

PLANNING BOARD
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Perth Amboy, New Jersey 08861

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**MINUTES OF THE MEETING
CITY OF PERTH AMBOY
PLANNING BOARD**

WEDNESDAY, JUNE 2, 2010

The regular meeting was called to order at 7:00 P.M. by Chairperson Maria Garcia.

Salute to the flag (Pledge of Allegiance was said).

Chairperson of the Perth Amboy Planning Board, Maria Garcia, advised the audience that notice of this meeting has been published in The Home News & Tribune and listed on the City of Perth Amboy's web page at www.ci.perthamboy.nj.us. Notice has been posted on the bulletin board in the City Clerk's office, indicating that tonight's meeting is being held at the Council Chambers, City Hall, 260 High Street, at 7:00 p.m.

ROLL CALL:

Those present: Chairperson Maria Garcia, Vice Chairperson Karen Kubulak, Mrs. Sharon Nagy-Johnson - Secretary, Mrs. Geri Barcheski, Ms. Christine Dispenziere, Mr. Kurt Rebovich Jr., and Mr. David Szilagyi

Those absent: Mr. Fernando Gonzalez – Councilman and Mayor Wilda Diaz

Planning Board Staff present at the meeting:

Clifford Gibbons, Esq.
Ernest W. Feist, P.E., P.P.
Iwona H. Cwiek, Recording Secretary

TOPICS FOR DISCUSSION:

Mr. Szilagyi asked about the meeting's order, particularly what time it should end. Also, he raised the question why meetings are not shown on TV channel 34 as they used to be.

APPLICATIONS:

Docket No. 2924 **Maritime Alliance Group, Inc.** has been carried to July 7, 2010 meeting.

Docket No. 2921 **Clear Wireless, LLC**
313 State Street
Block 126; Lot 14; Zone C-2

This applicant is requesting for conditional use and minor site plan approval. The applicant is proposing to erect six (6) dish antennas, four (4) panel antennas, and one (1) GPS unit on roof of the existing building. (Carried from May 5, 2010 meeting).

Ms. Diane Constantine, Esq. is representing the applicant. She submitted an affidavit of publication and affidavit of service prior to the meeting. Ms. Constantine calls her first witness Mr. Dan Collins, P.E. He is sworn-in by Mr. Gibbons, Esq. Mr. Collins is a radio frequency engineer with Pinnacle Telecom Group. He prepared "Antenna Site FCC RF Compliance Assessment and Report" dated March 23, 2010. He testified that Clear Wireless will utilize FCC licensed frequencies. He stated that the analysis was done considering the highest operating levels that the company indicates would be considered for the site and summed over all radios operating in a sector at the specified frequency of operation. Per the calculation, the cumulative transmission at this site with the addition of the proposed Clear Wireless transmission is well below the 100% limit (400 times less than the limit) and no exposure risk should exist considering the worst case.

Ms. Constantine, Esq. calls her second witness Mr. Terrance Lulay, PE. He is sworn-in by Mr. Gibbons, Esq. Mr. Lulay prepared site plans consisting sheets Z01-Z08 of Z08, dated January 25, 2010. He explained that the applicant is seeking minor site plan approval to mount 6 dish antennae, 4 panel antennae and 1 GPS unit on the roof of an existing high-rise building know as Amboy Towers at 313 State Street. He stated the height of the new antenna structure is approximately 143.4 feet above existing grade where 85 feet is allowed. This results in a variance. Mr. Lulay described in details the position of the antennas. They will be camouflaged and a ladder type tray will be painted to match the building. The applicant will comply with Mr. Feist report dated May 21, 2010.

Ms. Constantine, Esq. calls her third witness Mr. Dan Lee, P.E. He is sworn-in by Mr. Gibbons, Esq. Mr. Lee submitted Exhibit A1 – Map/Coverage without NJ-NBW0076 and Exhibit A2 - Map/Coverage with NJ-NBW0076. Mr. Lee described a broadband wireless system which is proposed at the subject location and the need for the coverage in that location.

Ms. Constantine, Esq. calls her fourth witness Mr. Timothy Kronk, PP. He is sworn-in by Mr. Gibbons, Esq. Mr. Kronk stated that the proposed application is located within the C-2 zone and telecommunication facility is conditionally permitted within the C-2 zone when co-hung on existing facilities and camouflaged. The proposed antennas will be co-hung and painted to match the background of the existing structure. Mr. Kronk submitted the following exhibits:

Exhibit A3 – Photo board: existing view from intersection of Hobart & Smith Streets and computer simulation showing the proposed new antennas

Exhibit A4 – Photo board: existing view from Jefferson Street and computer simulation showing the proposed new antennas

Exhibit A5 – Photo board: existing view from Smith Street and computer simulation showing the proposed new antennas

Public portion:

- Peter Jimenez, it seems to him that there are too many antennas placed in Perth Amboy. City should revised the ordinance and set the limits for those antennas.

