farmers Market is there, Halo Farms is there which are well known. This tower will be there for years to come and with all of the collective experiences and background of the Board you will make the right decision for the community. Mr. Oblada main concern is the location.

Mr. Caton reminded the Board that one of the conditions of the Resolution 20-10 was that the applicant would construction the sidewalk from Princeton Avenue driveway to the Trenton Farmers Market parking lot for pedestrian traffic. Mr. Duff commented that he likes the way the unipole looks but still struggles with the height being 135'.

Mr. Dember commented that he concurs that he is not convinced they need the extra height. They go down to 85' and 95', you are not talking about a large difference in coverage and not hearing testimony on the number of dropped calls as opposed to the calls that went through. Also five carriers on a monopole which is 130' and this is a carrier that has 850 as their frequency.

Dr. Eisenstein stated they are entitled to come in for 1900 coverage and they chose to come in for 850 coverage. This is the most generous coverage you can see.

Councilman Kownacki came before the Board in 2010 and the struggle at that time with the height. The day of the testing with the balloon, it could not be seen from the house. Councilman Kownacki does not have a problem with the pole but the number of carriers that will be put on. This site has already been approved and the applicant is meeting all the requirements from the previous application and does not have a problem with the application and would vote to approve it.

Mr. Yoskin stated the height is the lowest visible for the intended purpose. The intended purpose is to provide service to customers and a certain statutory specified performance. The reason we had our own expert is to tell us the answer to #2 and believes that Dr. Eisenstein answer in his professional opinion that this height is the lowest feasible to meet this particular performance standard under the act. Dr. Eisenstein is basing it on that is a medium coverage and they are using other frequencies that would be worse than this and the factor of safety is the height.

Chairperson Weisberg stated we as the Board are to provide services to the Township with the less impact on neighborhoods and must find that middle road to service the Township as best we can.

Mr. Duran stated on the previously application for cell towers and public comment, and let them build it the way it makes most sense and suggested the monopole instead of the unipole.

Mr. Bobbitt agrees with Mr. Duran and suggested the monopole instead of the unipole.

Councilman Brame concurs with Mr. Krawczun which is a good balance between service and aesthetics and displeased if it looked ugly or had a dropped call.

Mr. Krawczun made the motion for the approval of the installation of a 135' unipole with all the conditions as discussed and testified to.

6. **Old Business / New Business / Correspondence**

None

7. **Adjournment:**


There being no further to come before the Board, the meeting was adjourned at 8:46 p.m.

Digital audio file of this meeting is available upon request.

Respectfully submitted,



Susan J. Snook
Recording Secretary

Minutes Approved: 

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