

**MINUTES OF THE HARDYSTON TOWNSHIP ZONING BOARD OF ADJUSTMENT  
MEETING HELD JANUARY 3, 2002**

**CALL TO ORDER:** The meeting was called to order by Chairman Miller at 7:30 p.m.

**STATEMENT OF COMPLIANCE:** Pursuant to the Open Public Meetings Act, Chapter 231, P.L. 1975, adequate notice as defined in Section 3D of Chapter 231 P.L. 1975 has been made to the New Jersey Herald and is also posted on the Bulletin Board at the Hardyston Township Municipal Building.

**ROLL CALL:**

Carl Miller	Present
William Walsh	Present
Santo Verrilli	Present
Gerald Laughlin	Present
David Toye	Present
Gary Bargiel	Present
Candace Leatham	Present
Mary Ann Murphy	Present

Santo Verrilli and Candace Leatham were sworn in for new terms of service.

**APPROVAL OF MINUTES:**

A motion to approve the minutes of the regular meeting held December 6, 2001, was made by Candace Leatham and seconded by William Walsh. All were in favor. The motion carried.

**RESOLUTION(S):**

**ZB-8-94-2, Pilz, Anton, Two-year Extension Request for Preliminary Major Subdivision**

**Approval:** A motion to adopt the resolution decided on December 6, 2001, approving a two-year extension request for preliminary major subdivision subject to conditions was made by Santo Verrilli and seconded by William Walsh. Roll Call: William Walsh – yes, Santo Verrilli – yes, David Toye – yes, Candace Leatham — yes, Mary Ann Murphy – yes, Carl Miller – yes. The motion carried. It was noted that a correction was made on pg 4. ¶5 — the word Morris was replaced with the word Hardyston.

**APPLICATIONS:**

**ZB-10-1-01, Stockholm United Methodist Church, Block 37, Lot 4, Preliminary and Final Site**

**Plan, Variances:** Board members reviewed a letter forwarded by the Applicant's Attorney requesting the matter be withdrawn without prejudice. A motion to dismiss the application without prejudice was made by Candace Leatham and seconded by William Walsh. All were in favor. The motion carried.

**ZB-1-02-1, United Telephone Company of New Jersey d/b/a SPRINT, Preliminary and Final Site Plan, Variances:**

Carl Nelson, Esq., presented the Applicant's request for a use variance to install and operate an underground telecommunications vault on a 2500 sq.ft. easement on Rude Town Road. Mr. Ken Stanley, Network Real Estate Associate for Sprint, Inc., and James Hill, P.E., were sworn.

Mr. Stanley presented that the 9' x 17' water-tight underground telecommunications vault would contain a digital switching station that would enable Sprint to expand services and relieve congestion within the existing cable connection, which relays back to the Sprint central office located in Franklin Borough. The "satellite" station would serve as an extension of the Franklin central office and

provide a dial tone to customers within a two-mile radius of its placement. The station will link to a conduit system that presently runs along Rude Town Road.

Mr. Stanley explained that the newer technology and wiring for high-speed connections can not go as far as the older copper wires. He stated that due to the limited distance capacity of the technology, several "satellites" may be installed in strategic areas over the next five years to increase Sprint's service capabilities. He stated that there is a temporary pole set-up in the subject area that was set up due to an unanticipated increased demand for services at the Crystal Springs Development. He stated that should the application be approved, the temporary pole set-up will be dismantled.

Mr. Stanley described the site as having no water, sewer, or above-ground lighting. The vault, which will be installed at a depth of 13', opens via a locked hatch. Exhibit A-4, a photograph of a similar vault being installed, was marked into evidence. Mr. Stanley stated that the vault will protrude approximately 2' above ground. Exhibits A-3 and A-5, photographs of the type of hatch proposed, were marked into evidence. A pedestal for a power meter and a cross-box will be located at the surface. The cable that extends to the houses in the area goes into the cross-box and the dial tone will come from the vault via a cable into the box. Sprint workers can open the cross-box and cross-connect the wires from point a to point b to deliver the dial tone. Mr. Stanley noted that previously established lines could be activated by computer.