Ms. Dispenziere made a motion to approve the application with all conditions set forth and the motion was so moved and seconded by Mrs. Nagy-Johnson. The motion was voted on and approved by the vote of 7 (Garcia, Kubulak, Nagy-Johnson, Barcheski, Dispenziere, Rebovich, and Szilagyi).

Docket No. 2923

T-Mobile Northeast, LLC
1160 State Street
Block 430; Lot 1; Zone S-3A

This applicant is requesting for minor site plan approval. The applicant is proposing to upgrade that facility by replacing the existing antennas with new antennas, and relocate the existing equipment to grade level on a steel platform.

Mr. Reginald Jenkins, Esq. is representing the applicant. He submitted an affidavit of publication and affidavit of service prior to the meeting. Mr. Jenkins, Esq. calls his first witness Mr. Lou Mogliano, an architect with MTM Design Group. He is sworn-in by Mr. Gibbons, Esq. Mr. Mogliano's testimony refers to the site plan prepared by MTM Design Group, sheet Z3. He stated that the applicant seeks minor site plan approval to upgrade an existing facility by replacing the existing antennae with 6 new antennae in kind and relocate the existing equipment to grade level on 8 feet by 18 feet steel equipment platform with safety railing. Mr. Mogliano also submitted Exhibit A1 – Certified boundary survey. The applicant will comply with Mr. Feist report dated May 27, 2010, with the exception of items 5 & 6.

Mr. Jenkins, Esq. calls his second witness Mr. Timothy Kronk, PP. He is sworn-in by Mr. Gibbons, Esq. Mr. Kronk stated that the proposed application is located within the S-3A zone and telecommunication facility is conditionally permitted within the S-3A zone when co-hung on existing facilities and camouflaged. The proposed antennas will be co-hung and painted to match the building, including brick and mortar pattern. Mr. Kronk submitted Exhibit A2 – Photo board: before and after showing the cabinet.

Public portion: none

Chairperson Garcia made a motion to approve the application with the conditions set forth and the motion was so moved and seconded by Mrs. Nagy-Johnson. The motion was voted on and approved by the vote of 7 (Garcia, Kubulak, Nagy-Johnson, Barcheski, Dispenziere, Rebovich, and Szilagyi).

CLOSED SESSION:

Mr. Rebovich made a motion to open closed session and the motion was so moved and

seconded by Ms. Dispenziere. All members present were in favor.

NEW BUSINESS:

Mr. Szilagyi asked question about conditional use, under current Ordinance, of wireless towers in the City of Perth Amboy.

Mr. Feist and Mr. Gibbons explained the issue of conditional use for the towers in our city.

OLD BUSINESS: none

APPROVAL OF THE MINUTES: May 5, 2010

Vice Chairperson Kubulak made a motion to approve the minutes and the motion was so moved and seconded by Mr. Szilagyi. The motion was voted on and approved.

MEMORIALIZATIONS:

Docket No. 2919 New York SMSA, LLC Approved 4/7/10

Vice Chairperson Kubulak made a motion to approve the resolution and the motion was so moved and seconded by Ms. Barcheski. The resolution was voted on and approved by the vote of 4 (Kubulak, Barcheski, Rebovich, and Szilagyi – eligible voters).

PAYMENT OF BILLS:

Signed Iwona Cwiek's memo for payment of secretarial service for this meeting.

Mrs. Nagy-Johnson made a motion to approve the payment and the motion was so moved and seconded by Ms. Dispenziere. All Members present were in favor.

ROLL CALL FOR UPCOMING MEETING:

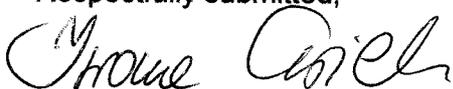
Next scheduled regular meeting July 7, 2010 at 7:00 P.M.

ADJOURNMENT:

Chairperson Garcia asked for a motion to adjourn the meeting. Vice Chairperson Kubulak made a motion and was seconded by Mr. Szilagyi. Motion to adjourn the meeting of June 2, 2010 was so moved.

Meeting was adjourned at 9:05 P.M.

Respectfully submitted,



Iwona Cwiek
Recording Secretary