



**Township of Freehold**  
OFFICE OF THE PLANNING BOARD  
One Municipal Plaza, Freehold, NJ 07728

**REGULAR MEETING MINUTES**  
**February 18, 2016**

The Regular Meeting of the Planning Board was called to order by Mr. Gatto on Thursday, February 18, 2016 at 7:00 p.m. at the Freehold Township Municipal Building, One Municipal Plaza, Freehold, New Jersey. He read the Notice of the Open Public Meetings Law.

**Present:** Mr. Ammiano, Mr. Cook, Mr. Bazzurro, Mr. Gatto, Mr. Kash,  
Mr. Shortmeyer, Mr. Bruno, Mr. Asadi (arrived late) and Ms. Kurtz.

**Absent:** Mr. Kirk\* and Mr. Coburn\*.

**Also Present:** Francis C. Accisano, Esq., Timothy P. White, Township Engineer, Nancy Torre, Administrative Officer (left early), Paul Phillips, Township Planning Consultant, Dr. Eisenstein, Township RF Consultant and Danielle Sims.

There was the Pledge of Allegiance.

There was recognition of Nancy Torre for her 26 years of service and well wishes in her retirement. Ms. Torre left and Ms. Sims continued in her place.

**MINUTES:**

The Minutes for November 5, 2015 and December 3, 2015 were carried. A motion to approve the minutes of the January 7, 2016 meeting was made by Mr. Shortmeyer, seconded by Mr. Cook and passed with the following roll call vote: Aye: Mr. Ammiano, Mr. Cook, Mr. Bazzurro, Mr. Gatto, Mr. Kash, Mr. Shortmeyer, Mr. Bruno and Ms. Kurtz.

**RESOLUTIONS:**

**Ordinance No. 0-16-2 an Ordinance Amending Chapter 190 (Land Use), Article XIII (Zone Regulations), Section 190-153 (Light Industrial Zone LI-3) of the Revised General Ordinances of the Township of Freehold, County of Monmouth, State of New Jersey.**

Mr. Ammiano made a motion, seconded by Mr. Bazzurro to approve the resolution. The motion passed with the following roll call vote: Aye: Mr. Ammiano, Mr. Cook, Mr. Bazzurro, Mr. Gatto, Mr. Kash, Mr. Shortmeyer, Mr. Bruno and Ms. Kurtz.

**“C” Variance Application #19-15**  
**Roy and Bonnie Tucciarone (Applicant/Owner)**  
**Block 105, Lot 56.02 - 402 Georgia Road**

Mr. Shortmeyer made a motion, seconded by Mr. Kash to approve the resolution. The motion passed with the following roll call vote: Aye: Mr. Ammiano, Mr. Cook, Mr. Gatto, Mr. Kash, Mr. Shortmeyer, and Ms. Kurtz.

**NEW APPLICATIONS:****Amended Preliminary and Final Major Site Plan #851-1-15****3571 Route 9 Realties, LLC****Block 72, Lot 97.02 – 3571 Route 9**

Amended site plan approval to revise the height and location of the previously approved 1.5' high modular block retaining wall to vary from 2' - 9' in height.

Mr. Ammiano disqualified himself from this application and stepped down off the dais. Ms. Kurtz was seated for Mr. Ammiano.

Mr. Peter Licata, Esq. appeared on behalf of the applicant. Mr. Accisano said he reviewed the proof of notice submitted by the applicant which was correct in form, published and served in a timely fashion so the board has jurisdiction to conduct a public hearing. Mr. Gatto read the reviews into record. The following witnesses were sworn: Robert Gallagher, Project Manager, Sean Savage, Matrix New World Engineering, Timothy P. White, Township Engineer.

Mr. Savage has appeared before the Board many times before and was qualified as an Engineer. The retaining wall is approximately 10' from the property line where 30' is required and crosses through the property line to the adjacent Audi dealership (under common ownership, though different corporate entities, they are the same principals). He agrees with the findings of Mr. White's review letter. The wall would provide a better choice than grading towards the woods and would minimize the disturbance on the site.

Mr. Gatto asked if there were any questions from the Board. Mr. Gatto asked if there were any questions from the public. No public came forward. A motion to close the public hearing was made by Mr. Shortmeyer and seconded by Mr. Cook, all in favor, aye.

Mr. Kash moved that a positive resolution be prepared, seconded by Mr. Shortmeyer, all in favor, aye.

