

BOROUGH OF MIDLAND PARK - ZONING BOARD OF ADJUSTMENT MINUTES
July 8, 2009

PLEASE TAKE NOTE:

ON WEDNESDAY, JULY 8, 2009, THE ZONING BOARD OF ADJUSTMENT OF THE BOROUGH OF MIDLAND PARK HELD A REGULARLY SCHEDULED MEETING IN THE MIDLAND PARK COUNCIL CHAMBERS, 280 GODWIN AVE., MIDLAND PARK, NJ. THE FORMAL MEETING BEGAN AT 7:30 P.M.

FORMAL MEETING

READING OF THE OPEN PUBLIC MEETINGS ACT

PLEDGE OF ALLEGIANCE

ROLL CALL:

Ms. Linda Herlihy	absent	Mr. Glen Biswurm	present
Ms. Douglas Feick	present	Mr. John Meeks	present
Mr. Richard Kroitsch	absent	Mr. Richard Formicola, Alt. #1	present
Mr. Peter Braunius	present	Alternate #2- vacant	
Mr. David Zuidema	absent		

Dan Zwillenberg, Esq. stepping in for D. Doyle, Board Attorney and Richard Wostbrock, Board Engineer, were also present on behalf of the Board.

Mr. Feick was acting chairperson in the absence of Ms. Herlihy

Minutes of the June 10, 2009 meeting were approved.

PUBLIC HEARINGS:

OMNIPOINT COMMUNICATIONS LLC- Block 11 Lot 5 - 133 Glen Ave- Atty. Frank Ferraro representing Omnipoint Communications, continued application from June 10th meeting. Two witnesses to present; Mr. Alam, radio frequency engineer and Brian Reiser, licensed civil engineer. Atty. Mark Madaio, Objecting Attorney representing the Borough of Midland Park, questioned if all the witnesses will be available at the next meeting. Noman Alam, Radio Frequency Engineer, previously sworn, continued testimony. Exhibit A-3, Radio frequency report NJ06104A dated 9/29/08. Exhibit A-4, Radio frequency report NJ06104A dated 6/24/09. Exhibit A-4 was revised to reflect a site which went on air after exhibit A-3 was completed and Mr. Alam reviewed coverage maps. Exhibit A-5, drive test data, colorized, 1 page; information is collected by using a drive test tool connected to a special mobile phone to a lap top which reflects signal levels. There is an area of insufficient coverage around the proposed site. Board questioned if the drive test data included any other providers; no, just t-mobile. More customers are using their cell phones at home so there is a need to provide reliable in-building coverage. Mr. Alam reviewed chart in exhibit A-4 titled NJ06104, Off air with Godwin Ave and Hohokus site on air. Prepared at the request of the Board showing how the coverage would be affected by the proposed additional sites at both 44 Godwin Ave (NJ06103A) and Hohokus (NJ06991A); a remaining area of deficient coverage exists and there is a need for the site on 133 Glen Ave. Exhibit A-4, page titled NJ06104 On air with Godwin Ave and Hohokus site on air. Mr. Alam advised that the proposed sites at 44 Godwin and Hohokus could not be modified to provide additional coverage around the 133 Glen Ave site.

Exhibit A-4, page titled NJ06104 @ 35 feet, prepared at the request of the Board and reflects coverage that would be obtained if the antenna were placed at a height of 35'; however the propagation tool does not identify the closeness of trees and he believes the actual coverage would be less than reflected on the chart; height proposed is minimum necessary to adequately address this area of deficient coverage. In response to the Boards question, Mr. Alam stated that the modeling software does reflect changes and variation in the terrain however the engineer must allow for any obstructions. A site observation was required for the coverage analysis. Exhibit A-6, USGS Map of Midland Park and Surrounding, 1 page, colorized. Mr. Alam discussed suitability and selection process; proposed site has favorable topography and has existing structures with co-location opportunity. At the Boards request, Mr. Alam researched the Ridgewood Fire House site at the corner of Morningside and Monroe; structure would not support their antennas and would require a monopole, site constraints would not allow the necessary room for a monopole and there is a significant difference of elevation; existing water tower at 133 Glen is a more suitable mounting structure for proposed antennas. Mr. Alam reviewed Borough owned sites; Board of Education site was not available, 50 Dairy St. would require a new monopole. 133 Glen Ave. has an existing structure and is more suitable. There are no suitable structures located on Borough owned property that are located within the search ring. Proposed facility is unmanned with no employees at site and will be visited for routine maintenance about once a month. Board questioned if the Ridgewood firehouse would be within the search ring, and size of search rings and procedures for determining site applicability. R. Wostbrock questioned coverage requirements and other antennas located outside of Midland Park, if the 20 Greenwood Ave site, owned by the Borough of Midland Park, would cover the gap in coverage. Mr. Wostbrock questioned the coverage provided by the 6 Prospect St antennas vs. the 133 Glen Ave proposed site and the required height for the antennas at 133 Glen Ave. Mr. Alam confirmed that the antennas on top of the water tower provide the necessary coverage and avoids obstructions; would experience loss of coverage at a lower location. Exhibit A-7, 8 1/2 X 11, propagation of a proposed site at 20 Greenwood Ave; validates that location will not fulfill the gap present at 133 Glen Ave. Comparing A-1 to A-7, the coverage provided by 20 Greenwood Ave would overlap coverage supplied by site 6020D; the gap existing towards Morningside and Monroe would remain; 20 Greenwood Ave is not a suitable alternative for 133 Glen Ave. Meeting opened to the public. Robert Van Gorp, 120 Glen Ave, questioned if a study has been done that addresses emissions and intermodulation of proposed antennas and existing antennas; applicant will present a witness and information to address emissions and intermodulation of proposed and existing antennas. Pat Van De Veen, 154 Glen Ave. questioned if a propagation map could be supplied for the elementary school and tennis courts in Ridgewood and questioned the percentages of coverage and number of houses covered by the proposed site that affects Midland Park. Henry Van De Veen, 154 Glen Ave, questioned if the site at Heights Rd. in Ridgewood could be considered as a suitable site. James Brown, 131 Chamberlain Pl, questioned real estate values. Robert Van Gorp, questioned why AT&T and Verizon provide good reception and why they are not sharing their existing locations. Pat Van De Veen questioned if propagation maps will be supplied. Meeting closed to the public. Brian Reiser, NJ Licensed Civil Engineer, sworn in, accepted as expert. Exhibit A-8, rev. #6, dated 3/5/0-9, sp-1, 1 sheet. Mr. Reiser reviewed site details. Three equipment cabinets are proposed on the southeast corner of property, each cabinet is 4' 3" wide x 2' 4" deep x 6' high, installed on a 4' x 20' concrete slab. Cables will be routed to antennas via underground to base of tank and up side of stand pipe where antennas are mounted on existing railing on top of water tank, 9 antennas proposed. Exhibit A-9, sp-2, 1 sheet, dated 3/5/09, 3 sectors of 3 antennas each and 1 GPS antenna is proposed at grade mounted on a 8' high pipe. Equipment pad is 80 sf,

