

Hoboken, New Jersey, February 12, 2014

A Regular Meeting of the Hoboken Planning Subdivision and Site Plan Review Committee Meeting was held on the above date in the Conference Room, City Hall, Hoboken, New Jersey. Meeting was chaired by Vice Chairman Gary Holtzman and called to order at 7:21 p.m. with recitation of compliance with the provisions of the Open Public Meetings Act of the State of New Jersey.

**ROLL CALL:**

Vice Chairman Gary Holtzman, Commissioner Frank Magaletta, Commissioner Dan Weaver

Also present were: Planner; Mr. Dennis Galvin, Planning Board Attorney; Ms. Jackie Foushee, Board Engineer; Ms. Patricia Carcone, Planning Board Secretary

**38-40 First Street, Block 224 Lot 1** Minor Site Plan

Applicant: New York SMSA Limited Partnership d/b/a Verizon Wireless

Attorney: Cooper Levenson Attorneys at Law

Architect: FC Architects

**300 Observer Hwy, R. Neumann & Company** Preliminary Major Subdivision  
**Block 140 Lots 1-30, Block 141 Lots 12-19**

Applicant: R. Neumann & Company

Attorney: Eckert Seamans Cherin & Mellott, LLC

Architect: N/A

**300 Observer Hwy, R. Neumann & Company** Preliminary Major Subdivision

Vice Chairman Holtzman read a written request from Mr. Michael Butler at Eckert Seamans to defer the hearing of R. Neumann & Company until the March 12, 2014 meeting due to the impending inclement weather.

**38-40 First Street, Block 224 Lot 1** Minor Site Plan

Mr. Warren Stilwell, Attorney for the Applicant, Verizon Wireless, stated that he has come before the Board today to produce additional information and stated that they are pursuing the limited screening option. He further stated that the building chosen is a commercial, non-residential building. He discussed why this location is the best priority location for the Applicant. He showed the Board a map with the chosen building and explained why this building was chosen.

Commissioner Holtzman asked about the presence of the Wiley Office Building to the north and whether the antennas on the Applicant's current site have not been operating well for a long period of time due to this building. He further suggested that it would seem that the Wiley building would have many advantages as a

location for the proposed antenna such as a large roof and high exposure and asked why this building has not been considered.

Mr. Stilwell responded that the building suggested is too high and that his radio frequency engineer would explain.

Commissioner Holtzman asked if there are any other additions to the application.

Mr. Stilwell responded that Mr. Colasurdo, his engineer, is in attendance in case there are any questions regarding engineering.

Commissioner Holtzman asked for the Board's professionals to present their questions to the Applicant.

The Board's expert stated that he would comment on the letters they had sent for the Commissioners' benefit. He stated that they had prepared a completeness letter, an engineering technical review, as well as a planning review dated February 5, 2014.

The Board's expert stated that the initial planning letter was prepared for September 23, 2013. He noted some outstanding items and stated that there will be variances needed for the following:

- ∇ minimal distance to a residential building
- ∇ minimal distance to (inaudible) district
- ∇ minimal distance from another tower
- ∇ height of the rooftop installation.

The Board needs testimony, justification and mitigating factors to support those variances.

Further, he stated that there is a need for more testimony and justification regarding the screening. There is also need for more testimony regarding the building selection and how this choice would help to minimize the number of antennas in the City.

The Board's expert then discussed the requirement that all antennas within a mile radius appear on the plans. He stated that the Applicant is going to request a waiver on this requirement.

The Board asked whether a higher building would be more efficient.

Regarding the location selection, the Board questioned why this particular location was selected by the Applicant and asked if there is no location in the I1 or I2 zones to fulfill this void.

Per Section 196-35, antennas on rooftops are set back as much as possible to reduce

visibility from street and the Board asked if the antennas being planned could be set back more from the building's edge.

Mr. Stillwell stated that the proximity to the edge has to do with the height of the antennas.

The Board's expert stated that the Applicant will need to give explanations and justification for the location on the roof and the proximity to the edge. There is also a need for testimony that there will be no bimetal impacts from these antennas, and testimony on the impact on police and fire radio apparatus.

The Board's expert stated that they had requested in their original letter that the proposed screen structure around the antennas be curved to match the lines of the building. The Applicant has showed photorealistic renderings of a straight line, curved line, and without screening.

Ms. Foushee, Board Engineer, requested some additional information from the Applicant. She asked that they provide some information about the frequency of visitation to the site by a technician and where they would park. She also requested additional information about site lighting especially because no lighting is proposed at night. She also stated her concern about the aerial map and information about antennas within a one mile radius.

Commissioner Holtzman asked her for more details about the aerial map.

Ms. Foushee stated that the building heights are a factor and that with more complete information about other antennas in the area then the Board can assure that the most suitable location is chosen taking into consideration the fact that the Applicant is willing to co-locate where there are already antennas.

Mr. Holtzman stated that the Hoboken Parking Structure, the Wiley Building, and the North Hudson Towers were not chosen and the Board asked for justification as to why a brand new site which is visible from the street was chosen by the Applicant.

Ms. Foushee stated that she does not want to speculate and is awaiting the radio frequency testimony from the Applicant.

Mr. Stillwell stated that the Applicant has a very small search area and that only those buildings in the search area are relevant. Mr. Stilwell stated that the service area is where the antenna needs to be in order to provide service but that he does not have specific dimensions.

Ms. Foushee suggested that more information about other carriers in the area be provided to the Board as well as which buildings the Applicant's engineer did research.

Mr. Stillwell stated that he has no way of knowing information about other carriers.

Mr. Holtzman stated that the commissioners are very aware of the wireless installations and that there is a high demand for them from the residents. However, the commissioners are very particular about hearing the justifications including radio frequency testimony and site selection issues before the hearing.

A discussion ensued about the search area and the area of service and the Applicant's engineer's reasoning for site choice. Mr. Stillwell stated that they have never been asked to provide this information in the past. The Board stated that this is not an unusual request and that many boards don't test this out well enough.

The priority when choosing a location was reviewed. The first priority is colocation within the I1 or I2 Zoning District. Second priority is existing non-residential buildings in the I1 or I2 Zoning District. Third priority is existing buildings in the I1 or I2 Zoning District not including any governmental agencies.

The Board stated that if they had an RF Engineer then that individual would have nothing to evaluate because no information has been provided by the Applicant. Ms. Foushee asked that the Applicant show all the buildings within their area of interest that have co-locations for existing antennas.

Mr. Stillwell asked that a hearing be scheduled for April and that he will provide the information requested within seven business days.

Mr. Holtzman stated that there is more information needed to review before the Board can schedule a hearing. If the Board is satisfied with the additional information when it is provided, particularly the updated aerial map, then the Board does not need to bring Mr. Stillwell back before scheduling a hearing.

The Board can proceed to have a hearing as early as April if the Board's professionals provide a letter by the March meeting that the information is satisfactory. If the information is incomplete and the Applicant wants to argue their case, they can schedule to come back to another meeting.

The Applicant's RF engineer will need to define the search area as well as explain why this specific area is defined as the search area in their testimony.

Ms. Foushee also requested that more information be provided about the sound attenuation of the generators. The Municipality does have a standard that they use.

Mr. Stillwell replied that their generator does have to comply with regulations.

Commissioner Holtzman thanked Mr. Stillwell for all of his efforts.

## **ADJOURNMENT**

There being no further business to attend to, the meeting was adjourned.

Respectfully submitted,  
AudioEdge Transcription

Christos Haligiannis  
Manager of AudioEdge

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