

Borough of Kinnelon

Planning Board

August 3, 2017

The regular monthly meeting of the Kinnelon Planning Board was called to order by Chairperson Mrs. Roselius at 7:33 p.m., Thursday, August 3, 2017 in the Municipal Building.

It was reported that adequate notice of this meeting had been given in accordance with the Sunshine Law by posting a notice on the municipal bulletin board, by publication of a legal notice in the Suburban Trends on January 2017 and by sending the meeting date to the Daily Record and Herald News.

Present and answering roll call in addition to Mrs. Roselius were Mayor Collins, Mrs. Smialek, Mr. Savino, Mr. Diani and Mr. Kline. Councilman Yago was absent from this meeting. Mr. Bacchetta and Mr. Boorady were present at this meeting.

A motion to approve the July 6, 2017 minutes was offered by Mayor Collins, second by Mrs. Smialek with the affirmative "yes" vote of all on roll call. Mr. Kline abstained.

A motion to approve Resolution #820 Bagel Café and Resolution #813 Yildiz was offered by Mrs. Smialek, second by Mr. Diani with the affirmative "yes" vote of all on roll call. Mr. Kline abstained.

Application #821 JCP&L Site Plan & Checklist Waivers for Cell Tower on Graceview Drive.

Mr. Bacchetta swore in Mr. Timothy Burkhart and Mr. John Beyele.

Mr. Beyele stated that this is an important project for the safety of the employees. The antennas will enhance the service we provide by placing the two antennas and a dish in the existing tower. Mr. Beyele stated that they also would like to install a generator and a propane tank but we will not be presenting that as this time. Mr. Beyele stated that there is a statutory provision that is relevant to this applicant saying "If you are placing equipment on an existing tower, you are collocating equipment no governmental body can turn you down." This is part of the middle class tax relief act. Mr. Beyele said that it does say that you need to go before the governing body. Mr. Beyele stated that the application fee has been paid and we have made an application to the Morris County Planning Board and the Soil Conservation.

Mr. Burkhart stated that he is a manger tech who goes out and supports the 2 way radio system in the trucks and towers. Mr. Burkhart stated that if there were no telecommunications the employees would have to dial 911 from their cell phone. That is a problem with the employees on the site who have been flashed because they wouldn't be able to see. Mr. Burkhart also stated that there is a liability with cell coverage or if there was a major power outage. Mr. Burkhart said the way the telecommunication

systems works is there is a red button to push to talk on top of the radio. This transmits over the local tower and then back to the dispatch. Mr. Burkhart said 911 is not needed with this system.

Mr. Burkhart stated that 2 years ago this study was started and this will be the 8th radio system put in. The existing radio system is 25 years old and we having been buying parts off eBay to maintain it. Mr. Burkhart stated that the tower they were using in Pompton Lakes was sold and we were told we had 90 days to get off it.

Mr. Beyele entered into the record Exhibit A1 which showed the coverage area with tower locations from Upper Sussex County area to the Brenardsville-Peapack area.

Mr. Beyele entered into the record Exhibit A2 which was the tower site with the two proposed antennas and also the dish.

Mr. Burkhart stated that this was the only tower high enough and would give enough coverage.

Mr. Boorady stated that on checklist A he has no objections to the waivers except for item 6 (Confirm the Morris County application form was sent and a response is received) and 16 (Any approvals or waivers from the Kinnelon Planning Board would be subject to the Application obtaining written confirmation from the NJDEP that the project qualifies for an exemption from the Highlands Water Protection & Planning Act. Such exemptions or approvals shall be obtained prior to the issuance of any building permits. They should be subject to any approvals.

Mr. Boorady stated that on Checklist E he has no Engineer objects for waivers from the whole checklist.

A motion to approve the waivers except for items 6 and 16 from checklist A was offered by Mr. Kline, second by Mayor Collins with the affirmative “yes” vote of all on roll call.

Mr. Boorady then went over his letter:

Item 1 – Agree

Item 2 – qualify

Item 3 – Please confirm there will be no excavation and Mr. Beyele said there wouldn't.

Item 4 – Satisfied

Item 5 – Dish will be grey

Item 6 – Subject to any approvals, separate drawings will be submitted without the propane tank and generator.

Item 7 – Will issue a structural report

Item 8 – Discussed

Item 9 – Discussed

Item 10 – Exempt but still need a letter

Mrs. Roselius asked if the antennas will work without the propane tank or generator and Mr. Burkhart said yes they are for only if the power goes out.

Mayor Collins asked if the applicant can comment on what being flashed means.

Mr. Burkhart stated that in Central Jersey there was a fatality as also in Eastern Pa. Mr. Burkhart stated that when a major spark happens that is called a flash and the person will be blinded to the point where they can't see. Mr. Burkhart stated that this is why it's so important to have this.

Mr. Diani asked if American Towers is responsible for the facility because the fence is in disarray.

Mrs. Roselius opened the meeting to the public.

Mr. Randall Charles came forward and asked from an OEM perspective will this be complaint with homeland security and do we need to contact American Towers. Mr. Beyele said that it is compliant.

Mr. Boorady stated that Mark Thomas the Zoning Office would need to be contacted to send out a letter of enforcement.

Mr. Charles asked who the contactor will be and Mr. Burkhart said Easter Propane.

Mrs. Roselius closed the public portion and opened the meeting back up to the board.

A motion to approve the Site Plan Waiver request was offered by Mayor Collins, second by Mr. Kline with the affirmative "yes" vote of all on roll call.

Mrs. Roselius opened the meeting to the public and hearing no one closed the public portion.

A motion to pay the bills and adjourn at 8:20 pm was offered by Mrs. Smialek, second by Mr. Kline with the affirmative "yes" vote of all on roll call.

Respectfully submitted,

Jennifer Highers, Secretary

cc: Planning Board Members
Planning Board Attorney
Planning Board Engineer
Borough Clerk
Board of Health
Fire Prevention Bureau
Zoning Official
Construction Official
Environmental Commission
Tax Collector
Assessor

Department of Public Works
Police Department
Morris County Planning Board