

MINUTES OF THE MONTCLAIR BOARD OF ADJUSTMENT NOVEMBER 12, 1997

PRESENT: Chair Harrison, Mr. Church, Mr. Fleischer, Mrs. Freundlich, Ms. Holden, Ms. O'Connell, and Mr. Tobin; also Michael Sullivan, Esq., and Mr. Michael Zichelli, Assistant Secretary.

ABSENT: Vice Chair Chapman and Mr. Williams.

Ms. Kadus called the roll and announced the regular meeting of the Montclair Board of Adjustment for which notice had been given in accordance with the Open Public Meetings Act.

On motion by Mr. Fleischer, seconded by Mr. Church, the **Minutes of the October 15, 1997** meeting were approved, Ms. Holden and Ms. O'Connell abstaining.

Chair Harrison	Yes	Mr. Fleischer	Yes	Ms. O'Connell	Abstain
Mr. Chapman	Absent	Ms. Freundlich	Yes	Mr. Tobin	Yes
Mr. Church	Yes	Ms. Holden	Abstain	Mr. Williams	Absent

Chair Harrison called for the continuation of the variance application of **DeCamp Bus Lines, Inc., 100 Greenwood Avenue**. James Andrews, Esq. appeared as attorney for the applicant. Mr. Andrews stated that DeCamp seeks to park buses at 100 Greenwood Avenue during the day on holidays and weekends. Mr. Andrews, certain objectors and the Board discussed the status of the application. Mr. Andrews said he had no witnesses available to testify. Therefore, Chair Harrison stated that the application will be heard at the January 21, 1998 meeting.

Chair Harrison called for the application of **Omnipoint Communications, Inc. 5 Roosevelt Place**. Greg Czura, Esq. appeared as attorney for the applicant. He stated that the applicant needs to provide better telecommunications coverage in the Montclair area and that they seek to install six roof sector antennas at 5 Roosevelt Place which require height and use variances.

Mr. Chris Olsen, radio frequency engineer, was sworn. He stated that Omnipoint only has limited coverage in Montclair. Marked for identification was the following:

A-1 Map showing telecommunications sites

He described the coverage across Montclair and how the sites are selected for the best coverage. He stated the need to fill gaps in the coverage and described the location of the antennas.

Mr. Peter Longo, consulting engineer, was sworn. Marked for identification were the following:

- A-2 Site Plan, prepared by Arcnet, dated June 7, 1997
- A-3 Elevations & Plans, prepared by Arcnet, dated June 26, 1997

He reviewed the proposed location of the antennas and the structures they will be mounted on. He reviewed the manner in which they would be fixed to the building, the color of the antenna pads, and the location of the equipment cabinet.

Mr. Robert McNamara, radio frequency engineering manager, was sworn. He described the radio emissions and stated that they will meet both New Jersey and Federal Communications standards. He then reviewed the frequency of the testing of the system.

Mr. Jeffrey Stiles, professional planner, was sworn. Mr. Stiles reviewed the variances requested. He described the zoning and the surrounding community. He then described the positive criteria and stated that due to the public nature of the facility, it is an inherently beneficial use. He then reviewed the suitability of the site and the negative criteria. He then stated that due to the nature of the service, the height variance requested is required. Marked for identification was the following:

- A-4 Photographic rendering of antennas on the existing building

Mr. Stiles reviewed the visual impact of the antennas. He stated that the application does not impact the zone plan.

The meeting was then open to public comment. None was made.

Mr. Czura summarized the application.

Board Attorney Sullivan reviewed the application and the criteria for evaluating a beneficial use.

After some discussion, on motion by Mr. Fleischer, seconded by Ms. Holden, the Board unanimously approved the use variance.

Chair Harrison	Yes	Mr. Fleischer	Yes	Ms. O'Connell	Yes
Mr. Chapman	Absent	Ms. Freundlich	Yes	Mr. Tobin	Yes
Mr. Church	Yes	Ms. Holden	Yes	Mr. Williams	Absent

On motion by Mr. Fleischer, seconded by Mr. Church, the Board unanimously approved the height variance subject to the following conditions:

1. The height of the antennas shall not exceed the top of the penthouse or chimney to which it is attached.
2. The antennas shall be painted a color to match the structure to which it is attached.

Chair Harrison	Yes	Mr. Fleischer	Yes	Ms. O'Connell	Yes
Mr. Chapman	Absent	Ms. Freundlich	Yes	Mr. Tobin	Yes
Mr. Church	Yes	Ms. Holden	Yes	Mr. Williams	Absent

On motion by Mr. Fleischer, seconded by Ms. O'Connell, the meeting was adjourned.