**Amended Preliminary and Final Major Site Plan with Waiver of Site Plan Details # 795-1-16****Renaissance at Schanck Road, LLC (iPlay America)****Block 70.10, Lots 2, 2.02, 3 – Schanck Road**

Amended Preliminary and Final Major Site Plan with Waiver of Site Plan Detail approval for an expansion on the liquor license (previous condition) and to permit permanent utilization of a 40' x 60' temporary tent for use by schools, camps and other groups while attending the facility.

Mr. Asadi arrived.

Mr. Ammiano and Mr. Cook disqualified themselves from this application and stepped down off the dais. Mr. Asadi and Ms. Kurtz were seated for Mr. Ammiano and Mr. Cook.

Mr. William J. Mehr, Esq. appeared on behalf of the applicant. Mr. Accisano said he reviewed the proof of notice submitted by the applicant which was correct in form, published and served in a timely fashion so the board has jurisdiction to conduct a public hearing. Mr. Gatto read the reviews into record. The following witnesses were sworn: Gary Hipko, Senior VP of iPlay America, Paul Phillips, Phillips, Preiss & Grygiel, Timothy P. White, Township Engineer. Additional exhibits were described, presented and marked into evidence.



Mr. Mehr suggested that they look at these as two separate items, one being the use (liquor license) and one being the tent proposal. It was described that since the previous application/resolution of approval, the State has changed the regulations for gaming where it would allow alcohol consumption in areas of gaming, where it was previously restricted. Mr. Accisano stated that this does not prevent the Board from prohibiting this as a condition, but the applicant is requesting this condition be removed. To qualify for the ability to consume alcohol in areas of game of chance by State regulations, the venue must be at least 20,000 sf, where iPlay is 74,500 sf, plus the Encore and Game Time Grill area is 72,800 sf equalling approximately 147,000 sf and must have a minimum of 100 games, where iPlay has 191 games of chance.

Mr. Bazzurro inquired where the sales of liquor would be. Mr. Hipko responded that they would be the same as they currently are, but they may set up a portable bar for special events and that there is private security on site. Alcohol would still be restricted in the fenced in ride areas.

Mr. Gatto asked if there were any questions from the Board regarding the liquor license condition. Mr. Gatto asked if there were any questions from the public. No comments or questions.

Mr. Kash moved that a positive resolution be prepared, seconded by Mr. Shortmeyer, all in favor, aye.

In discussing the tent proposal, Mr. Mehr explained that the tent has been used during warm months for large groups for eating and is supervised by iPlay and the group using the tent. Currently, it is required that they obtain a permit every 30 days for the tent and it is questionable if it is permitted to have consecutive permits. The tent would not be licensed for alcohol. There would be no access from the outside, where the tent is connected by a canopy to a door from iPlay. The tent is approximately 300' from the residential area and is separated by a stream and wooded area.

Mr. White is concerned about the parking loss. Mr. Hipko stated there is a 13 space net loss (954 spaces required, 929 proposed, 942 existing). Mr. White has no issues with this based on the existing needs for the past five years.

Mr. Gatto asked if there were any questions from the Board. Mr. Gatto asked if there were any questions from the public regarding the tent.

A motion to close the public hearing was made by Mr. Shortmeyer, seconded by Mr. Kash, all in favor, aye. Mr. Shortmeyer moved that a positive resolution be prepared, seconded by Mr. Kash, all in favor, aye.

#### **“D” Variance Application #17-15/SP#878-15**

**New York SMSA Limited Partnership d/b/a Verizon Wireless**

**Block 102, Lot 11 – 363 Monmouth Road**

Use Variance and Preliminary and Final Major Site Plan approval for construction of a wireless communications facility consisting of a 120' monopole with antennas and lightning rod at 128' within a 50' x 50' fenced compound with equipment shelter at base.

Mr. Gatto stepped down from the dais and disqualified himself from this application and seated Mr. Bazzurro as chairman for this application. Mr. Ammiano, Mr. Cook and Mr. Kash also stepped down as they were disqualified from hearing this application.

Ms. Lynn Dunn, Esq. appeared on behalf of the applicant. Mr. Accisano said he reviewed the proof of notice submitted by the applicant which was correct in form, published and served in a timely fashion



so the board had previously taken jurisdiction in January to conduct a public hearing. The following witnesses were sworn: Mark Tinder, Mark Tinder Appraisal, William F. Masters, Jr., PP, Matt Bartlett, Atlantic Site Development-Site Acquisition, Frank Pazden, Civil Engineer, David Stern, RF Engineering Specialist, Dr. Bruce Eisenstein, Township RF Consultant, Paul Phillips, Township Planning Consultant, Timothy P. White, Township Engineer. Mr. Bazzurro read the reviews into record. Additional exhibits were described, presented and marked into evidence.

