

SPECIAL MEETING: 7:00 P.M. Public Meeting Room
Deal and Monmouth Roads
Oakhurst

MEMBERS Jane Grabelle
PRESENT: Russell Malta
Eric Menell, At II
Leon Pflaster
Henry Schepiga, V Chair (arrived 7:15 pm)
James Worrell, Alt III
Warren Goode, Chair

MEMBERS David Messer
ABSENT: Sylvia Sylvia, Alt I
Richard Van Wagner

OTHERS PRESENT Mark A. Steinberg, Zoning Board Attorney
James Higgins, P.P. Board Planner
Bill Fitzgerald, P.E. Board Engineer
Marianne Wilensky, Planning Administrator
Rachel Goncharko, Board Secretary
Recording Secretary

Chairman Warren Goode announced that the notice requirements for the Open Public Meetings Act have been satisfied, a copy of the notice was sent to the Asbury Park Press and the Coaster, posted in the Township Hall, and filed in the Office of the Township Clerk on April 18, 2012.

RESOLUTION MEMORIALIZATIONS

Diana Hoffstein MOVED: Grabelle SECOND: Pflaster
Block 12.06 Lot 8 FAVOR: Grabelle, Malta, Menell, Pflaster
215 Elberon Blvd OPPOSED: None
Oakhurst INELIGIBLE: Worrell, Goode
Bulk Variance Approval ABSENT: Messer, Schepiga, Sylvia, Van Wagner

259 Overbrook Group LLC MOVED: Grabelle SECOND: Menell
and CDS, Inc. FAVOR: Grabelle, Malta, Menell, Pflaster
Block 22 Lot 43 OPPOSED: None
259 Overbrook Avenue INELIGIBLE: Worrell, Goode
Oakhurst ABSENT: Messer, Schepiga, Sylvia, Van Wagner
Minor Site Plan Approval

Gold Coast Automotive LLC MOVED: Grabelle SECOND: Menell
Block 3 Lot 7.01 FAVOR: Grabelle, Malta, Menell, Pflaster
2123 Highway 35 OPPOSED: None
Oakhurst INELIGIBLE: Worrell, Goode
Preliminary and Final Site Plan ABSENT: Messer, Schepiga, Sylvia, Van Wagner
Conditional Use
Bulk Variance Approval

CONTINUED CASE

T-Mobile Northeast, LLC This is an application for 'c' and 'd' variances with
Block 1, Lots 30, 31, 32 minor site plan approval to erect a monopole and
1215-1229 West Park Avenue for a sign variance.
Wayside
Zone R-1/ PAC Attorney for the applicant: Frank Ferraro, Esq.

Board member James Worrell has read the transcripts and is eligible to vote on this application. Vice Chairman Henry Schepiga is on his way and will listen to the testimony that he missed to be eligible at the next meeting.

Chairman Goode read a prepared statement informing the audience of the procedures for the meeting.

Vice Chairman Henry Schepiga arrived and joined the Board.

Frank Ferraro, Esquire submitted a revised report entitled "Antenna Site FCC RF Compliance Assessment and Report" dated April 3, 2012 by Daniel Collins, the FCC compliance specialist who testified at the previous hearings. The report was marked A-12 for Identification Only. Mr. Ferraro said that the report demonstrates that the site will remain in compliance with FCC standards. Mr. Collins will not be back to testify. Mr. Graiff said that the report demonstrates that even at a 26% down tilt the MPE would be less than 52% of the allowable level.

Al Kerecman, 740 Bowne Road, said that he has not had ten days to review the report and would like Mr. Collins back for questioning. Mr. Ferraro said that the applicant does not intend to bring Mr. Collins back because his report was entered as ID only and has been reviewed by Mr. Graiff with no objections. Chairman Goode said that he is satisfied with Mr. Graiff's review of the report and will not ask the applicant to bring Mr. Collins back to the Board.

Mr. Ferraro presented Joseph Mineo, Radio Frequency Expert for the applicant, to continue his testimony. Mr. Mineo said that the search ring is in the archive from July 2006 and that it predated his involvement in the design of the site. It is not a valid search ring because it was issued in July 2006. Mr. Mineo referred to the exhibits marked A-5 and A-11 to show the coverage of the original search ring. He said that there is not a valid search ring on file and that they are trying to determine a new one.

Mr. Mineo went through the alternative sites suggested by Mr. Graiff, explaining that they would not be acceptable sites due to ground elevation.

Mr. Mineo said that the design criteria for the antenna is a threshold design with 95% reliability and E911 capabilities. A lesser standard does not meet the criteria for E911 capabilities.

Board Engineer William Fitzgerald, P.E. asked about the location of the search ring. Mr. Mineo said that he assumes that it would be located in an area of insufficient coverage. He defined a search ring as an area for sufficient coverage. Mr. Fitzgerald referred to Mr. Mineo's report marked A-3 ID Only and asked if he had investigated having three DAS servers, on Route 18, West Park Avenue and in the steeple of the church on Deal Road. Mr. Mineo said that he had considered that alternative. Mr. Fitzgerald referred to page 95 of the transcript from the hearing on May 30, 2012 to discuss the coverage calculations. Mr. Mineo explained that the designs are based on public safety standards. Mr. Fitzgerald referred to page 112 of the transcript and asked that he submit calculations used to determine the amount of signal needed to penetrate a house or car. Mr. Ferraro said that the applicant will submit the design standards as evidence.

