

BRIDGEWATER TOWNSHIP
ZONING BOARD OF ADJUSTMENT

Special Meeting
Tuesday, May 24, 2011
—MINUTES—

CALL MEETING TO ORDER:

Chairman Vornehm called the Special Meeting of the Bridgewater Township Zoning Board of Adjustment 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 May 12, 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:

Don Sweeney – present	Jay Rosen – absent
Filipe Pedroso – present (arrived 7:46 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, Board Planner Scarlett Doyle, Board Consultant Hank Menkes Radio Frequency Engineer

MINUTES FOR APPROVAL:

April 26, 2011 Regular Meeting Minutes – Motion by Mr. Scott, second by Mrs. Amin the foregoing minutes were approved as presented on the following roll call vote:

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

May 3, 2011 Regular Meeting Minutes – Motion by Mr. Schapiro, second by Mr. Scott, the foregoing minutes were approved as amended on the following roll call vote:

AFFIRMATIVE:	Mr. Sweeney, Mr. Schapiro, Mr. Scott, Mrs. Amin, Mr. Humenick, Mr. Schulz, Chairman Vornehm
--------------	--

ABSENT: Mr. Pedroso, Mr. Rosen, Mr. Riga

MEMORIALIZING RESOLUTIONS:

PELLE – 110 Warren Avenue

Block 536 Lot 30

#04-11-ZB, Bulk Variances (addition, deck and patio)

DECISION: Approved w/conditions 5/3/11

Motion by Mrs. Amin, second by Mr. Humenick, the foregoing resolution memorializing the approval with conditions on 5/3/11 was adopted as amended on the following roll call vote:

AFFIRMATIVE: Mr. Sweeney, Mr. Schapiro, Mr. Scott, Mrs. Amin,
Mr. Humenick, Chairman Vornehm

ABSENT: Mr. Rosen, Mr. Riga, Mr. Pedroso

NOT ELIGIBLE: Mr. Schulz

HEARING AND DELIBERATIONS:

T-MOBILE – North Bridge Street (Green Knoll Fire Dept.)

Block 500 Lot 1 (606 North Bridge Street)

#03-10-ZB, Minor Site Plan w/d-variances

Time: Extension to 5/24/11

Attorney Gregory Meese was present to represent the applicant. Sworn testimony was presented by Richard Conroy, preparer of the PierCon Solutions Radio Frequency Report dated 4/5/11.

The following exhibits were submitted into evidence and marked as follows:

- | | | |
|-------------|----------------|--|
| A-16 | 5/24/11 | Existing Coverage Map with overlay which represents the search-ring |
| A-17 | 5/24/11 | Map 3 of PierCon Solutions' Report, dated 4/5/11, Existing Coverage Reoriented |
| A-18 | 5/24/11 | Overlay and Added Sector, same site at higher elevation to 120-ft |
| A-19 | 5/24/11 | Map 8 of PierCon Solutions' Report, dated 4/5/11, Subject Site Composite with Existing Coverage |
| A-20 | 5/24/11 | Map 9 of PierCon Solutions' Report, dated 4/5/11, Alternate Sites |
| A-21 | 5/24/11 | Map 4 of PierCon Solutions' Report, dated 4/5/11, Ball Field Alternate Site |
| A-22 | 5/24/11 | Map 5 of PierCon Solutions' Report, dated 4/5/11, Municipal Land Alternative |
| A-23 | 5/24/11 | Map 6 of PierCon Solutions' Report, dated 4/5/11, Library Alternate Composite with Existing Coverage |
| A-24 | 5/24/11 | Map 7 of PierCon Solutions' Report, dated 4/5/11, Richard Hall Medical Alternate Site Composite with Existing Coverage |
| B-1 | 5/24/11 | Radio Frequency Engineer Hank Menkes' resume |
| O-1 | 1/25/11 | T-Mobile Coverage from website, printed 8/30/10 |

O-2 1/25/11 Bridgewater Township Cell Tower & Radio Tower Map, dated
7/20/1990

Board Attorney Vastola stated that there are a few housecleaning issues. The reports prepared by PierCon Solutions dated 4/5/11 does not mention Light Radio; however, Radio Frequency Engineer Hank Menkes' report refers to some form of this technology and that it is being developed by Alcatel-Lucent. Attorney Vastola stated that Board Member Sweeney is employed by Alcatel-Lucent.

Board Member Sweeney stated that Light Radio is a technology vision and it is not being trialed at this stage. It is not commercially available. He stated that he does not have a conflict with hearing this application.

Attorney Meese stated that he too is working for Alcatel-Lucent Technologies, Sprint. He stated that he is not comfortable with this situation and believes there may be a conflict of interest. He requested that Board Member Sweeney step down from the dais

Board Member Pedroso arrived at 7:46 pm.

Chairman Vornehm requested Attorney Meese to do research to determine whether or not there is a conflict. Attorney Meese agreed and Board Member Sweeney stepped down from the dais and left the meeting.

Richard Conroy confirmed that he prepared the PierCon Solutions report dated 4/5/11 and that he reviewed Mr. Menkes reports. He stated that the new propagation model in the 4/5/11 report now takes clutter into consideration. The bin sizes are all the same. There is an additional site that has been added, NJ06520, which was in error and it is not relevant. There is a typographical error in the report which mentions the 2005 census data, which should be the 2000 census data. He stated that the Board should only rely on the new maps provided in his report dated 4/5/11, which utilized the new propagation software.

