

Application is requesting set back variances from a lot line to equipment compound is 90 ft. required and 44.6 feet is proposed. Variance set back from residential zone is 500 feet required 386.4 feet is proposed. A tower set back of 86 feet is proposed and 90 feet is required. This is the property to the east of the Red Oak Diner. I have three witnesses, Mr. Peter Tardy, Site Engineer, David Stern, VCOM and Mr. Jim Kyle, Planner. I would like to call Mr. Tardy as my first witness.

Attorney Vella, Esq. (Swearing in Mr. Tardy from French & Perillo Associates.)

Attorney Stanzione- Mr. Tardy please give your education and background and licenses you are holding this evening.

Mr. Tardy- Bachelors of Science from Rutgers University, Civil Engineering and Masters in civil engineering. I have been a professional engineer in the state of NJ for over 10 years. Been accepted throughout the state as an expert witness.

Attorney Stanzione- You are appearing here as a site engineer and your license is professional engineer in NJ?

Mr. Tardy- Yes.

Attorney Stanzione- I offer Mr. Tardy as a licensed Professional Engineer in the State of New Jersey.

Mr. Bace- Accepted.

Attorney Stanzione- Give overview of site and existing conditions of site.

Mr. Tardy- Sheet one is titled SP 1 is Site Plan notes. Sheet SP 2 enlarged area plan elevation and antenna location. SP 1 is of the existing property and the proposed improvements. The existing property is known as 2973 Route 35 North, Block 183, Lot 1.01, approximately just over 5 acres in size and bounded by NJ Route 35 on South, commercial development on the east and western boundaries and residential are along the northern boundaries. Front portion of property is developed and there is a Diner as well as a parking lot. Just beyond the existing parking lot Capital Telecom proposes to construct a wireless facility. Currently showing Verizon Wireless installing a 12x30 ft. equipment shelter as well as a 85 ft. high steel monopole utilizing and disguised as a tree monopole.

Mr. DeMatteo- How tall would you say are the trees in the area?

Mr. Tardy- Approximately 30-40 feet.

Mr. DeMatteo- This is going to be twice the size of a normal tree in the area?

Mr. Tardy- Possibly. This type of facility is visited approximately once every 4-6 weeks by a technician. They are unmanned and remotely monitored. A silent alarm will issued to the nearest switching station and a tech would be asked to go to site. It will be surrounded by an 8 foot high board on board fence. In the 12x30 foot shelter will be a 50KW Diesel backup generator. This generator will be exercised once a week for only one hour. Typically start between the hours of 0am and 2pm. Only other time the generator will operate is in the event of a power outage. There is a storage containment area situated underneath the fuel tank.

Mr. Bace- Capacity of storage tank?

Mr. Tardy-It is 200 gallons.

Mr. Glackin- Does Verizon have any towers that are similar?

Attorney Stanzione- The water tank. As part of the application is request for certain bulk variances. If you go back to SP 1 what is the setback from Route 35 for the proposed facility.

Mr. Tardy- Set back from the tower is 358 feet.

Attorney Stanzione- What about the set back from the rear property line which is adjacent to the residential areas to the north?

Mr. Tardy – That set back is 386 feet.

Attorney Stanzione- How about from the two side yards?

Mr. Tardy- The side yard to the east is 221 feet. The Side yard to the west is 86 feet.

Attorney Stanzione- What is the setback to the equipment compound?

Mr. Tardy- Set back to the west is 44 feet.

Attorney Stanzione- Is a variance required for a setback to the rest?

Mr. Tardy- Yes.

Attorney Stanzione- What is the closest residential zone line?

Mr. Tardy- 386 feet to the north.

Attorney Stanzione- Ordinance requires set back of 500 feet from a zone line?

Mr. Tardy- Yes.

Attorney Stanzione- To meet that 500 feet would the tower have to be located in front of the diner?

Mr. Tardy- It would basically have to be located on the diner.

Attorney Stanzione- Can you address the issue of storm water, what is going to happen to storm water in the compound?

Mr. Tardy- Based on the size and the nature the additional storm water run-off is negligible so we are not proposing any additional storm water retention.

Attorney Stanzione- What about utilities to this site what are they and how will they be managed?

Mr. Tardy- Electric and telephone service. Within the compound there will be demarcation points for both those services. We will work with the local utility companies to ensure a plan.

Attorney Stanzione- To your knowledge are their existing utility services to the diner.

Mr. Tardy- Yes there are.

Attorney Stanzione- How much of the ground will be disturbed for this compound and will that require any soil permits?

Mr. Tardy- From the size of the disturbance we will not need a soil conservation permit.

Attorney Stanzione- Have you reviewed the site whether it is in a flood hazard area or any environmentally sensitive areas.

Mr. Tardy- It is not in those areas.

Attorney Stanzione- How would access to the site be obtained?

Mr. Tardy- Access would be off Route 35 around the diner to the rear of the parking lot.

Attorney Stanzione- Would that be through existing parking lot?

Mr. Tardy- Yes.

Attorney Stanzione- With regard to offsite storm drainage facilities , water courses, utility lines, pipes, grades and direction of flow if this is 200 feet around the site can that be provided?

Mr. Tardy- It can be provided but I think they are allowing for a waiver on that due to the nature of this facility.

Attorney Stanzione-They are requesting a waiver correct.

Mr. Tardy- Yes.

Attorney Stanzione- Is there any lightening proposed at this site?

Mr. Tardy- There is no site lightening. There is a 70 Watt light situated above the front door of the proposed 12x30 foot shelter.

Attorney Stanzione- Besides the noise from the generator will there be any other noise from this facility?

Mr. Tardy- There are two air conditioning units which are situated on the eastern side of the proposed shelter. Based on the positioning the noise level at the property line would be within the required ordinance.

Mr. DeMatteo- What about when the generator is going and you have them going at the same time?

Attorney Stanzione- They will still be in compliance?

Mr. Tardy- Yes.

Attorney Stanzione-What is five time air conditioning unit as compared to a home?

Mr. Tardy- Just larger than your normal HVAC at home.

Mr. DeMatteo- What are you using for your fuel deliveries?

Mr. Tardy – A fuel truck

Mr. DeMatteo- How large, is it a tanker?

Mr. Tardy- It is not a tanker it is a truck that deliveries fuel to a home.

Mr. DeMatteo- Like an oil truck?

Mr. Tardy- Yes, absolutely.

Mr. Vignolia- How long does the technician stay on site?

Mr. Tardy- He is onsite for about 1-2 hours.

Attorney Vella – For the record Chairman Tyler has just joined us from a long flight. (8:10PM)

Attorney Stanzione- Regard to the Monmouth County Planning Board to your knowledge has any exception or approval been issued for this site?

Mr. Tardy- I am not aware of any.

Attorney Stanzione- Allow me to show you. You can mark this as A-5.

Attorney Vella- This can be marked as A-5. Dated Monday March 11, 2013 sent by Monmouth County Planning Board. A letter of no interest it basically states the site does not front any county roads or affect any county facilities. A County Site Plan approval is not required.