equipment cabinets are approx. 6' in height. Proposed equipment will have electric and telephone connections routed underground from existing service, no water or sewer service required. Cabinets have batteries built-in to provide approx. 90 minutes of back up power, no generator or lighting is proposed. Cabinets are climate controlled with small a/c units, no odors or noise emitted. Slab is located on a relatively flat, small area that should not affect drainage. There is an existing shed that houses the radio equipment for the existing antennas. Cabinets could not be located along Godwin Ave because of underground pipes and pump station located in front yard; cabinets are located at the furthest point from the rear property line. Site can accommodate the equipment proposed and is suitable both physically and operational for proposed facility. Technician will visit site approx. every 4-6 weeks for routine maintenance; existing drive way with parking space available, no additional parking would be required. Exhibit A-8 & A-9 were based on a recent survey dated 9/29/08 which was submitted with the application. Mr. Reiser described antenna heights; existing antennas would be raised to 101' 2" to avoid conflict. Responding to LAN Assoc. review letter, item #10, dependent on carrier and coverage, there should be enough space for antennas and some space on the ground. Board questioned why existing antennas are being relocated. Meeting opened to the public. Robert VanGurp, questioned if noise emitted will reflect off the tank; applicant will provide a noise study. Pat Van De Veen questioned how much square footage there is in the rear of the tower and how much would be left open. Noreen Desbiens, 141 Glen Ave, questioned what the closest distance is from her property line to their equipment cabinet and stated that the property is graded and not flat and is concerned about drainage to their property. Mr. Reiser stated that the back of cabinet will be 4' from the fence at the rear property line and described how much space will remain open in the rear. Jim Desbiens, 141 Glen Ave, questioned integrity of the existing railings where the antennas are to be mounted. Atty. Madaio, objecting attorney, questioned local and state noise codes and reasons for placement of equipment cabinets in rear yard vs. front yard. Atty. Madaio questioned the undersized lot, equipment cabinets 3' 8" from property line. Mr. Reiser advised that no air conditioning units are proposed, the cabinets have air conditioning units in the doors; not residential style a/c units. The underground utilities were located by a surveyor. Atty. Ferraro will provide a noise study, intermodulation study and testimony from a Planner and Emissions expert. Meeting closed to the public. Motion by Mr. Braunius to carry application to August 12, 2009, no further notice required, seconded by Mr. Meeks; all voted in favor. Atty. Ferraro agrees to extension of time.

RESOLUTIONS:

CENTRAL AUTOMOTIVE ENTERPRISES, LLC- Block 41 Lot 1 - 595 Godwin Ave- Motion by Mr. Meeks to carry resolution to August meeting, seconded by Mr. Formicola; all voted in favor

HENPAL REALTY LLC- Block 6 Lots 1 & 17.01 - 80 Godwin Ave- Motion by Mr. Meeks to carry resolution to August meeting, seconded by Mr. Braunius; all voted in favor.

COMMUNICATIONS:

D ALESSANDRO, STEPHEN- Block 7.06 Lot 10- 57 Busted Dr & CATUOGNO, MARC- Block 10.14 Lot 14- 111 Millington Dr- Request for extension of time for variance, carried to August meeting.

Adjourned at 10:05 PM
Janet Giardino
Board Secretary