

BOARD OF ADJUSTMENT

Minutes of
October 6, 2010

Present:

Mr. Fowler
Mr. Kuga
Mr. Langenbach
Mr. Lewis
Mr. VanWinkle
Mr. Zarnowski
Chairman Tighe

Absent:

Mr. D'Armiento

Also present were Attorney Brian Schwartz, Borough Engineer David Testa and Recording Secretary Maryann Thorpey.

Chairman Tighe called the meeting to order at 7:43PM. The compliance statement was read and roll call was taken.

BA-10-004 Sprint (Clearwire) - James Prior represented the applicant who is seeking to install panel antennae and dish antennae on the existing monopole with new equipment inside the existing equipment shelter on-site. Chairman Tighe told Mr. Prior he believes the equipment has already been installed. Mr. Prior said he learned of the situation today and he had no details as to the circumstances when it was installed. Mr. Schwartz said the hearings will not be stopped, however, a condition will be - not to be able to go on-air until the Board is satisfied.

Anthony Barila, Jr., an engineer and expert witness, was sworn in. Mr. Barila described the application from plans dated May 18, 2010. There are currently 4 companies on the site. The monopole stands at 125'. Mr. Zarnowski asked Mr. Barila to explain their findings with regard to the structural report. He didn't prepare the engineering report, but did review the report, which was subcontracted to another engineer. He cannot give testimony to the structure of the pole. Chairman Tighe said there has been testimony in the past that the pole was already at the maximum, and maybe this new equipment would be better suited on a new pole, which will be constructed at West End Avenue. Chairman Tighe said a clamp was to be applied to the cables. He said his 2 concerns were - how to secure the cables properly; and the structural integrity. Mr. Testa has a structural engineer in his firm whom he will talk to about investigating.

Mr. Zarnowski questioned Mr. Prior as to who is accountable for a possible tragedy. Mr. Prior said Sprint is responsible.

Nooshin Zareian, frequency engineer and expert witness, was sworn in. Clearwire is FCC licensed and provides high-speed internet service. It offers 4G services. Sprint owns 54% of Clearwire. She explained how the system works. It's a new network with 24 markets in the United States, including Philadelphia, Baltimore and Las Vegas. This

site would provide coverage for approximately 25% of North Plainfield. They are seeking numerous sites in the surrounding vicinity.

Mr. Fowler asked if they had plans to cover all of North Plainfield, she said she didn't know at this time. The site can cover approximately 1 mile. They are designing in-building coverage for .6 miles. Mr. Zarnowski asked if their plans are to put up antenna every ¼ mile to cover all of North Plainfield. Mr. Prior said not necessarily. This service is predominantly for internet though voice can be used. Mr. Lewis questioned the irregularity of the proposed coverage location. Ms. Zareian explained how they came up with their design and how the data is gathered and used. Mr. Zarnowski said a conventional cell tower is more beneficial to the town. Mr. Prior said it's not a competition because there is not another cell company seeking space on a tower.

Mr. Langenbach asked if they have a record as to how many people in North Plainfield use Clearwire or Sprint; they do not have those figures. Mr. Lewis would like to see an aerial view.

No public present.

Paul Ricci, Clark, professional planner and expert witness, was sworn in. He explained 2 photo simulation key maps and why this is an appropriate location, he also said Sprint was already on the monopole and they are looking to expand the service. He showed a series of before and after photos with the new antennae from a variety of locations near the site. The FCC does not limit cell towers to phone service.

Joseph Chiaranella, Cedar Knolls, communications expert, was sworn in. He explained exposure level from the antennae. Chairman Tighe explained some of the difficulties the Board has had in the past with the owner of the pole. Mr. Schwartz explained they will be responsible to comply in the future and they might want to communicate with the owners.

The application was carried over to November 10, 2010.

Mr. Langenbach moved the minutes of July 7, Mr. Zarnowski seconded, unanimously approved.

Mr. Lewis asked if there were any criteria for building the pole on Route 22 and West End Avenue; the property is town owned and there is no criteria.

The meeting adjourned at 9:50PM.