Mr. DeMatteo- The ground around the generator is that slab or regular soil? What happens in the event of a spill?

Mr. Tardy- Again generator is located within a separate room in the shelter. In the generator there is a storage area for the fuel itself and surrounding that is spill containment area.

Attorney Stanzione- Engineer report page 5 in regard to E there is a 10 ft. wide utility easement what is the purpose of same?

Mr. Tardy- To make sure that Capital Telecom has the rights to install their utilities within that area.

Attorney Stanzione- Is that an existing easement that is held by the property?

Mr. Tardy- No.

Attorney Stanzione- This one is intended to be secured?

Mr. Tardy- Yes.

Attorney Stanzione- If it is not able to be secured there will be an alternate method thought out to bring in the utilities?

Mr. Tardy- Absolutely.

Attorney Stanzione- You have testified you have been to the site. Is there existing parking back in the area for Wireless Communications?

Mr. Tardy- Yes.

Attorney Stanzione- Is it sufficient for parking of the SUV?

Mr. Tardy- Yes.

Attorney Stanzione- You have already talked about grading and floor elevation and you can add that information to the plans. Have you gone through the site plan requirements of the ordinance?

Mr. Tardy- Yes.

Attorney Stanzione- Are you able to comply with the condition requirements or seek a waiver for those that have been mentioned?

Mr. Tardy- Yes.

Attorney Stanzione- I have redacted copy of the lease that I would like to mark as A6. There is an attachment of the exhibit showing the premises.

Attorney Vella- Mr. Stanzione as part of this lease there are options for co-locaters on the site I presume. For the boards purpose and since it is new law anytime there is a new site that there is cable for additional carries to go on it. For the record I am going to mark as A6 a redacted copy of the lease between Atlas, LLC which is the landlord and Capital Telecom Acquisitions LLC dated October 24, 2012.

Attorney Stanzione- How many carriers is this proposed pole designed to accommodate?

Mr. Tardy- At the height of 85ft it will be designed to support a total of three carriers.

Attorney Stanzione- What is the spacing on the tower?

Mr. Tardy- Generally located within 10 ft increments. It would be a level at 70 ft. and one at 60 ft.

Attorney Stanzione- With regard to the compound size is there sufficient size for additional carriers if they were to come before this board or get their required approvals as they would need to. Is there sufficient area for them to located within the compound as it is designed?

Mr. Tardy – Yes.

Attorney Stanzione- Have you designed compounds and towers for additional co-location before?

Mr. Tardy – Absolutely.

Attorney Stanzione- Are you knowledgeable of the type of equipment and the size needed for other carriers?

Mr. Tardy- Yes.

Attorney Stanzione-Is it your testimony that this is sufficient size compound to accommodate additional carriers?

Mr. Tardy- Absolutely.

Attorney Stanzione- To your knowledge are any other approvals required other than Monmouth County Planning Board?

Mr. Tardy- No I do not.

Attorney Stanzione- There is an existing 8 inch sanitary line on the property do you know whether an easement exists for that or not?

Mr. Tardy- To my knowledge an easement does not exist.

Attorney Stanzione- There is a tree removal and a replacement schedule and it is recommended the proposed screening in height is 8 ft. -10 ft. for the trees. Do you have any problem with that?

Mr. Tardy- I do not have any problem with that.

Mr. DeMatteo- The number of trees that you are taking out and the number of trees you are replacing is there a deficit at the end of the day with this? Are you going one for one?

Mr. Tardy- In a total we are removing six trees and adding seven.

Attorney Stanzione- There is request to calculate the maximum lot coverage for the overall lot can you do that?

Mr. Tardy- Yes

Attorney Stanzione- If you would do that is it your opinion that the lot coverage will still be in compliance with the ordinance?

Mr. Tardy- Yes.

Attorney Stanzione- I have no further questions for this witness.

Mr. Glackin- Are you the one who chose this location?

Mr. Tardy- I was out there during the site visit.

Mr. Glackin- You put it closer to the residential property than the ordinance allows. Why didn't you put it somewhere else? It is a big piece of property. Why not closer to Route 35.

Mr. Tardy- To put it closer to Route 35 it would be in the parking lot itself.

Attorney Vella- Is there any need for the equipment box to be next to the monopole? Could the pole be one place and the equipment box be somewhere else on the same property?

Mr. Tardy- There are limitations regarding the distance that the equipment cabinets can be away from the antennas.

Mr. Glackin – You are requesting variance why can't you put it somewhere else?

Attorney Stanzione- This is the location the landlord chose.

Attorney Vella- What about an engineering standpoint. If you had full access to the whole site and maybe you have to confer with the RF engineer but could the pole be placed somewhere else on the site?

Attorney Stanzione- Do you mean to meet the 500 foot setback from the residential area or just located anywhere else?

Attorney Vella- At least get closer to the 500 feet mark. Obviously you can move it 200 feet closer to the residential end because of the vacant land there. I believe what the board is asking is it possible.

Mr. Glackin- At least try to meet the ordinance.

Mr. Stanzione- Can you take a scale and scale 500 feet from the residential line, draw a line on the plan and show us where it would be? I think that would be what the board wants to know.

Mr. Glackin -Grab a scale and give us 500 feet. I think you are going to see that the Red Oak Diner is well outside that range. You just put it in the testimony that is in the middle of the Diner.

Attorney Stanzione- That is why I am asking to get a visual on it so we can see where it would be.

Mr. Kitner- Peter, there's a scale here.

Mr. Tyler- Match it up. You got a scale on the plan. You probably should use that.

Mr. Tardy- I'm making sure that they are.

Mr. Glackin- 350 feet, is that what is it?

Attorney Vella- It is 386.

Mr. Tardy- 386 is to from the rear of the property line to the center line of the pole. From the pole to the rear of the Red Oak it is an additional 180 feet.

Mr. Glackin- So, basically, anything from the Red Oak forward would be meeting the Ordinance.

Mr. Tyler- That's 380 feet.

Mr. Tardy- Yes.

Mr. Tyler- Put it behind the diner and it still meets the 500 foot setback from the residential area.

Mr. Glackin- You're almost at 400.

Mr. Tardy- There is like I mentioned, there was approximately 160 feet. So the 380 plus the 160 would be accessible.

Mr. Glackin- So from an engineering standpoint, there is no reason that it can't be put forward.

Mr. Tardy- From a civil engineering perspective, I'd have to look into see if that would affect the circulation of the parking lot, you know, means of emergency circulation.

Mr. Glackin- I'll say it again.

Mr. Tardy- From a physical perspective, I would say there's opportunity to.

Mr. Glackin- I'll just say it again. If it was where the Red Oak Diner sign is, which doesn't affect circulation, is that an acceptable location?

Mr. Vella- From an engineering standpoint? You're not an RF guy. We understand that.

Mr. Tardy- And you're talking about along situated sign over here?

Mr. Glackin- Uh-hum. Would that be an acceptable location for a cell tower, in your opinion?