The coverage objective and the location of the tower were discussed. Mr. Higgins suggested that the tower be relocated to Route 18 so that more apartment units can be covered in addition to Rolling Meadows and Industrial Way. Mr. Mineo said that he has not looked into that. Mr. Mineo said that the proposed site was ideal for T-Mobile's coverage objective for the area. Mr. Steinberg said that Route 18 is state owned property and would not have to come to the Board to get approval. Mr. Schepiga asked if the applicant could find out if there is availability on Route 18. Mr. Ferraro said that they could get that information but that Mr. Mineo's testimony shows that a tower at that location would not cover the area that T-Mobile wants to cover.

Mr. Graiff discussed the search ring and the current coverage with Mr. Mineo. Mr. Graiff asked Mr. Mineo to show where the search ring was located. Mr. Mineo drew the search ring from 2006 on Exhibit A-5.

Chairman Goode asked what the height was of the tallest T-Mobile tower. Mr. Mineo said that it was over 300'. Mr. Graiff said that a 170' monopole is routine. Lattice poles can be higher than 300'. Chairman Goode asked if the tower could be built 70' taller so that it could be located on Route 18. Mr. Mineo said that there would be interference problems. Mr. Fitzgerald asked about a possible two tower solution. Mr. Mineo said that it has not been looked into. Mr. Graiff asked if a site on Route 18 could be propagated. Mr. Ferraro said that they will see if they can provide that information. Mr. Mineo said that he will meet with Mr. Graiff to get coverage plots.

Mr. Graiff referenced a T-Mobile application in another town. Mr. Ferraro objected to that exhibit being entered as evidence because there is no way to authenticate that exhibit. Thomas J. Hirsch, Esquire, attorney for Rolling Meadows, said that the rules of evidence do not apply and that it is to the Board's discretion. Mr. Steinberg said that they will make a determination at the next hearing after gathering more information.

Chairman Goode said that he would like to know how tall a tower on Route 18 would have to be to provide the same coverage. Mr. Steinberg asked if they would also get an inquiry from the State if there is space available along Route 18. Mr. Graiff said that he has concern for a four sector cell site because it is difficult to stealth. He asked if they could consider a three sector site.

The Board took a break at 9:10 P.M. and resumed at 9:23 P.M.

The Board's information packet was marked B-3. Planning Administrator Marianne Wilensky said that Mr. Graiff's curriculum vitae is included in the packet as Mr. Hirsch had requested it at the last meeting. Ms. Wilensky read a memo from Township Manager, Andrew Brannen.

Mr. Ferraro said that Mr. Mineo will be back to testify. The Board opened the meeting to the public at 9:27 P.M.

Mr. Hirsch referred to the report marked A-3 and asked what was the purpose of the report. Mr. Mineo said that it was a general overview. Mr. Hirsch asked if the purpose was to advise the public and Board of the purpose of T-Mobile at that site. He asked if T-Mobile drove all the areas in Ocean Township to determine the deficiencies. Mr. Mineo said that T-Mobile does base line drive tests periodically. Mr. Hirsch asked how they identified the deficiencies. Mr. Mineo said that periodic drives are done in FCC regulated areas. Base line data is collected and a search ring is issued for the deficient areas, as was done in 2006. Mr. Hirsch asked if the information had been verified when the report was written in 2011. Mr. Mineo said yes.

Mr. Hirsch asked if T-Mobile real estate professionals and radio frequency engineers drove the search ring to further define the deficiency. Mr. Mineo said that that was done before his involvement but that he knows it was performed based on documentation. Mr. Hirsch requested that those documents be provided. Mr. Ferraro said that they would see if they can provide that.

Mr. Hirsch asked if the real estate professional mentioned impacts on real estate. Mr. Mineo said that real estate and financial information was not provided. Mr. Hirsch asked what they are looking for. Mr. Mineo said that the Radio Frequency expert is looking for the least intrusive way to provide coverage.

Mr. Hirsch referred to exhibit A-5 that shows existing coverage and asked Mr. Mineo to show the deficient areas. They discussed coverage on the roads that were driven and how some homes have less coverage and others have more. Mr. Hirsch asked if T-Mobile designs a system that provides 100% coverage or if there are some dead spots. Mr. Mineo said that there are some dead spots and gaps. Mr. Hirsch asked how the standard is established and if it is an industry standard. Mr. Mineo said that it is a T-Mobile standard for threshold design.

Mr. Hirsch referred to two cases of cell towers in which different standards were used. He asked if Mr. Mineo reviewed case law to see how Boards review other applications and what the standards are. Mr. Mineo said that he has reviewed some cases. Mr. Steinberg explained that what Mr. Hirsch may be saying is that what Mr. Mineo testified to may not be the standard. Mr. Hirsch agreed.

Mr. Hirsch asked how Mr. Mineo would define a significant gap in coverage. Mr. Mineo said that he would define it as anywhere where you cannot reliably make a phone call despite position in a structure. Mr. Hirsch asked if T-Mobile keeps a record of dropped calls in the area being considered. Mr. Mineo said yes, but that data is not used to base designs because people could stop using their phones in areas where they do not work. Mr. Hirsch asked if that information was reviewed for this application. Mr. Mineo said no. Reliability of service in that area was discussed.

Chairman Goode carried the application to the next regular meeting of July 12, 2012 in order to announce the date for the next special meeting.

Meeting adjourned at 10:08 P.M.

Rachel Goncharko
Board Secretary
Recording Secretary