

## **BRIDGEWATER TOWNSHIP PLANNING BOARD**

Virtual Online Meeting  
Tuesday, April 13<sup>th</sup>, 2021

—MINUTES—

### **1. CALL MEETING TO ORDER:**

Chairman Fross called the Virtual Online Planning Board Meeting to order at 7:00 pm via the Virtual Ring Central platform.

### **2. OPEN PUBLIC MEETINGS ACT ANNOUNCEMENT:**

Both adequate and electronic notice of this meeting specifying the time, place and manner in which such notice was provided in accordance with the Open Public Meetings Act, N.J.S.A.10:4-6, and recently enacted Emergency Remote Meeting Protocols for Local Public Bodies, N.J.A.C. 5:39-1, et seq. Specifically, on **January 13, 2021** 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 at the Municipal Building. Public meetings are held with participants at remote locations, connected by conferencing software provided by RingCentral.com. Members of the public are invited to attend and participate in live meetings either by using the RingCentral client, which allows audio and video participation, or by phoning into a meeting for audio only participation. The required access information is provided in the notice, as well as set forth on the agenda.

The procedures and requirements for making public comment are as follows: Attendees are admitted to meetings via the waiting room and microphones are muted until enabled by the host. Members of the public may participate in meetings at certain designated times as announced by the Board Chair. Members of the public will be allowed to address applicants and their experts, ask questions and/or make comments as appropriate once recognized to do so. Attendees may request to be heard by 'raising a hand', either physically or virtually.

Regulation of conduct by members of the public on the remote public meeting shall be consistent with law and practices followed if a member of the public disrupts an in-person meeting. Specifically, if a member of the public becomes disruptive during any period for public comment, the member of the public shall be muted and warned that continued disruption may result in him or her being prevented from speaking during the remote public meeting or removed from the remote public meeting. Disruptive conduct includes sustained inappropriate behaviors, such as, but not necessarily limited to, shouting, interruption, and use of profanity. A member of the public who continues to act in a disruptive manner after receiving a warning may be muted while other members of the public are allowed to proceed with their questions or comments. If time permits, the disruptive individual shall be allowed to speak after all other members of the public have been given the opportunity to make their comment. Should the person remain disruptive, the individual may be muted or kept on mute for the remainder of the remote public meeting, or removed from the remote public meeting.

Please be aware of the Board policy for public hearings: No new applications will be heard after 10:00 pm and no new testimony will be taken after 10:15 pm.

### **3. SALUTE TO FLAG:**

#### **4. ROLL CALL:**

Mr. Michael Pappas – <b>absent</b>	Councilman Mr. Kirsh – present
Mr. Henry Wang – present	Mr. Robert Giurlando – present
Mayor Moench – <b>absent</b>	Ms. Lauren Zarro – present
Mr. Alan Fross – present	Mr. Maurizio Vescio – present
Mr. James Magura – present	Ms. Kimberly Forino – present
Mr. Thomas Genova- present	

Others present: Board Attorney Mr. Mark Peck, Esq., Board Planner Ms. Scarlett Doyle, PP, Board Engineer Mr. William Burr, IV, PE, and Land Use Coordinator Ms. Zuzana Karas.

**RECA 360 MILLTOWN INVESTMENT LLC - MILLTOWN ROAD AND DOOLITTLE DRIVE**

Block 165 Lot 2

#21-011-PB MINOR SITE PLAN

Chairman Fross announced that the following application would be carried to the board's April 27th meeting without further notice.

**5. APPROVAL OF BOARD MINUTE(S):**

March 23, 2021, Virtual Online Regular Meeting Minutes.

Some changes were made.

The Chairman asked the board for a motion to approve the March 23, 2021 meeting minutes with the changes made.

A motion of approval was made by Mr. Magura with a second by Mr. Kirsh.

**Roll Call Vote:**

AFFIRMATIVE: Mr. Fross, Mr. Wang, Mr. Kirsh, Mr. Giurlando, Ms. Forino, Mr. Vescio, Mr. Magura, and Ms. Zarro.

ABSENT: Mayor Moench and Mr. Pappas.