Attorney Stanzione- And a compound?

Mr. Glackin- The compound, we can go some distance.

Attorney Stanzione- That's what I'm asking, though. You have to ask the question.

Mr. Glackin- The question is the cell tower.

Attorney Stanzione- Fine.

Mr. Tardy- Could you construct a tower at that location? Certainly, a tower could be constructed at that location.

Mr. Glackin- Just want to make sure what we're doing. We want to know what we're talking about here. Why are we trying to pigeon hole closer to residential and that's all I'm getting at.

Attorney Stanzione- That's your word, pigeon hole. I think the word is, place it there.

Mr. Bace- Does that answer your question?

Attorney Stanzione- I think we're going to leave that to our planner to describe why we're trying to place it there.

Mr. Bace- The map I'm showing right now, which was presented to us, it shows a circle here. Does that mean the tower of the Red Oak Diner encompasses that circle? Can it be moved?

Mr. Stanzione- No. That photo is part of our photo simulation.

Mr. Bace- Okay.

Attorney Stanzione- That just depicts where the photos were taken from, the numbered locations that the photos that were submitted with the application were taken from.

Mr. Bace- So, really, if you wanted a cell tower it doesn't have to go on that site. The landlord is offering you an opportunity to put your cell tower there, correct?

Attorney Stanzione- That will be addressed by our RF engineer. This has nothing to do with the need for where the tower has to go. What you're referring to is the aerial photograph that was submitted and numbered.

Mr. Bace- Yes.

Attorney Stanzione- That just simply marks where the photos were taken from. It has nothing to do with the search area or the location.

Mr. Bace- All right. So that circle I can just forget about it. Doesn't mean anything.

Attorney Stanzione- Disregard it doesn't mean anything it is just a one-mile radius circle. Kind of gives you a perspective of how far the photos were taken from.

Mr. Glackin- Since we're talking about this. On view ten.

Mr. Stanzione- You're asking the wrong person.

Mr. Glackin- Okay.

Attorney Stanzione- We really need the witness here that's going to identify those things. I don't want to be accused of testifying.

Mr. Glackin- Okay. I just want to know if on view ten, is that a depiction of it or is that an actual tree?

Attorney Vella- Mr. Glackin, they're all videos. You'll hear testimony. They're all simulations.. What they do is they take and they say that's going to be here and they.

Mr. Glackin- I know. Okay.

Mr. Vella- They photoshop it.

Mr. Glackin- Got it. I know.

Mr. Kittner- Mr. Tardy, back to the tower again and the setback requirements. Item 6D in our report references Section 181-409.03.B regarding the setbacks and 90 feet being required to the property line. Is there any reason the tower itself couldn't be moved 90 feet from the property line from an engineering perspective?

Mr. Tardy- No, there is not. No, there is not.

Mr. Kittner- So, that's a variance that you could cure?

Mr. Tardy- Yes.

Mr. Kittner- Okay. Getting back to the diesel tank that's stored within the shelter area, is there a sound barrier there?

Mr. Tardy- Is there a sound barrier? Well, it's in the emergency generator is located in its own separate room, which has additional insulation to provide, you know sound attenuation and it has a super critical muffler to, again, further reduce the noise.

Mr. Kittner- The diesel tank itself, is that a double walled tank?

Mr. Tardy- Yes, it is.

Mr. Kittner-Okay. So, that's secondary containment. But does it also have spill prevention, as well, on the bottom?

Mr. Tardy- Yes. Again, within the shelter, you know, there's the tank itself at the base of the tank -- at the base of the generator. There's a spill containment area surrounding that initial tank and at the base of the tank at the base of the room itself is a net that allows for spill containment as well.

Mr. Kittner- Okay. So, that's almost like tertiary?

Mr. Tardy- Absolutely.

Mr. Kittner- In general, to answer the board, I would be satisfied with that containment for the tank. But I would like your office to send some details, please, for us to review.

Mr. Tardy- Sure.

Mr. DeMatteo- So, what about outside where they're actually filling, do we need any kind of special containment? Because you don't have impervious coverage.

Mr. Kittner- For this type of application, I don't believe there would be any special requirement for that. Would you offer any type of secondary containment for spill control?

Attorney Stanzione- In the specifications that we provided, it's generally my understanding 21 there's a locking mechanism on the fuel hose to the tank so that when it's filled, it can't fill unless it's locked. And it can't be unlocked unless it's not filling. So, I think that will be provided in the specifications. I don't want to testify to that. We will have that looked into. That's the general process that's done.

Mr. Kittner- Filling mechanism does that have an automatic shutoff?

Mr. Tardy- Yes.

Mr. Kittner - Okay. So, when it reaches the tank it is reaching full capacity and it shuts off?

Mr. Tardy- Yes.

Mr. Kittner -Similar to a gas pump?

Mr. Tardy- Yes.

Mr. Bace- Anything else? Anybody? Any more questions?

Attorney Vella- Mr. Chairman, Mr. Vice Chairman, do you want to proceed to open it up to the public for questions of this engineer only or do you want to wait till their full case is in before they ask questions?

Mr. Bace- Since our chairman has arrived. He'll take it over.

Mr. Kittner- Mr. Chairman, before we do that, can I just ask a few more questions? The easement with the sanitary sewer that doesn't have an easement, who owns that sanitary sewer?

Mr. Tardy- I do not know.

Attorney Vella-I would think it would be Hazlet Township sewer.

Mr. Tardy- I would assume so as well.

Mr. Kittner- Would there be an objection to securing an easement for that sewer main or at least looking into whether one exists?

Attorney Stanzione- I'm going to say if we're not the property owner, we can't secure an easement. We can't give an easement to anybody. That would have to come from whoever owns the property.

Mr. Kittner- But you can do a title search to see if it is existing.

Attorney Stanzione- I can find out if it exists, sure. I could run a title search. I have no problem with that. It could show up on a title search and we'll be happy to provide that title search.

Mr. Tyler- Okay. Mr. Vella, just a quick question since I arrived slightly late. What

Mr. Vella- Just because you were a couple of minutes late, you get a demerit. You can proceed as chairman and completely conduct the meeting. However, if the application does come to a vote tonight, you will not be able to vote. I do not perceive it's going to be finished tonight. So, the meeting will be carried. So, I know we have a tape or if Mr. Stanzione would send us a courtesy copy of the transcript of the meeting, because we do have some other board members, prior to next meeting if you read up from the point we started until I said you 19 walked in, you sign the authority, you're able to vote. But if it does tonight, you'll not be able to vote. You're able to act as chairman, ask any questions from here on until the end of the meeting.

Mr. Tyler- I just wanted everybody here to be clear, including myself. So, yes, to answer your question, why don't we hear all the testimony. We've got a lot of witnesses. Let's try to get through the witnesses and then we can get into the general questions and fire them off to the appropriate folks.

Attorney Stanzione- Okay. My next witness would be Mr. David Stern. Did you want to address another question, Mr. Kittner?

