

**DELRAN TOWNSHIP
ZONING BOARD
REGULAR MEETING
MUNICIPAL BUILDING
FEBRUARY 15, 2011 – 7:00PM
MINUTES**

The Delran Township Zoning Board regular meeting of Tuesday, February 15, 2011, was called to order by Mr. Schultz at 7:00 pm.

The open public meetings act announcement was ready by Mr. Schultz and the pledge of allegiance was performed.

ROLL CALL

Present: Mr. Newman, Mr. Gonzaga, Mr. Taylor, Mr. Kohli, Mr. Fox and Mr. Schultz.
Absent: Mr. Hejnas and Mr. Pogoda.
Mr. Vajapey arrived after the start of the meeting (exact time was not noted).
Professionals: Beth Marlin, Esquire, Board' Solicitor; Terrence Combs, PP, Board's Planner; and Bryan Hall, PE, Board's Engineer.

MATTERS FOR DISCUSSION

1. T-Mobile Northeast, LLC
ZZ2010-9
8006 Route 130 North – Block 120, Lot 4.01
Bulk & Use Variance w/Site Plan
Request For Submission Waivers

Debbie Shulski, the attorney for the applicant, indicated that the applicant was requesting certain submission waivers and in the event the board should grant those requested waivers she would request that they also hear and grant the application for the variances along with site plan.

Mr. Combs reviewed his report dated February 14, 2011. He noted that the applicant was requesting several waivers and he generally would not have any objection to the board granting the submission given the nature of the improvements being proposed on their application. He suggested that the applicant be required to provide checklist item #9 (key map from official tax map) since the map they provided shows the property on the corner of the map and it could easily be revised to comply with the requirement. He requested that that the applicant also provide checklist item #15 (survey) since the outbounds are not based on an actual survey and there were a number of issues dealing with the setbacks. He recommended that the applicant provide a note on the plan stating that there were no easements or deed restrictions existing or being proposed.

Mr. Combs requested that the applicant provide verification of the site distances at the entrance and exit to the site given the recent development of the car dealer next to the site. He suggested that a note be provided on the addressing the parking of the service vehicle. He indicated that a note should be given on the plan stating that no signage was being proposed as a result of this application. He noted that there was no access easement shown on the plan for the development to the neighboring property (Larry & Jane Herman) and there may be required improvements for that project which may affect the access and site visibility for this applicant. He suggested that the applicant could proceed with their hearing subject to the survey being submitted, which reflects the statements and setbacks testified to by the applicant at their hearing. He recommended that the applicant provide a note addressing whether there were any wetlands or flood plains on the site and how that was determined.

**DELRAN TOWNSHIP
ZONING BOARD
REGULAR MEETING
MUNICIPAL BUILDING
FEBRUARY 15, 2011 – 7:00PM
MINUTES**

MATTERS FOR DISCUSSION

1. T-Mobile Northeast, LLC
ZZ2010-9
(Continued)

Ms. Shulski requested that the applicant be permitted to provide a copy of the survey submitted for the Metro application and in the event that survey could not be located than the applicant be required to at that time prepare a new survey of the site. She agreed to provide a reference on the plans that the details were being referenced from the existing survey (if necessary). She stated that she has received an approval letter from the County for the project. She agreed to provide the notes on the plan requested by Mr. Combs.

Mr. Fox recommended that in the event the applicant was able to locate an existing survey from one of the other applications for this site that a note should be provided indicating that a visual inspection was done to verify the information on the survey to make sure nothing has changed since the time the survey was prepared.

Mr. Hall indicated that he has no objections to the board granting a waiver to checklist #31 (boundary limit of wooded areas), checklist item #33 (drainage calculations), checklist item #40 (lighting plan and details), checklist item #41 (landscaping plan) could all be granted given the nature of the application and since this is an existing site. He suggested that the board could grant the waiver for checklist item #42 (solid waste management) given the nature of the use of the site and limited required trips to the site. He suggested that the board grant the waiver for checklist item #49 (traffic impact statement) given the amount of trips being generated as a result of the project.

Mr. Fox made a motion to grant the requested submission waivers subject to the recommendations made by the board's professionals. Mr. Vajapey seconded the motion. The result of the voting is as follows:

AYES: Mr. Fox, Mr. Vajapey, Mr. Newman, Mr. Gonzaga, Mr. Taylor, Mr. Kohli and Mr. Schultz.

NAYS: None.

The motion was carried; so ordered Mr. Schultz.

PUBLIC HEARINGS

1. T-Mobile Northeast, LLC
ZZ2010-9
8006 Route 130 North – Block 120, Lot 4.01
Bulk & Use Variance w/Site Plan

Debbie Shulski, the attorney for the applicant, requested that the following witnesses be sworn in before the Board:

1. Steven Hornberger, Site Acquisition Consultant
2. Mohammed Alsamme, Radio Frequency Engineer
3. Bill Gilmore, Professional Engineer
4. Douglas Cowan, Professional Planner

**DELRAN TOWNSHIP
ZONING BOARD
REGULAR MEETING
MUNICIPAL BUILDING
FEBRUARY 15, 2011 – 7:00PM
MINUTES**

PUBLIC HEARINGS

1. T-Mobile Northeast, LLC
ZZ2010-9
(Continued)

In an effort to save on time, Ms. Shulski requested that she be permitted to review the testimony of the applicant's witnesses and have them state that it would be their own testimony and the board would then be permitted to ask the witnesses any questions. The Board agreed to follow that procedure.