ABSTAIN: Mr. Genova.

DENIAL: None.

**6. MEETING OPEN TO THE PUBLIC:**

Members of the public wishing to address the board on any matter not listed on the agenda could do so at this time. It was announced that if any questions or comments were made about a pending application, they would need to be seized until the hearing of such application. (This being in accordance with the Municipal Land Use Law and Case Law.)

No members of the public wished to address the board.

**7. LAND DEVELOPMENT APPLICATION:**

**SPCMDIT, LLC. -ROUTE 287 ROW, ADJACENT TO SOMERSET PATRIOTS BALL PARK**

Block 347 Lot 1

#20-041-PB MINOR SITE PLAN

Applicant SPCMDIT, LLC applied before the board, represented by Counsel, Mr. Steven Fuerst, Esq., for minor site plan approval for the property located at Block 347, Lot 1. The application was to reforest the right-of-way per the submittal made including a Tree Expert Survey prepared by Mr. Alan August, Certified Tree Expert, dated October 1, 2019, Reforestation Plan prepared by Mr. Kevin A. Kester, LLA of Van Cleef Engineering Associates, dated September 22, 2020, Environmental Impact Summary prepared by Mr. Kevin A. Kester, LLA, dated February 17, 2021, and No Net Tree Loss Grid Analysis for Reforestation prepared by Mr. Kevin A. Kester, LLA, dated August 15, 2018, with the last revision date of February 5, 2021. (The applicant did not present any exhibits beyond materials submitted with the application.)

The board reviewed a joint report prepared by the Township Planner, Ms. Scarlett Doyle, and Board Engineer, Mr. William H. Burr, IV, dated April 7, 2021.

The applicant presented testimony by the following witnesses, who were all sworn in, Mr. Kevin A. Kester, LLA, Mr. Matt Hollowell, tree contractor, and Mr. Bryan Iwicki, associated with the Somerset Patriots.

Mr. Fuerst explained that the application proposed to remove trees and reforest along the 7.35-acre property within the Route 287 right-of-way adjacent to the Somerset Patriots ballpark. The applicant would be removing dead, scrub trees and vegetation to replace them with ornamental and small canopy trees. The replanting would not impede views of the ballpark and would present a more attractive appearance to visitors and travelers. He explained that NJDOT had already approved the plan, but a condition of the approval was to secure a site plan approval from the planning board.

Mr. Kester further testified that the area the applicant sought to reforest was approximately 1700' x 100' of the ROW. He confirmed that the area currently features green ash trees, which have been devastated by the green ash borer, and the site is now in disrepair. The board agreed that the subject area is unsightly.

Mr. Kester stated that the ground would be planted with a short meadow mix that would be mowed twice yearly. The trees selected were chosen from the book "Trees of New Jersey", 5<sup>th</sup> Edition, a standard reference manual. The applicant would adhere to the "no net tree loss" standard when replacing the trees. A forester was consulted to review each tree and render a report which was already submitted to the board. The applicant had already removed identified dead trees from the property. The applicant plans to remove the remaining 266 live trees, which are generally in poor condition. Many trees would be planted via hand digging, and the understory meadow grass would be hand raked. The applicant would store trees and some small equipment within the ROW during the planting process. Once the applicant obtains board approval, they planned to present it to NJDEP for the final permitting review, with hopes to start planting in the fall.

Mr. Kester reviewed the board's joint planning memo and agreed with the project summary therein. As to the specific comments in the memo, he testified that the NJDOT permit, initially set to expire February 26, 2021, had been extended to February 26, 2022. He noted that the soil conservation district approval and NJDEP permits were still pending. The applicant was willing to work with the board with regards to possible alternatives for the non-native trees. The proposed 18 hedge maple trees were noted as a concern, and the applicant would work with the Township Planner to select alternatives. NJDEP permit presents the only impediment to planting in the fall, but the applicant was optimistic that the permit would be secured in time. Due to the steep terrain present on site, the planting project was expected to take 8-10 weeks. Mr. Kester testified that he, along with NJDEP, would conduct inspections of the work. No debris, such as dead trees or branches, would be left on site. There was a one-year guarantee on the trees.