Mr. Kittner- No, I think I'll come back to that.

Attorney Stanzione - Okay.

David Stern being sworn in by Mr. Vella.

Attorney Stanzione- Mr. Stern, for the benefit of the board and for the public, could you please give them your educational background and your work experience and the capacity in which you're testifying here this evening.

Mr. Stern- My name is David Stern. I'm a principal in the firm of VComm Telecommunications Engineering, located in Cranbury, New Jersey. I have 30 years of experience in the 3 field of wireless communications and wireless communications safety. I have a bachelor's degree in electrical engineering from the University of Illinois. I was with Motorola Communications in Chicago for six years in the cellular engineering group. I was with Comcast Cable, their cellular division, for seven years as director of engineering, responsible for the Central New Jersey and Philadelphia cellular markets. Seventeen years ago formed the firm of VComm with a partner. We've been providing radio frequency engineering services to the wireless and public safety community for the past 17 years. I appeared before more than 200 boards in the State of New Jersey and been found an expert in the field of radio frequency communications and radio frequency safety.

Attorney Stanzione- Have you appeared before any boards in Hazlet Township?

Mr. Stern-Yes, I have. I appeared before the zoning board.

Attorney Stanzione- Have you been recognized as an expert in the field of radio frequency analysis and engineering electrical?

Mr. Stern- Yes, I have.

Attorney Stanzione- I'd offer Mr. Stern as an expert in the field of radio frequency analysis.

Mr. Tyler- Accepted. Thank you.

Attorney Stanzione- Now, Mr. Stern, in regard to this application, can you give an overview of the co-applicant, New York SMSA Limited Partnership, d/b/a Verizon Wireless, and their position in this application?

Mr. Stern- Sure. Verizon Wireless, doing business as New York SMSA Limited Partnership, which is its FCC license name, is the lead tenant on this tower being proposed by Capital Telecom. Verizon will be locating their antennas at the highest point of the and the equipment

shelter down below. So, all of my testimony is going to be specifically regarding Verizon Wireless's needs and the reason that this site fills its needs for a wireless communications facility.

Attorney Stanzione- What FCC licenses does Verizon Wireless hold?

Mr. Stern- Specific to this application, Verizon Wireless holds four FCC licenses. They hold a license in the B band cellular, that's the traditional cellular license. They own a PCS license which is normally associated with Sprint and T-Mobile. They hold a 700 megahertz license which was received when the digital television transition happened, and they got that license. And then they recently acquired a AWS license, also in the band adjacent to the PCS frequencies, in the last six months.

Attorney Stanzione- Now, in the words of English that some of us might understand, what does all that mean, the four different licenses? How do they operate? Each of the licenses has a different frequency that they're licensed for. The 700 and the 800 megahertz licenses occupy spectrum that used to be the old UHF, the higher channels in the UHF TV band, channels 50, 60 and 70, in that area, that's where they are. The PCS spectrum and the AWS spectrum occupy an area that's about twice the frequency as the 800 megahertz spectrum, but each of them, they have a channel from the FCC. They have an obligation to build out the network. They're going to be using all of that spectrum in order to effect and provide capacity to their network in this area. When you say they're using all those spectrums, why is it they need to use all four? They're using all four particularly for capacity. Over the years, I've had the privilege of appearing before many boards and watched the evolution of the network. When I first came to this area 25 years ago to do testimony Verizon just had the 800 megahertz license. That would allow them to put about 45 simultaneous calls at a cell site. Now the technology allows us to put 900 calls at a cell site, plus over 20 megabytes download speed on the data network. In order to continue to expand it, we've added cell sites to the network over the past 25 years. At this point, we're adding more spectrum. Verizon's investing in spectrum so that we can put more capacity in the infrastructure and the towers we have already to try to limit the build out of new cell sites by having this additional spectrum. If we didn't have this additional spectrum, if we had just the one 800 megahertz, the amount of cell sites would look more like a telephone pole. At this point in time, in this area, there is a need for an additional cell site to provide service for Verizon Wireless customers in this area.

Attorney Stanzione- Now, referring to your report that was issued and dated RF Analysis and Report Dated February 22, 2013, which has been marked as A-2, I'm going to specifically refer to page three of that report, table one. How is service being provided to Verizon Wireless customers in Hazlet Township and surrounding areas at this time?

Mr. Stern- It is being provided by six cell sites that surround Hazlet, including one on the Hazlet water tank over on Union Avenue. Then from five other cell sites from surrounding municipalities, including Holmdel, Middletown, Keyport and Union Beach.

Attorney Stanzione- What is the average height of those sites?

Mr. Stern- If I take out the one that's the Telegraph Hill, the average height is about 120 feet.

Attorney Stanzione- Why did you take out Telegraph Hill?

Mr. Stern- Because that site's at 250 feet.

Attorney Stanzione- This question's always asked, so I'll ask it. So, why don't we just raise the height up on these adjacent towers and would that provide the coverage and capacity that you're looking for from the new site?

Mr. Stern- That's an interesting idea. The problem that we have today is that we are using technology where all of the radio spectrum is used at every site. So, in the world of analogue 11 years ago, raising the antenna height sometimes would work. As we raise the heights of the antennas on our network today, we increase the energy of all of the spectrum around us and that to the adjacent cell sites actually is noise. Because we're using all of the same channels at every

single cell site. So, we're trying to limit the amount of energy at each cell site so that we don't create noise on the network. What happens if you create noise on the network? You actually shrink your adjacent cell sites. So, the idea here is to limit the coverage to as much as we can limit it and still provide the coverage that we need but not to go too far. The old analogue days, overlap, so we had nice big overlaps. We had a mile or two of overlaps, so you could do your handoffs nicely. With the technology today, overlap is not so good anymore because of the noise factor that you really want just enough overlap so that the call can handoff. If you have too much overlap, you're actually creating noise on the next cell site. That next cell site, if it's experiencing noise, actually, it appears to shrink. We call that cell shrinkage caused by the adjacent cell site noise.

Mr. DeMatteo- So, will this site cause reduction or potential reduction in the number of cell towers around the area?

Mr. Stern- Would it cause the potential reduction?

Mr. DeMatteo- In other words because you're putting this site in, does it allow for another site to come out?

Mr. Stern- No.

Mr. DeMatteo- So, is this more a capacity issue as opposed to a coverage issue?

Mr. Stern- That's an excellent question and it's a twofold answer. Yes, it's a capacity issue and yes, it's a coverage issue. The two as I explained before, we have four licenses. Two of the licenses are at a lower frequency, 700 and 800 megahertz. The other two licenses are at 1900 and 2100 megahertz. It turns out by just by the physics of it, double the frequency and you get about half the range from the frequency. So, even though we got all the spectrum now, if you look at equivalent cell sites, antennas at the same height, same power levels, the AWS and the PCS frequencies cover about half as much area that the 800 and 700 do.

Mr. DeMatteo- So, to leverage those frequencies, you need the additional site?

Mr. Stern- We need additional sites to put in there.