Ms. Shulski stated that it was applicant's intention to collocate on existing towers whenever possible. She reminded the board that the applicant was proposing to collocate on an existing as part of this current application. She indicated that the applicant has received the required authorization from the tower owner and property owner as required. She noted that the applicant would remove the improvements in the event that the equipment would no longer be required by the applicant. Mr. Hornberger agreed that information would be in agreement with his testimony to the board as the applicant's site acquisition consultant.

Ms. Shulski reminded the board that the applicant was licensed by the F.C.C. and under that license the applicant was required to provide reliable coverage to their customers. She stated that a study was performed for the applicant delineates areas of reliable coverage in the area and areas in need of additional attention. She indicated that the study also shows how the proposed application would affect coverage in the area. She noted a copy of the report was provided to the board as an exhibit for their review. She suggested that that applicant's proposal complies with the F.C.C. standards on radio frequency and electromagnetic fields. She added that the proposed antennas would not interfere with the existing carriers. Mr. Alsamme agreed to accept that testimony as his own as the applicant's radio frequency engineer.

Ms. Shulski stated that Mr. Gilmore visited the site and the site plans submitted accurately depict what is existing and being proposed at the site. She reminded the board that currently there was a 130' high monopole on the site with two other carriers currently collocated on the tower. She indicated that the applicant was proposing to install nine (9) panel antennas at a height of 110' along with the associated equipment cabinets to be located within the existing compound. She suggested that the structure would be able to support the proposed improvements. She noted that the site would only require a monthly maintenance trip to the site and would create a minimum traffic impact. She agreed that the applicant would agree to provide the additional requested information on the plan that was recommended by the board's professionals. She added that the applicant received approval from the County Planning Board. Mr. Gilmore agreed to adopt that testimony as his own as the applicant's engineer.

Mr. Cowan reminded the board that the applicant was requesting a variance to permit the applicant to install the proposed antennas on the existing monopole in addition to reaffirming the variances for the existing conditions of the site, which includes the height of the pole and a side setback variance of 1' from the applicant's equipment. He suggested that the applicant could prove the positive criteria for the granting the use variance since they have a valid F.C.C. license. He testified that the site was also particularly suited for the applicant since it was an existing large commercial property containing a 130' high monopole making it possible for the applicant to collocate on the tower. He stated that the applicant has the ability to use the existing access and utilities for the lot. He added that there would be no additional clearing as a result of the applicant's proposal.

**DELRAN TOWNSHIP
ZONING BOARD
REGULAR MEETING
MUNICIPAL BUILDING
FEBRUARY 15, 2011 – 7:00PM
MINUTES**

PUBLIC HEARINGS

1. T-Mobile Northeast, LLC
ZZ2010-9
(Continued)

Mr. Cowan suggested that the application would allow for the enhancement of telecommunications within the community. He indicated that no traffic or noise would be generated as a result of this application. He stated that no additional lighting was being proposed to the site and there would be no pollution generated by the site. He testified that the visual impact would be minimal given the size of the antennas and the height they would be installed. He noted the existing compound was sufficiently landscaped. He added that the granting of the variance would not create a substantial detriment to the public good.

At that time, Mr. Schultz opened the meeting to the public for any comments or questions concerning this application. There being nobody present from the public to testify on this application, Mr. Schultz closed the public portion of this application.

Mr. Combs questioned what the setback for antennas was going to be. Mr. Gilmore stated that the antennas would have no less than a 17' side yard setback and 85' rear yard setback. Mr. Combs requested that the dimensions of the setbacks, the dimensions of the poles and antennas be clearing indicated on the revised plans when submitted.

Mr. Hall noted that the engineer that signed and sealed the plans has a license from New Jersey however the company does not have the authorization to submit plans in New Jersey. Ms. Shulski stated that the company does have the required authorization. Mr. Hall requested that they provide the authorization number on the title block of the plans.

Mr. Vajapey made a motion to grant the requested use variances, height variance to permit a height of the antennas of 113', permit a side yard setback for the antennas of no less than 17', permit the side yard setback of the equipment cabinet of 24', subject to the applicant providing the required certificate of authorization. Mr. Fox seconded the motion. The result of the voting is as follows:

AYES: Mr. Vajapey, Mr. Fox, Mr. Newman, Mr. Gonzaga, Mr. Taylor, Mr. Kohli and Mr. Schultz.

NAYS: None.

The motion was carried; so ordered Mr. Schultz.

After the hearing Mr. Fox requested to be excused from the remainder of the meeting due to having a prior commitment.