The board discussed whether a bond would be required for the proposed work. Due to the high cost of a bond, and more importantly, since this was not a mandated project but rather voluntarily, the board decided bonding would not be a condition of approval.

No member of the public had any questions for Mr. Kester and his testimony given.

The board, following deliberation, approved the application, SPCMDIT, LLC, for minor site plan approval, subject to terms and conditions stipulated during the hearing.

Roll Call Vote:

Motion for approval was made by Mr. Kirsh with a second by Mr. Genova.

AFFIRMATIVE: Mr. Fross, Mr. Wang, Mr. Kirsh, Mr. Giurlando, Mr. Genova, Ms. Forino, Mr. Vescio, Mr. Magura and Ms. Zarro.

ABSENT: Mr. Pappas and Mayor Moench.

ABSTAIN: None.  
NOT ELIGIBLE: None.

**NY SMSA LIMITED PARTNERSHIP D/B/A VERIZON WIRELESS – 551 MILLTOWN RD**  
Block 168 Lot 18  
#21-008-PB PRELIMINARY AND FINAL MAJOR SITE PLAN C-VARIANCES

The applicant, New York SMSA Limited Partnership d/b/a Verizon Wireless, and co-applicant New Cingular Wireless PCS, LLC, was represented by Counsel Mr. Edward W. Purcell, Esq. The applicant(s) collectively applied to the board for preliminary and final major site plan approval, with related “c” variance relief. The applicant was seeking approval to construct a wireless communications facility on an existing PSE&G transmission tower, located on municipally-owned property, Block 168, Lot 18. The applicant required a c(2) variance for requiring a setback of at least 120% of the tower height to the nearest property line. The applicant sought several checklist waivers, which were all granted.

The following was submitted and reviewed with the application: plans prepared by Ms. Colleen Connolly, P.E., Scherer Design Group, LLC, dated June 30, 2020, with the last revision date of February 17, 2021, Overall Property Improvement Plan prepared by Mr. F. Mitchell Ardman, P.E., The Reynolds Group, Inc., dated April 11, 2002, Roseland Switch to Branchburg Switch Upgrade Project Multi-Permit Plans, prepared by PSE&G, dated July 30, 2020, Analysis of the Electromagnetic Environment in the Vicinity of a Proposed Wireless Communications Facility, prepared by Glenn Pierson, Pier Four Enterprises, dated January 15, 2021. The board was presented with exhibits A-1 through A-16 during the hearing.

The board also reviewed a joint report from the Township Planner, Ms. Scarlett Doyle, and Board Engineer, Mr. William H. Burr, IV, dated April 8, 2021.

The applicant presented testimony by the following witnesses, who were all sworn in: Ms. Colleen Connolly, P.E., Mr. Glenn Pierson, P.E., and Mr. Timothy Kronk, P.P.

Mr. Purcell described the subject property explaining that the applicants had obtained approvals for a temporary cellular communications facility via application No. #19-015-PB. A PSE&G utility easement crosses the property, and the tower and communications facility is located within that easement.

The PSE&G tower had been relocated due to the installation of the temporary facility. Now the applicant is ready to install a permanent facility on the new tower. The applicant would continue to use the existing equipment shelter without any expansions. The only matter of substance with this application was the addition of antennas to the PSE&G tower. The equipment consists of 22 antennas on the tiered arrays on the 125’ tower. The antennas would bring the total height to 155.5’. The antennas assembly would also include fiber and utility connections that would be connected to the equipment enclosure.

Ms. Connolly was accepted by the board as an expert in civil engineering and testified on behalf of the applicant. Using some exhibits, she described the 28.8-acre property which is owned by the Township and vacant, except for the PSE&G tower and an unoccupied historic structure. The property, located in the Township’s Public & Institutional Zone District, permits the cellular communication facility.

Ms. Connolly confirmed the depictions made by Mr. Purcell in that the equipment shelter would remain “as is” and there would be no lighting added to the facility. The applicant would be adding one new underground conduit to the new tower. There would be no generator proposed but rather battery backups. Property access would remain via existing gravel driveways off Milltown Road, and parking would be on the existing gravel area.