Attorney Stanzione- Turning to page four of your report, figure one, does this show the existing sites and the proposed site?

Mr. Stern- Yes, it does.

Attorney Stanzione- I'm sure the board's familiar with it but can you just do an overview, as if you're looking at the face of a clock, where the existing sites are?

Mr. Stern- Sure. If you go to the top of 12 o'clock, we have our monopole at the Union Beach DPW, it's 120 foot monopole. Coming down to about two o'clock, we have the Hazlet water tank, that site's been on the air for about 21 years. Coming all the way down to the six o'clock, we have our site at, we call it Holmdel. That is one of the towers in Telegraph Hill up by the back side of the Arts Center. To the east and to the west of that at about eight o'clock is our Holmdel three site. It's a 140 foot monopole that's right on the Garden State Parkway just on the other side, on the west side of the hospital. Then coming back to about 9:30, we have our Keyport site, and that's on one of the water tanks in Keyport. On our list on page three, the site that's to the west of here and to the east of here, we have a site in Middletown on Route 35 that's 100- 108 foot monopole, just to the east of it, just off of this map that I'm showing here. So really what we have here is a ring of six sites if you include the Middletown site. We have a donut hole in the middle and that was where the search area was developed in the center of that hole. Right in the center was the search area that we created for this site.

Mr. DeMatteo- So, just to address a question that I think a few other members of the board had. We have a jug handle on 35 that's across from the Red Oak. We also have a Costco down the road, I guess to the right of the Red Oak. Have sites been evaluated there? I mean why the Red Oak site? Why not in the jug handle or can we go further down 35?

Mr. Stern- I'm not aware of the availability of the jug handle to build.

Mr. DeMatteo- I'm showing you.

Mr. Stern- I understand what it is. I am not aware that there's availability to build a site in that jug handle.

Mr. DeMatteo- Okay.

Mr. Stern- It's a state highway. It goes through a whole state process.

Mr. DeMatteo- So is there a reason why you've got it marked here?

Mr. Stern- That's a photograph.

Mr. DeMatteo- So are these potential sites?

Mr. Stern- No. As Mr. Stanzione stated before, those are locations where photographs were taken.

Mr. DeMatteo- Okay.

Mr. Stern- Their for the presentation you have in your hand.

Attorney Stanzione- While we're talking about Costco.

Mr. Bace- The other sites where you have your poles, they're not really residential areas are they? I mean, Shorelands water tower, there's only a few homes on the one side. I think you mentioned Keyport.

Attorney Stanzione- Actually, that's a residential zone.

Mr. Bace- Oh, it is residential but it's not impacting that many homes as it would be where you are now.

Mr. Glackin- It's not a new structure.

Attorney Stanzione- With all due respect.

Mr. Bace- It's not a new structure.

Attorney Stanzione- With all due respect to that, that took three court cases for me to convince this board that that was a good site for a location. All three of those suits, one by Verizon Wireless, one by T-Mobile, another by Nextel, were brought because this board denied approvals on that water tank because it was impacting the residents.

Mr. Bace- What if we were going to deny your approval, you're going to sue the town then?

Attorney Stanzione- No,

Mr. Bace- Oh. So what are you saying?

Attorney Stanzione- you're trying to say it's not a residential area. But you have resolutions from the board of adjustment at that time, and this is clearly in reported cases. It impacting a residential area. So, I have to dispute your contention that it's not a residential area.

Mr. Bace- I didn't say it wasn't a residential area. I'm just saying, there's fewer homes impacted by the Shorelands tower which is an existing tower. I believe your tower that you want to put at the Red Oak is going to be taller than the tower that's at Shorelands water. Am I am right?

Mr. Stern-No.

Mr. Bace- How much am I off by?

Mr. Stern-The water tank is approximately 130 feet tall, what we're proposing is 90 feet, including all of the branches and the lightning rod. I think that's right. 90 feet, including the tip of the branches.

Mr. Bace- Thank you, sir.

Mr. Glackin- Real quick. The one that's not on the list, Middletown on 35, how far off the highway is it?

Mr. Stern- It's right on the highway.

Mr. Glackin- Right on the highway.

Attorney Vella- Is that the town hall property? That's the town hall one?

Mr. Stern- Yes.

Attorney Stanzione- No.

Mr. Stern- No?

Mr. Kittner- : Right on it.

Attorney Stanzione- It's the one behind Carrabba's Grill, which is behind that, adjacent to the residential property to the rear.

Mr. Bace- Just one other quick question, if I may. The Costco property, we have the movie theater. I'm looking at this map here.

Mr. Stern- Okay.

Mr. Bace- At the back of the movie theater, the northern portion, nothing is there. So putting tower there would probably impact no one. Would that be a feasible spot?

Attorney Stanzione- Our site acquisition person will address that. I believe that zone is Hazlet.

Mr. DeMatteo- Well, would there be an issue with coverage if the tower was placed there?

Attorney Stanzione- Go to page ten of your report.

Mr. Stern- If that property was available, it was acceptable to us from a radio frequency, if it was available.

Mr. Bace- Okay.

Mr. Stern- If it was available, it was an acceptable alternative.

Mr. DeMatteo- Are there other acceptable alternatives.

Mr. Stern- There were others.

Mr. DeMatteo- The question was are there other acceptable sites within the locations that we're looking at here that, you know, you could share with us?

Mr. Stern- There were other's I believe the site acquisition person is going to testify there were other approved sites that would be approved from a radio frequency standpoint, but they were not available.

Mr. DeMatteo- Is this your preferred site from a radio frequency standpoint?

Mr. Stern- At this point, I think any of the sites in the search area was acceptable to us. This was the one that was available.

Mr. DeMatteo- So, there's no ranking, if you will, of potential sites that you would describe to?

Mr. Stern- Of the ranking, any of the sites that were in the search area were acceptable to us.

Mr. DeMatteo- And no one site is better than another?

Mr. Stern- In this particular area, the sites that we evaluated that were acceptable, there was no one that was better than the other one. They were all acceptable. It was to find a willing landlord.

Mr. DeMatteo- Has a list of the acceptable sites been furnished?

Mr. Stern- Yes, page nine and ten of my report. It was listed in priority locations according to the wireless ordinance.

Mr. Glackin- Was the property formerly known as Frank's Nursery investigated?

Mr. Stern- I don't know.

Mr. Glackin- Isn't the property right next to Red Oak, vacant commercial property.

Mr. Stern - I don't know.

Mr. Stanzione- Right next to it being on what side?

Mr. Glackin- The south, just south of the Red Oak. It's a vacant piece of property. It's a vacant piece of commercial property that is not on this list.

Mr. Stern- As I said, I'm not aware.

Attorney Stanzione- I'll have to have somebody address that.

Mr. Glackin- I'm assuming that it would be acceptable if it's right next to the proposed site?

Mr. Stern- I wouldn't be able to say that it was or was not acceptable.

Mr. Glackin- One more quick question. If the pole was 100, 100 plus feet to towards the highway, would it be same as it where it's proposed now?