**DELRAN TOWNSHIP
ZONING BOARD
REGULAR MEETING
MUNICIPAL BUILDING
FEBRUARY 15, 2011 – 7:00PM
MINUTES**

RESOLUTIONS

1. Harvey Berk c/o Manhattan Management
ZZ2003-5
3001 Route 130 South – Block 9, Lots 33, 34, 43, 44 & 45
Preliminary Site Plan

The Board noted that the resolution for the preliminary site plan was not ready to be adopted and was being continued until the next regular meeting.

2. Susan & Terrill Bohnsack
ZZ2009-6
74 Stoneham Drive – Block 118.03, Lot 18
Bulk Variance

The Board noted that the resolution for a bulk variance was not ready to be adopted and was being continued until the next regular meeting.

3. Manhattan Management
ZZ2007-20
3001 Route 130 South – Block 9, Lots 46 & 47.05; Block 9.04, Lot 4; and Block 9.05, Lot 4
Use Variance

The Board noted that the resolution for the use variance was not ready to be adopted and was being continued until the next regular meeting.

MINUTES

1. Zoning Board Regular Meeting – 10/20/09
2. Zoning Board Regular & Reorganization Meeting – 7/20/10

The Board noted that the regular meeting minutes from October 20, 2009 and the regular and reorganization meeting minutes from July 20, 2010 were not ready to be adopted and were being continued until the next regular meeting.

3. Zoning Board Regular & Reorganization Meeting – 1/18/11

Mr. Taylor made a motion to adopt the Zoning Board regular and reorganization meeting minutes from January 18, 2011. Mr. Kohli seconded the motion. The result of the voting is as follows:

AYES: Mr. Taylor, Mr. Kohli, Mr. Gonzaga, Mr. Vajapey and Mr. Schultz.
NAYS: None.
ABSTAIN: Mr. Newman.
The motion was carried; so ordered Mr. Schultz.

**DELRAN TOWNSHIP
ZONING BOARD
REGULAR MEETING
MUNICIPAL BUILDING
FEBRUARY 15, 2011 – 7:00PM
MINUTES**

BILL LIST

(See Attached Sheet)

Mr. Kohli made a motion to approve the Zoning Board bill list for February 15, 2011. Mr. Taylor seconded the motion. With all present voting affirmatively, the motion was carried; so ordered Mr. Schultz.

PENDING ITEMS

1. Pizza Mia, LLC
ZZ2010-10
77 Hartford Road – Block 120, Lot 41.01
Use Variance

The Board noted that the application for a use variance had recently submitted revised plans, which was currently being reviewed by the Board's professional staff and was currently not scheduled for a public hearing before the Board.

2. Bee Dee Associates
ZZ2010-11
75 Hartford Road – Block 120, Lots 40 and 40.02
Amended Subdivision

The Board noted that the application for an amended subdivision was previously certified as an incomplete submission and they were waiting for the applicant to submit revised plans for review.

3. Liberty Towers
ZZ2010-14
28 Conrow Road – Block 177, Lot 16.02
Use Variance w/Minor Site Plan

The Board noted that the application for a use variance and minor site plan was previously certified as an incomplete submission and they were waiting for the applicant to submit revised plans for review.

4. DCB Auto, Inc.
ZZ2011-1
8000 Route 130 North – Block 120, Lot 8
Use Variance

The Board noted that the application for a use variance was currently being reviewed for completeness by the Board's professional staff and was not currently scheduled for a public hearing.

GENERAL COMMENTS/QUESTIONS

1. Mr. Schultz stated that beginning the next meeting he will no longer be serving on the board since he was no longer going to be living in Delran. The board wished him well in his future endeavors and thanked him for his service.

**DELRAN TOWNSHIP
ZONING BOARD
REGULAR MEETING
MUNICIPAL BUILDING
FEBRUARY 15, 2011 – 7:00PM
MINUTES**

ADJOURNMENT

There being no further business to discuss, Mr. Taylor made a motion to adjourn the Delran Township Zoning Board regular meeting. Mr. Kohli seconded the motion. With all present voting affirmatively, the motion was carried; so ordered Mr. Schultz.

Respectfully submitted,

Lynn Curry, Secretary
Zoning Board

Delran Township
Zoning Board of Adjustment
Bill List
February 15, 2011

Budget Bills			
Vender	Description	Invoice #	Amount
Brown & Connery	Misc. Services	109441	\$1,524.24

Escrow Accounts				
Vender	Applicant	File #	Invoice #	Amount
Brown & Connery	Telecom Transport	ZZ2009-10	109442	\$32.00
Brown & Connery	T-Mobile	ZZ2010-9	109446	\$304.00
Brown & Connery	Delran Fire District	ZZ2010-12	109449	\$256.00
Brown & Connery	Bishop	ZZ2010-13	109450	\$272.00
Brown & Connery	Liberty Towers	ZZ2010-14	109451	\$96.00
Pettit Associates	Pizza Mia	ZZ2010-10	3157	\$960.00
Pettit Associates	Liberty Towers	ZZ2010-14	3158	\$750.00
Pettit Associates	T-Mobile	ZZ2010-9	3159	\$720.00
Pettit Associates	DCB Auto	ZZ2011-1	3160	\$540.00
Richard Alaimo Associates	Diocese of Trenton	ZZ2009-11	59733	\$271.25