Ms. Connolly testified that the applicant would coordinate its work with PSE&G, since its equipment must be in place before the transmission line on the new tower is energized. There would be no construction staging within the Milltown Road right-of-way.

Ms. Connolly testified regarding the board's April 8, 2021, joint planning and engineering memo. All were acceptable to the applicant except as noted herein. She testified explicitly that the site of the temporary communications facility would be restored fully if anything should be disturbed by the present application. The lighting would remain "as is" with no changes. Since the existing fence had areas in poor condition, the applicant would replace the entire fence.

The public was offered an opportunity to question Ms. Connolly's testimony given. SV Krishnan asked if the facility could be relocated to a different location along Route 28. He was advised that it could not. He also inquired about landscaping and plantings and was informed that PSE&G controls the site and does not want plantings within the easement area.

Mr. James Schenk also requested landscaping. Ms. Connolly testified that the applicant discussed landscaping with PSE&G yet was rejected since PSE&G believes it may interfere with site access. The board required landscaping to the extent permitted by PSE&G and NJDEP.

Mr. Pierson was accepted as an expert in radiofrequency engineering and testified on behalf of the applicant. Using exhibits, he explained that both Verizon and AT&T possess numerous FCC licenses and continued to give background on wireless networks. He noted that the subject site is approximately 65' above sea level, while much of the surrounding area is 75' and higher. He reviewed the propagation maps to describe the regional network and how the sites interact. Significant coverage gaps were noted, emphasizing that if the site were to be removed from the network, it would result in substantial service degradation.

Mr. Pierson also testified regarding usage and demonstrated that there is a lot of data flowing through the subject site that cannot be accommodated elsewhere. Presently, some 57% of households do not have landlines, which is a number that is only increasing.

Mr. Pierson testified that the tower height could be reduced yet would result in a less efficient tower providing lesser service. If the site were relocated to Route 28, all coverage south of the subject property would be lost. Mr. Pierson testified that there were no other possible sites to fill the coverage gap. He further testified that although small cell technology is being used in certain situations, such as office buildings, they would only cover about 10% of what this proposal would cover.

Mr. Pierson also testified that the facility would meet both Federal and State emissions standards, along with NJ's standards being 5x more stringent than the Federal.

No member of the public questioned Mr. Pierson's testimony given.

Mr. Kronk was accepted by the board as an expert in professional planning and testified on behalf of the applicant. He testified that the tower location was reviewed and approved by the board and the NJBPU. If the facility was moved off the tower to an adjacent site, it would be within the R-40 Zone District and would require a use variance.

Mr. Kronk testified that there is no significant detrimental impact, either to neighboring properties or to the zoning scheme presented by the application. Utilizing exhibits, existing and proposed conditions were

reviewed along with the proposed location and its optimal site from a planning perspective. The board agreed that the property, township owned, permits such use.

No member of the public specifically questioned Mr. Kronk.

No member of the public had a comment on the application.

The board, following deliberation, approved the application, New York SMSA Limited Partnership d/b/a Verizon Wireless and New Cingular Wireless PCS, LLC, preliminary and final major site plan approval with c(2) variance relief, subject to terms and conditions stipulated during the hearing.

Roll Call Vote:

Motion for approval was made by Mr. Kirsh with a second by Ms. Zarro.

AFFIRMATIVE: Mr. Fross, Mr. Wang, Mr. Kirsh, Mr. Giurlando, Mr. Genova, Ms. Forino, Mr. Vescio, Mr. Magura and Ms. Zarro.

ABSENT: Mr. Pappas and Mayor Moench.

ABSTAIN: None.

NOT ELIGIBLE: None.

**8. OTHER BOARD BUSINESS:**

The board planner, Ms. Doyle, informed the board of upcoming meetings and applications scheduled.

**9. EXECUTIVE SESSION:**

No Executive Session was needed.

**10. ADJOURNMENT:**

A motion was made by Mr. Kirsh with a second by Mr. Genova to adjourn the meeting at 10:45 pm, followed by the board's consensus.

Respectfully submitted,  
Ms. Zuzana Karas  
Land Use Coordinator