Mr. Stern- Absolutely from a radio frequency standpoint.

Mr. Glackin- Thank you.

Mr. DeMatteo- I'm sorry. I am reviewing pages nine and ten. What I see is rationale as to why sites weren't selected. But what I heard you testify to is that there are a number of sites that would be acceptable. What are those sites?

Mr. Stern- The Kmart property, 3206 Route 35, Pep Boys and Hazlet Plaza. Those were all acceptable sites. The owners were not interested.

Mr. Bace- What about Costco were those folks approached?

Attorney Stanzione- That will be testified to. Costco won't allow a tower on its property.

Mr. DeMatteo- Was the State approached for the jug handle?

Mr. Stanzione- That I don't know.

Mr. DeMatteo- Could you approach the State?

Mr. Stern- That's not something I can do.

Mr. Vella- Sir, I know we do this with your on-site acquisition guy who made the circle. With respect to this site from a RF standpoint, you've heard the question before about moving the tower forward or back. Obviously, from an RF standpoint, it's your opinion that anyplace on the site is fine from an RF standpoint?

Mr. Stern- If we take out any of the civil engineering questions, yes, from a radio frequency standpoint.

Attorney Vella- From your testimony?

Mr. Stern- Any location on the property would be acceptable.

Attorney Vella- This is only because I've seen them in other towns that we are talking about, you know, some questions about moving it forward. From an RF standpoint, forget about civil engineering aspect, you're proposing a tree. When I've seen them in other towns where they have these trees I know there's one in New Brunswick, there's one in Neptune, a flagpole -- yours is only 85 feet, which kind is not as high as the other ones. Then you see the 85 feet, roughly, as a flagpole and all the antennas are internally encased in the flagpole. From an RF standpoint, would a flagpole design would that be doable on the site as well?

Mr. Stern- From a radio frequency standpoint I'll give you some of the engineering concerns that I have and would give to Verizon Capital Telecom. The flagpole design limits the space where you can put antennas. We need on this site at least 12 antenna. There are technology that we can combine it, but we would need at least six antennas in that type of arrangement. We would have to stack. So, instead of having horizontal real estate with their antennas on our side arms, we need vertical real estate. We need to stack the antennas. I know the other carriers have a similar requirement that if they can't have the horizontal real estate on side arms, they need vertical real estate. So, it is likely that a design, if we were to switch to a tapered, pole type design like a flagpole, we would be looking at a higher, taller structure in order to get the same amount of equipment for three wireless carriers into that same space.

Attorney Vella- Could you estimate the additional height you would require, ten feet, five feet, 15 feet or something to that effect. If you haven't looked at the design, that's an appropriate answer to.

Mr. Stern- On average, based upon what each of these carriers would typically use, about 25 feet.

Mr. Glackin- Where does that real estate start? What height?

Mr. Stern- For Verizon, it starts at 80 feet. If it was the other carriers, they would have to study whether or not 70 feet or 60 feet would be acceptable to them and then have to come before you and explain why it wouldn't be acceptable to them. They would have to get a guy like me up there and show you the plots.

Mr. Glackin- I am talking aesthetics here. I mean you would have to be below the 80 foot mark? You have a pole that's 85 feet, 90 feet tall.

Mr. Stern- Yes.

Mr. Glackin- If you were to put a flag on it, say, so you're not going to put it on top because you don't want to go higher. If you were to put it below your real estate, you would start at 80 feet, right?

Mr. Stern- Yeah.

Mr. Glackin- That's all I'm asking. So, theoretically, you could put some kind of a decorative thing below it?

Mr. Stern- The flag can go up to the top.

Mr. Glackin- You just said you have to go an additional 25 feet.

Attorney Vella- For the antennas.

Mr. Stern- For the antennas. The height of the pole, in order to get the same amount of three cellular carriers who all want two, they call them bays, two bays in the stack. And if you said, well, the bottom stack starts at 60, then I got to start effecting up. Then I would get up to about 25 feet taller.

Mr. DeMatteo- So, what I'm hearing here is, the solution that you're proposing, is the better solution from a height perspective, it should also minimize applications for further new additional towers because there's room on the tower, we wouldn't have to worry about bays not being available in a flagpole situation.

Mr. Stern- Right.

Mr. DeMatteo- So, what concerns me about the tree situation, the aesthetics that we're looking at now, it sounds like we're going to have what's going to look like a tree, but it's like twice the height of the existing trees there. So, you're going to have this one tree sticking out over everything else.

Attorney Stanzione- Again, I'd rather have my planner address that because he'll do the photo simulations.

Mr. DeMatteo- That's fine. Just think about it that way.

Mr. Bace- The question I have and maybe I'm in the wrong spot again but if you were to move that tower a little further north on 35, would that affect your communications?

Mr. Stern- Yes.

Attorney Vella- Sir, you heard some questions before regarding the location of the store and the sheds, the equipment facility.

Mr. Stern- Yes.

Attorney Vella- Are you the one who could testify as to what is the distance you could have the equipment shelter from the actual tower and does it matter whether it's a monopole or a flagpole and the distance associated with that?

Mr. Stern- I can give you some ballpark numbers as far as how far would be the cable runs, because there's more than just traditional cables in there. There's power and fiber cables that go up the pole now. We are trying to keep runs between 100 and 150. About 150 to 180 feet is the longest I would go.

Mr. Glackin- So, 100 to 150 from the tower?

Mr. Stern- No, from the antenna 150 to 180 feet from the antennas.

Mr. Glackin Oh, from the antenna.

Attorney Vella- Give us a five minute break real quick. Is that okay?

Mr. Tyler- Yeah, let's take a five minute break.

(Break over)

Mr. Tyler – Anyone who's coming back in, please come back in. For everybody's information, there's a lot of testimony left. We have, in addition to this witness here, we have two more witnesses. It is my expectation that we will not get through both witnesses. So, I know there's a lot of folks in the audience. Perhaps some of you wish to make a statement. The way this works, we get through all the testimony and then there is time for citizen comment and questions. So, if

we do not get through all the testimony tonight, we will not do citizen comments and questions tonight. We will carry this to the next scheduled meeting which is June May 16.

Attorney Vella- We have a couple things -- hold on for a second.

Mr. Tyler-y It will either be that meeting or the following one. The schedule is listed on the Hazlet Township Website, you can call the township offices to make sure that the matter is on the agenda. So, if anybody was hoping to speak tonight, it's probably not going to happen. But rest assured, you will have your time to speak when all the testimony from the witnesses is completed. Seeing that it's after 9 PM We have two more witnesses, if we start getting within 15 minutes of ten 11 o'clock, I think we should call it a night. Let's try to get through this witness and the next witness and see where we're at.

Attorney Stanzione- Mr. Chairman, just like to say, Mr. Stern won't be available May 16. It is a religious holiday that day. So, I would not want to carry it to that to the next meeting because the would be unable to attend.

Attorney Vella- The 16th, I don't think we're going to be on the 16th.