Mr. Stanley explained the site selection process. He stated that a flat surface is preferred with a location central to the customer pool and close to the road. It was noted that close proximity to the road is desirable for service and generator linkage via cable during power outages. Exhibit A-1, a map of the Franklin office service area, was marked into evidence. Exhibit A-2, a display of eight photographs, included photographs of the site from different perspectives, a photograph of the temporary pole equipment set-up, and a photograph displaying the distance from the entrance of Crystal Springs, was reviewed. Exhibit A-6, a photograph depicting a finished site, was marked into evidence.

With reference to the construction process, Mr. Stanley stated that the project may take from four to six months to complete. He presented that the Applicant has applied to the County for a road opening permit to enable the installation of a manhole to avoid extensive construction at the man-hole site located at the entrance of Crystal Springs.

With reference to the operation and maintenance of the structure, Mr. Stanley stated that workers may be on-site two to three times per week. Typical work hours were stated as 8 a.m. – 5 p.m. Emergency service work may take place off-hours. Maintenance of the cabinet itself is scheduled quarterly. The cabinet is equipped with an alarm should problems occur with the unit. Lighting of the vault interior is activated when the hatch opens.

James Hill, P.E., was sworn and accepted as an expert witness. Exhibit A-7, a colored rendition of the site plan, was marked into evidence. Mr. Hill presented that the majority of the facility will be located to the right side of the easement area. A parallel pull-up driveway was designed at the County's request. A paver-stone walkway from the road to the site was designed to allow service technicians access to the site. The technicians would utilize a generator stationed on the service truck and extension cable to perform maintenance. The cross-over box will be located to the left of the sidewalk with a slight separation from the main vault area.

Exhibit A-8, a photograph of the nearest single family dwelling, located approximately 28' from the property line and 55' to the edge of the concrete pad to the cross-over box, was marked into evidence. Landscaping to minimize the visual impact of the sight was discussed and the applicant presented a willingness to comply with all landscaping recommendations made by Board Engineer, Michael Vreeland.

Exhibit A-9, a colored rendition of the site plan, was marked into evidence. Mr. Hill testified that the application provides an inherently beneficial use with no negative impact on the zoning plan. He stated that the low profile site could blend in with the rural nature of the area.

Board members reviewed the attached report of Board engineer, Michael Vreeland., dated December 28, 2001. With reference to Item 2.0, Mr. Vreeland stated that the Applicant made

valid points and that he did not see any problem with the Applicant's request regarding the 50' front yard set-back variance request. The Applicant expressed a commitment to comply with the recommendations of Mr. Vreeland.

The meeting was opened to the public for questions or comments specific to this application. Mr. Stuart Cohen presented that he is the owner of the house located to the north of the subject site. Mr. Cohen stated his concern about the impact of future construction of the vault on his well. He questioned excavation techniques, the site selection process, and the landscaping plan. Chairman Miller restated the Board's objective of authorizing a design that will incorporate landscaping buffers to minimize any negative visual impact. A party stated that she did not understand why the site was not placed within Crystal Springs being that the site will predominately service same. Mr. Stanley reviewed the criteria utilized in site selection and stated that the site is not Crystal Springs specific. He stated that placement along a County road was preferred. With reference to excavation, Mr. Stanley stated that several such vaults have been installed by Sprint without problems. Board members discussed pre-excavation testing and it was agreed that tests would be conducted and subject to review of the Board engineer. It was noted that should any problems be detected by the Board engineer, same would be presented to the Board. Having no further public participants, the meeting was closed to the public.

A motion to conditionally approve the request for preliminary and final site plan approval as well as use variance approval was made by Gary Bargiel and seconded by Gerald Laughlin. Roll Call: William Walsh – yes, Santo Verrilli – yes, Gerald Laughlin – yes, David Toye – yes, Gary Bargiel – yes, Candance Leatham – yes, Carl Miller – yes. The motion carried.

## **PUBLIC PARTICIPATION**

The meeting was opened to the public. There were no participants. The meeting was closed to the public.

**BILLS:** A motion to pay the bills was made by Gerald Laughlin and seconded by William Walsh. All were in favor. The motion carried.

**CORRESPONDENCE:** Board members reviewed the annual report of Guerin Engineering, Inc., and the recommendations made to the Board by same. Board members directed Board Attorney Brigliodoro to draft a resolution incorporating the recommendations for review at the next Board meeting.

## **ADJOURNMENT:**

Having no further business, a motion to adjourn was made by Santo Verrilli and seconded by Candance Leatham. All were in favor. The meeting was adjourned.

Minutes prepared by:

Anne-Marie Wilhelm

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