

BRIDGEWATER TOWNSHIP
ZONING BOARD OF ADJUSTMENT
Regular Meeting
Tuesday, March 1, 2011
—MINUTES—

CALL MEETING TO ORDER:

Chairman Vornehm called the regular meeting of the Bridgewater Township Zoning Board of Adjustment to order at 7:30 p.m. in the Bridgewater Municipal Courtroom, 100 Commons Way, Bridgewater, New Jersey.

OPEN PUBLIC MEETING ANNOUNCEMENT:

Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act N.J.S.A.10:4-6. On January 20, 2011 proper notice was sent to the Courier News and the Star-Ledger and filed with the Clerk at the Township of Bridgewater and posted on the bulletin board in the Municipal Building.

Please be aware of the Zoning Board of Adjustment policy for public hearings: No new applications will be heard after 10:15 pm and no new testimony will be taken after 10:30 pm. Hearing assistance is available upon request.

ROLL CALL:

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| Don Sweeney – present | Jay Rosen – absent |
| Filipe Pedroso – present (arrived 8:13 pm) | Jim Scott – present |
| Paul Riga – absent | William Vornehm, Chairman – present |
| Lee Schapiro – present | Pushpavati Amin, Alt. #1 - present |
| Evans Humenick, Alt. #2 – present | Carl Schulz, Alt. #3 – present |

Others present: Attorney Lawrence A. Vastola, Land Use Administrator Marie L. Broughman; Special Radio Frequency Expert Hank Menkes

MINUTES FOR APPROVAL:

February 15, 2011 Regular Meeting Minutes – Motion by Mrs. Amin, second by Mr. Schulz, the foregoing minutes were approved as amended on the following roll call vote:

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| AFFIRMATIVE: | Mr. Sweeney, Mr. Schapiro, Mrs. Amin, Mr. Humenick, Mr. Schulz, Chairman Vornehm |
| ABSENT: | Mr. Pedroso, Mr. Rosen, Mr. Scott |
| NOT ELIGIBLE: | Mr. Scott |

MEMORIALIZING RESOLUTIONS:

**OPEN ROAD OF BRIDGEWATER: MERCEDES DEALERSHIP
Block 222 Lot 1 (1140 Route 22 East)
#24-10-ZB, Amended Prelim & Final Site Plan and Conditional Use
DECISION: Approved w/conditions 2/15/11**

Motion by Mrs. Amin, second by Mr. Sweeney, the forgoing resolution was adopted as amended on the following roll call vote:

AFFIRMATIVE: Mr. Sweeney, Mr. Schapiro, Mrs. Amin, Mr. Humenick, Mr. Schulz,
Chairman Vornehm
ABSENT: Mr. Pedroso, Mr. Rosen, Mr. Riga
NOT ELIGIBLE: Mr. Scott

HEARING AND DELIBERATIONS:

T-MOBILE – 606 North Bridge Street

Block 500 Lot 1

#03-10-ZB, Minor Site Plan w/variances (flagpole cellular tower)

Time: Extension to 3/31/11

Attorney Gregory Meese was present to represent the applicant. Sworn testimony was presented by Matthew Murello of Lewis S. Goodfriend & Associates and Site Engineer Gregory Nowak, PE.

The applicant submitted an exhibit which was marked into evidence as follows:

A-16 3/1/11 Acoustical Evaluation Report for T-Mobile, dated 1/20/11

Attorney Meese stated that the application has been amended to include the Green Knoll Fire Co. as co-applicant in addition to placing a whip antenna on top of the proposed flagpole. New notice has been provided to the property owners within 200-ft.

Noise Expert Matthew Murello discussed exhibit A-16 stating that he reviewed the potential noise at the property lines from the proposed 20'x30' flag, emergency generator and three radio cabinets. The baseline ambient noise levels are from 7 am to 10 pm for daytime and 10 pm to 7 am for nighttime. The NJDEP noise regulations allow for 65 dB(A) daytime and 50 dB(A) nighttime. The source data was collected at the property lines on September 29, 2010.

The wireless equipment cabinets and portable emergency generator at the nearest residential property lines to the east, south and west are 44, 41 and 43 dB(A), respectively, which are well below the 50 dB(A) nighttime limit of both the NJDEP and Township of Bridgewater noise regulations. The sound emissions due to emergency operation of the portable generator are exempt from the limits of the NJDEP regulation.

The proposed flag and wind indicate that the wind noise measured from similarly sized sound levels expected at the east, south and west residential property lines, with the proposed flag installed, during windy conditions, are expected to be 54, 49 and 51 dB(A) respectively. The flag's expected sound pressure levels at the nearest residential property lines during windy conditions, are well below the daytime limits of the codes. However, in periods of wind above 12 mph, the wind noise is expected to result in sound pressure levels above the nighttime limits of the regulations at the east and west residential property lines.

Attorney Meese stated that the Fire Company wants the flag but if the standard of noise exceeds, it will be taken down at the Board's discretion.

Members of the public were present as follows:

Al Ernst, 722 Hart Dr., stated that he could not measure the noise on his meter; however, he could hear the flag in Edison,

Mr. Pedroso arrived at 8:13 pm and took his seat at the dais.

Curtis Kraut, 199 Adamsville Road, raised general questions about the daytime noise and nighttime noise.

Andrew Leven, 2 Holmes Ct., questioned the exact distances from the object to the property line, which Mr. Murello responded: 117 east, 256-ft south and 182-ft west.

Peter Sepsi, 6 Cedar St., stated that you can hear distant noises when the wind blows, but not close by proximity.

David Robinson questioned if the rope slapping the flagpole was taken into consideration. The rope and flag were measured together.

Gail Naughton, Eddy Lane, addressed concerns especially if the noise of the flag is louder than stated. Attorney Meese stated that the flag would then be removed.

Charles Rohn, 6 Brian Dr., questioned how the weather may impact the analysis. Mr. Murello stated that moisture conducts sounds but really has no effect on sound.

Shav Mallello, 902 Papen Rd., questioned how far away from the flag do you have to be to not hear the flag anymore. Mr. Murello stated he did not know.

Site Engineer Nowak reviewed the revised plans dated 2/15/11. He stated that the improved lot coverage has been reduced by moving the clothing bin to the southeast corner of the parking lot and adding additional landscaping. He discussed the proposed whip antenna as shown on sheet Z03 of the plans. The access to Foothill Road has been closed as shown on sheet Z01. Lastly, proposed fence height has been dropped to 6-ft which does not require a variance.

With no comments from the public, Chairman Vornehm closed the public portion of the hearing.

Attorney Meese confirmed that he had no additional witnesses for tonight and Chairman Vornehm carried the hearing to 4/5/11 at 7:30 pm in the Municipal Courtroom with no further notice required.

MEETING OPEN TO THE PUBLIC:

There were no members of the public wishing to address the Board on any matter not listed on the agenda.

OTHER BOARD BUSINESS:

The Board discussed available meeting dates for future applications.

ADJOURNMENT:

It was the consensus of the Board to adjourn the meeting at approximately 9:15 pm.

Respectfully submitted,
Marie L. Broughman,
Land Use Administrator

ADOPTED: 3/29/11