Attorney Stanzione:- Okay. I'm just letting you know that. I want to make sure while the public was still here in case some of them left.

Mr. Tyler- Appreciate that. So, it is probably almost certain it will not be the 16th of May.

Mr. Belasco -Mr. Chairman a lot of these people are waiting to speak guess if they have a choice, if they knew it was going to be till 11 o'clock and it wasn't going to be over, they would leave. I know they did their due diligence. They have a lot of questions to ask so you're saying probably, Mr. Chairman. I mean, can we be more definitive? Is this going to carry over to another meeting?:

Mr. Tyler- I do not see how it will be completed tonight

Mr. Vella- Just for the record I will tell you exactly when the next time it's going to be heard. So, if you're here till the end, I'll tell you when it is. If you decide you have to leave early, just call the board secretary and they'll give you the date.

Attorney Stanzione-Okay. Mr. Stern, let's go back to your report and you previously identified on page four or five the surrounding areas, correct?

Mr. Stern-Yes, I did.

Attorney Stanzione-Sorry the surrounding sites to the area?

Mr. Stern- Yes

Attorney Stanzione- I'm going to direct your attention to page seven and ask if you can tell us what that shows.

Mr. Stern- On page seven the map depicts the existing coverage provided by Verizon Wireless in the area of Hazlet. Hazlet is depicted with the black lines to the north and south of the word Hazlet. You can see where the existing sites are and that is the existing wireless service provided by those sites in this area. What I mean by that, that is the coverage provided by those sites in all venues with all devices. So, that means that that is an in-building coverage model. So, that is providing or taking into account the devices are in-building They're portable devices, whether they're cell phones or smart phones. It's in all devices in all venues. I should also point out that that also would include the way today people use their cell phones if they're driving. If they're supposed to be using a Bluetooth device, a hand free device. Most of the time, the cell phone or smart phone winds up inside the cup holder. I always tell that to people because it does change what we, the radio frequency engineers, have to design for our system. Before the law came into being that you can't use a handheld cell phone while you're driving, the phone was up by your ear and was looking out the windows. Now that the phone is down lower on the seat or in the cup holder, it's trying to see the cell sites through the doors, the metal doors. So it actually is

a different radio frequency system design to try to cover in-vehicle. More than 30% of United States citizens no longer have a wired phone they only have wireless phones.

Mr. DeMatteo- Do you envision additional towers in Hazlet down the road?

Mr. Stern- I don't expect to see additional sites in the center of Hazlet. I know we are looking at a search area to provide additional service to the eastern sections of Hazlet. I believe it is the next town over not in Hazlet.

Mr. Bace- When you add more stuff the towers are you trying to shrink it?

Mr. Stern- No when we add more stuff to the towers we are trying not to shrink it. When we have exhausted the capacity of the technology that is when we have to come up with a different (indiscernible).

Mr. Kittner- Just for the record maps 1 & 2 on page 7-8 is just Verizon coverage only?

Mr. Stern- Yes.

Mr. Kittner- Table 1 is for Verizon towers only on page 3?

Mr. Stern- Yes.

Mr. Kittner- When you looked at your tower search just for the record and for the board you looked at all towers available by all carriers, correct?

Mr. Stern- Absolutely, yes I did.

Attorney Stanzione- The surrounding sites that are shown on table one that are Verizon sites are you familiar with most of them sites if not all?

Mr. Stern- I am familiar with all the sites.

Attorney Stanzione- Are other carriers other than Verizon Wireless located on those facilities?

Mr. Stern- Yes.

Attorney Stanzione- Virtually everyone?

Mr. Stern - Yes.

Attorney Stanzione- In reviewing this search area did you look for tower structures that other carriers might have in this search area?

Mr. Stern- Yes I did.

Attorney Stanzione- Were there any other tower locations in the search area that might have been another carriers tower?

Mr. Stern- No there were no other existing facilities in this area.

Attorney Stanzione- Were there any existing tall structures within the search area that would eliminate the need to build a tower in this search area?

Mr. Stern- No there were not.

Attorney Stanzione- When we go to map 1 on page 7 are you saying there is no service at all the area that is not green on this map?

Mr. Stern- No I did not say that.

Attorney Stanzione- What do you mean when you talk about the service and quality of service?

Mr. Stern- I stated before that this is Verizon Wireless reliable service for all devices in all venues. For people that use their devices out doors and outside not inside the building then we would probably have service in a lot of areas where I am showing no service. Possibility for people indoors would be a possibility of drop calls, static calls and not be able to retain the call.

Mr. Glackin- You are aware there is a Verizon Wireless store across the street. You are saying they don't get service over there because they are indoors and have a lot of data.

Mr. Stern- I said they could have poor service in doors in that area.

Attorney Vella- For year V-Com and all the RF Engineers testified as to why they needed cell towers. Most had use variances. You always talk about drop calls and you always testify that Verizon's model was to get down to zero leaving no drop calls. Is that different than what you are testifying today that the model of reliability not drop calls anymore? Is it more of a data and quality of communication then drops calls in the old days.

Attorney Stanzione- I don't think we ever said get to zero. It is usually below 2%

Attorney Vella- I said the hope of Verizon's motto.

Mr. Stern- We are still looking for dropped quality. I think what we are trying to do is try not to get to the point where I am coming to you and saying I have a 5% drop call in this area. Especially for the newer technologies and we already know what the limitations are.

Mr. Tyler- How many cell towers are there that are not shown on this map?

Mr. Stern- For Verizon Wireless all the cell towers in this area are shown on this map.

Mr. Tyler- Are there other cell towers that Verizon is not on?

Mr. Stern- Yes.

Mr. Tyler- In general do you share towers with AT&T?

Mr. Stern- Yes.

Mr. Tyler- In general, a tower serves most of the vendors until it is full?

Mr. Stern -Yes.

Attorney Stanzione- What is the purpose of map 2?

Mr. Stern- Map 2 shows the area served by the Hazlet Site (proposed Hazlet site on Route 35).

Attorney Stanzione- Potentially in the eastern section of Hazlet Township there is another search area?

Mr. Stern- Yes.

Attorney Stanzione- Did you look at the ordinance for Hazlet Township as to how they prioritize zones that you should be trying to locate in?

Mr. Stern- Yes we did.

Attorney Stanzione- You identified something as a first priority location. What is your understanding of what a first priority location is?

Mr. Stern- Existing structures or land owned by the township.

Attorney Stanzione-Did you identify some and would they work or why wouldn't they work?

Mr. Stern- There were seven properties identified to us and we investigated and none of those properties were acceptable because of the distance or proximity to residences.

Attorney Stanzione- Which ones were too far outside the search areas?

Mr. Stern- Virginia Avenue, Brookside Avenue, 83 Clark Street, E. Coach Drive, 703 Poole Avenue, 3391 Highway 35, 502 Holmdel Road.

Attorney Stanzione- So in effect the township properties were too far away for this search area.

Mr. Glackin- The police station is not on the map.