He stated that he had reviewed all of the drive test maps and performed an independent analysis essentially looking at T-Mobile's existing design, their existing coverage, and prepared some additional propagation maps. He stated that the scope of his work involved reviewing Mr. Menkes' suggestions, looking at some alternatives in regard to alternative site locations, as well as alternatives to the existing sites, reconfiguring them, turning antennas in different directions, as well as looking at some alternative technologies.

Mr. Conroy looked at T-Mobile's propagation tool, ASSET, which is a propagation tool that a lot of the wireless carriers utilize. He stated that this particular propagation prediction tool has just gone through a major change within T-Mobile's operation. They modified their existing propagation models to a new standardized model. That model takes into account clutter, which is the effect of trees and buildings in the environment in a much better manner than the models had done previously. Mr. Conroy stated that he repropagated all the maps,

so we can see where the differences are. He stated that what he found is a new propagation model that appears to be more accurate in particular with sites below the tree line.

Mr. Conroy discussed the exhibits A-16 through A-18. He stated that remote radio heads are not new and are used when deploying GSM coverage. He stated that UMTS technology is different and is a newer technology. It is the next generation of the network. Mr. Conroy discussed remote radio heads placed on telephone poles, noting that the poles are owned by PSE&G and Verizon. PSE&G are placing solar panels on their poles and may not allowing remote radio antennas to be added depending on circumstances. He stated that a DAS network is not reliable. It works with a much smaller area of coverage, needs battery backup and is not reliable. Mr. Conroy stated that a combination of alternatives did not make sense as they are not reliable on their own.

Mr. Conroy stated that the Green Knoll Fire Department wants to mount an antenna on top of the proposed cell tower to use as a backup antenna should the current system go down.

The Board suggested alternate sites and Mr. Conroy referenced exhibits A-19 through A-24. Attorney Meese stated that each of the site suggestions requires a use variance and the Board cannot make the Applicant chase its tail.

Hank Menkes was sworn in and confirmed he reviewed Mr. Conroy's report dated 4/5/11. He stated that he is concerned with the differences in the plots previously used and the new maps. Planner Doyle confirmed that the municipal properties are Green Acres.

Mr. Menkes comments on each of the maps as follows:

Map 1 – no specific comments

Map 2 – 1170 Rte 22 is a low facility surrounded by existing clutter

Map 3 - displays the result of adding a third sector to the current two-sector cell site, NJ06314B, located at the

Bridgewater Commons Mall

Map 4 – could have been an alternate site; however, it needs further Radio Frequency analysis

Map 5 – displays the RF signal strength as a result of placing a proposed cell site and tower on the municipal land

on Wight Street. Comparable to the Green Knoll Fire Department proposed cell tower.

Map 6 – leaves gaps

Map 7 – same as library coverage

Map 8 – still inadequate coverage

Map 9 – unremarkable

Mr. Menkes discussed some of the technology issues. He stated that he investigated T-Mobile's infrastructure vendor offerings, which is LM Ericsson and they do offer radio units. T-Mobile is currently employing them for their UMTS deployments. He stated that Ericsson now has a line of base station products including a remote radio unit that handles both GSM

and UMTS, but it is at one frequency, which is not adequate for T-Mobile's needs for GSM and UMTS. Ericsson does not offer a remote radio unit that supports GSM, WCDMA or UMTS and LTE simultaneously at three frequencies.

Mr. Menkes discussed the femtocells as presented in Mr. Conroy's report dated 4/5/11. He suggested T-Mobile use them in places where there is no coverage and their subscribers are asking to be able to place phone calls from their homes. He stated that femtocells have a number of technologies, one of which is called cell block devising network technology, which allows the femtocells to be dropped into a macro-cellular network and communicate with the rest of the network to establish neighbor lists and frequency assignments and so forth. In addition, he stated that there are issues with voice quality and quality of service.

Mr. Menkes discussed Mr. Conroy's conclusions, which the consultant claims that the only viable solution is the proposed cell site at the Green Knoll Fire Company location. Mr. Conroy ignores the outstanding fact that the site does not provide either reliable in-building or in-vehicle coverage to a heavily travelled portion of Foothill Road and a number of the surrounding neighborhoods. It directly contradicts T-Mobile's objective of providing seamless, reliable service to customers, police, fire, ambulance and emergency response personnel within the Township unless T-Mobile is planning to add another cell site to offer reliable in-vehicle service to the subscribers traveling along Foothill Road.

Chairman Vornehm opened the hearing to the public.

Allen Ernst, 722 Hart Drive, addressed concerns regarding lighting and enhanced propagation utilized by T-Mobile.

Andrew Leven, 2 Holmes Court, expressed concerns regarding the number of adjournments for this application.

Mark Conrad, 130 Branch Road, questioned if T-Mobile has roaming agreements with other carriers. Mr. Conroy stated that he is not aware of any.

Peter Sepesi, 6 Cedar Street, questioned if the Fire Department received any approval from the FCC and if the Fire Department has repeaters in the trucks. Mr. Conroy stated he did not know.

Due to the late hour of the meeting, Chairman Vornehm carried the hearing to 6/21/11 at the Municipal Courtroom at 7:30 pm 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

Attorney Vastola stated that a Muslim group has started a lawsuit and the Planning Board no longer has jurisdiction of the application. He recommended the Board come up with some possible dates for the application. The Board agreed on the following dates: 7/26/11, 8/16/11, 8/23/11, 8/30/11, 9/20/11 and 9/27/11.

ADJOURNMENT:

It was the consensus of the Board to adjourn the meeting at approximately 10:30 pm.

Respectfully submitted,
Marie L. Broughman,
Land Use Administrator

ADOPTED: 7/5/11