Ms. Dunn stated that the generator testing hours and the Fire Official's comment regarding the Knox Box, they would comply.

David Stern was qualified as an expert in RF. Mr. Stern described the emissions aspect of the site and elaborated on the RF Emissions Study as presented as P-11. The applicant has four licenses in Monmouth County. Mr. Stern elaborated on FCC guidelines and standards and stated that the applicant would comply. Dr. Eisenstein confirmed that the calculations used is from a standard model and agrees with the findings. Regarding the design and determination of need in a particular area, Mr. Stern stated that there is a substantial gap in coverage. Data is growing substantially, voice networks are moving to IP data (voice over data) and everyone is migrating from 2G & 3G to 4G. There is insufficient radio signal to provide reliable service for Verizon customers. Referencing Exhibit P-25, Mr. Stern describes the drive test data and P-27 showing signal strength using RSRP ratings. The "gap" is less than reliable service and service may work, but calls may drop or data may slow down in this area. This site would fill a major gap.

Dr. Eisenstein confirmed the technical information Mr. Stern indicated and also said he just did a signal strength reading in the meeting room and it was -105 (less than good), and noted that if it were bad weather or other outside issues, he may not be able to make a call.

Mr. Stern described the additional coverage would handle residential areas in Freehold and in Millstone, describing a map (P-26) where a crane test was done to determine readings at 120' feet, 90' and 150'. The 90' allowed in areas where towers are permitted, would lose approximately 1 mile of new coverage and about 5 and 10 DBP below. The 120' height would cover that additional gap. Alternate locations we evaluated and this site was ultimately chosen. This site covers the gap just as good as the previously proposed site, but addresses some of the concerns of the previous Zoning Board of Adjustment.

Paul Phillips questions how the site acquisition person was given a search area and if there are other sites that would serve the area. Mr. Bazzurro added a question, asking is other land owners were approached or only those noted in the map provided. Mr. Stern responded that they were given a map showing an area that would cover the gap. The facility would also be monitored by remote monitoring where it is interconnected with a landline to an operator (located in Wall Township). The pole itself has yet to be designed, because should the Board approve the application, they would build it to allow/accommodate whatever number of carriers (co-location) that the Board would require. There are no existing towers in the area in which they can co-locate on that would cover the gap. No crane test was done at heights between 90' and 120'. Too much height is also not good for signal strength, it would produce more signal, but would not be good signal.

Dr. Eisenstein explained that as of January 2015, there is a new FCC regulation and congressional action, co-locators can add to/build onto a current tower site under 6409(a) – Middle Class Tax Relief Act as long as they satisfy certain conditions and would not require Board approval. This can add one (1) co-locator, up to 10% or 20' in height to a tower and minimal disturbance to the ground. Major disturbance would require Board application and approval. He recommends that the Applicant come



back at the next hearing date with a crane test result at both 100' and 110' in height to see if there is a lower available tower height that would meet their needs. This regulation could in effect make this proposed tower become a 140' in height.

Ms. Dunn clarifies that this act is not to discourage from approving a particular site, but rather to encourage co-location. Dr. Eisenstein agreed and also clarified that the Board would not be able to restrict this co-location addition to occur.

Due to the time, the applicant had not completed their testimony and public comments have not been heard, the application was carried to April 21, 2016 without further notice with a request of the Board to bring crane test information at the alternate heights. Ms. Dunn stated she would submit a letter to the Board waiving any time limits until the end of April 2016.

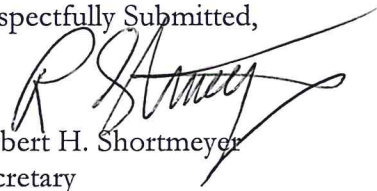
#### **DISCUSSION:**

Ms. Sims described the upcoming meeting agendas.

#### **ADJOURNMENT:**

There being no further business, a motion was made to adjourn the meeting and passed unanimously. The meeting concluded at 9:40 p.m.

Respectfully Submitted,



Robert H. Shortmeyer  
Secretary

**\* Please note that Mr. Kirk and Mr. Coburn listened to the recording for this hearing and sign a certification to this.**