Mr. Stern- I was not told to investigate that property.

Attorney Stanzione- Is there a second priority location mentioned in the ordinance?

Mr. Stern- They are in the industrial assembly zone which is west along Clark Street. That is too far west for our area.

Attorney Stanzione- About how far away is it?

Mr. Stern- 1.5 miles away.

Attorney Stanzione- What is the third priority?

Mr. Stern- Co-location and any existing personal wireless telecommunication facilities or water tanks.

Attorney Stanzione- Did you look in the area to see if there were any existing personal wireless telecommunications or water tanks?

Mr. Stern- There were no existing facilities that would serve the gap in coverage.

Attorney Stanzione- So we are clear personal wireless telecommunication facilities include existing towers is that correct?

Mr. Stern- Yes.

Attorney Stanzione- So you are saying there are no existing towers that would the need?

Mr. Stern- That is correct.

Attorney Stanzione- Fourth priority locations are any properties excluding residential zone districts. You indicated that there were some that were investigated?

Mr. Stern -Yes.

Attorney Stanzione- Where these investigated by you to obtain leases on or by someone else?

Mr. Stern- Someone else.

Attorney Stanzione- So the information you are going to testify to was supplied to you by Capital Telecom?

Mr. Stern- That is correct.

Attorney Stanzione- A person from Capital Telecom will testify as to the specifics as to why they were not available?

Mr. Stern- That is correct.

Attorney Stanzione- For purposes of your testimony you are assuming that the information they gave you was correct?

Mr. Stern- Yes.

Attorney Stanzione- I want to start with the Home Depot. What was your opinion of the Home Depot Site? Would it work from a radio frequency perspective? What is your understanding of why it was not available?

Mr. Stern- I am not aware of its availability or non-availability. We had investigated that site and it was too far west and too close to the existing Keyport site and it would still leave us a gap in coverage to the east side of the proposed location. We are trying to minimize the noise to the adjacent sites.

Attorney Stanzione- Next site was the Pep Boys Site. What were you told about that?

Mr. Stern- It would be acceptable from a RF Standpoint but the owner was not interested.

Attorney Stanzione- Lastly in your report you identify the Hazlet Plaza and what were you told about that site as a possible location?

Mr. Stern- This site was approved as an alternate site but the owner was not interested.

Attorney Stanzione- All the sites we just went through would they all require new construction of a tower?

Mr. Stern- Yes.

Attorney Stanzione- Conclusion on this report is it your opinion that this site is needed by Verizon Wireless to provide capacity and coverage?

Mr. Stern- Yes it is.

Attorney Stanzione- Did you prepare a report that was marked as A-3 which is titled RF Admissions Study dated February 22, 2013?

Mr. Stern- Yes.

Attorney Stanzione- Can you tell us the purpose of this report and the conclusions?

Mr. Stern- It is to analyze the radio frequency admission that would be coming from the proposed location and assess them with respect to the FCC's Regulations regarding radio frequency admissions from sites like this. When we analyzed this site we took into account all the Verizon frequencies all the Verizon antennas and the antenna heights and maximum energy that you are allowed to transmit from this location. We found the site was compliant and it was compliant to approximately 1% of the FCC standards which is 100% complied. We are 100% times below that level. We are well in compliance with those standards.

Mr. DeMatteo- What about co-locators?

Mr. Stern- It has been my experience that co-locators would be no more than double the Verizon number. If we added two more pole locators and they were at 2% each we would still be at five percent we would still be 20% times below the FCC standards for a location like this.

Attorney Stanzione- I have no other questions for Mr. Stern.

Mr. Glackin- As far as capacity of the tower, is there any difference between the proposed tower or a flagpole?

Mr. Stern- The only difference I talked about before was how to get coverage out of that site. If we don't have the horizontal real estate with the antennas on side arms, I need to get vertical real estate. I have to set my antennas up vertically as opposed to having a set going across. I have to have a set of antenna going up and down.

Mr. Glackin- What if you were to use two flagpoles within a short range can it be done using the same generator?

Mr. Stern- I have not done that but there is no reason why I can't use two flag poles to effect it. I have to investigate it.

Mr. DeMatteo- If we can move the antennas closer to Route 35 and put them up as flag poles and allow you a second flag pole for additional co-location to alleviate some of the burden of having co-locaters in the flag pole. Could you go back and determine where you would have to site the ancillary equipment that would have to go with that, move it in to compliance and take a look at how much line you would need to run and make sure you still have the distances that you would require?

Attorney Vella- Before you answer that lets have a discussion because you have gone from poles now. Let take a consensus of the board. From the boards perspective if you are acceptable to the pole if they move it farther away from the residential zone and they should be able to comply with that. From a aesthetics point of view I think it is fair to say the board was not even though looking at pictures not hearing testimony about the tree, didn't blow them away from an aesthetic point of view. I would suggest the board look at some flagpole sites between now and next meeting. There are a few around. Is it fair to say that is something the board would be interested in a flagpole design away from the residences and seeing how far they can move their equipment shelter away from this type of pole. You don't really want to grant them an 85 foot flagpole and then not be able to co-locate it. That makes no sense.

Mr. Tyler- We have a situation where in order to provide the bandwidth necessary for cell phone users we have got to figure this out. If it is not going to be there we are going to get another application. We have to come up with a solution it is a very dense town. Looking at something that is not an 85 foot tree when all the other trees are 30 feet high certainly appeals to me. Looking at something that does not require a variance is certainly on a setback from residential. I would like to learn more about the flag pole idea. I am not adverse to two flag poles if that solves our problem.

Mr. Glackin- What about the property owner?

Attorney Stanzione- I think we need some input from the property owner. I can present a copy of the transcript to the property owner of what has been said here this evening.

Mr. Kittner- Mr. Stern in terms of RF Frequency and the emissions from the pole itself would you say that what is experienced at this site is considered standard to most of the sites that you work on?

Mr. Stern – Yes.

Mr. Kittner- We have a lot of residents that are concerned with the RF exposure.

Mr. Stern- Yes.

Attorney Vella – The emissions that come out of that site you meet all the federal guidelines is that accurate?

Mr. Stern – That is correct.

Mr. Tyler- Who are your other witnesses?

Attorney Stanzione- We have our site acquisition person from Capital Telecom that went around and approached the property owners and we have our planner.

Sharon Keegan- June 6, 2013 is the next meeting.

Attorney Vella- June 6, 2013 at 7:30 pm. is good for you?

Attorney Stanzione- That is a good date.

Attorney Vella- Members of the public this hearing will be carried until June 6, 2013. There will be no other notification only what I am telling you here tonight.

Motion to Close hearing:

Offered Mr. Vignola

2nd Mr. Bace

Voice Vote: Yes

Open to Citizens hearing:

No one spoke at hearing.

Motion to Adjourn:

Offered: Mr. Bace

2nd Mr. DeMatteo

Voice Vote: Yes

Next Meeting June 6, 2013

Sharon A. Keegan
Administrative Officer