

**HAMPTON TOWNSHIP  
ZONING BOARD OF ADJUSTMENT**

**Minutes of May 29, 2013**

**The minutes of this meeting have not been approved and are subject to change and or modification at the next regular meeting of the Hampton Township Zoning Board of Adjustment.**

The meeting of the Hampton Township was called to order at 7:30 PM by Chairman Ambrosi who led us in the Flag Salute.

**ROLL CALL:** Mr. Ostrander, Absent; Mrs. Couse, Absent; Mr. Daniels, Yes; Mr. Goytil, Absent; Mr. Walthers, Absent; Mr. Ambrosi, Yes; Mr. Moore, Yes; Mr. Nazzaro, Yes; Mr. Zawacki, Yes; Mr. Lake, Yes; Attorney Morgenstern, Yes; and Engineer Simmons, Yes.

**STATEMENT:** Chairman Ambrosi advised that this meeting is being held in compliance with the provisions of P.L. 1975, Ch. 231, Secs. 4 & 13 of the Sunshine Law. Adequate notice of this meeting has been supplies to the official newspaper of the Zoning Board of Adjustment that being th Sunday and Daily New Jersey Herald and is posted in the usual location of posted notices. Testimony will not be received after 10:00 PM.

**MINUTES:** A motion to approve the minutes of the May 2, 2013 was made by Mr. Nazzaro and 2<sup>nd</sup> by Mr. Moore.

**ROLL CALL:** Mr. Daniels, Yes; Mr. Ambrosi, Yes; Mr. Moore, Yes; Mr. Nazzaro, Yes; Mr. Zawacki, Yes; and Mr. Lake, Yes.

**CHANGE IN MEETING DATE FOR JULY – TO THURSDAY, JUNE 27, 2013**

A motion to grant the change in the July 4<sup>th</sup> meeting was made by Mr. Daniels and 2<sup>nd</sup> by Mr. Moore

**ROLL CALL:** Mr. Daniels, Yes; Mr. Ambrosi, Yes; Mr. Moore, Yes; Mr. Nazzaro, Yes; Mr. Zawacki, Yes; and Mr. Lake, Yes.

**RESOLUTION:**

**13-03ZB      New Cingular Wireless – Block 901, Lot 19 – Blueberry Dr.  
Tower Location**

A motion to approve the Resolution as prepared was made by Mr. Nazzaro and 2<sup>nd</sup> by Mr. Daniels.

**ROLL CALL:** Mr. Daniels, Yes; Mr. Ambrosi, Yes; and Mr. Nazzaro, Yes.

**APPLICATIONS:**

**13-04ZB      Sprint Spectrum, LP – Sprint Nextel Property Services – Block  
3603, Lot 12 Hampton House Rd.**

Present for this application was Attorney Warren Stillwell of Cooper Levenson and Joseph Frega, PE. Mr. Stillwell explained the extent of the work to be done. Mr. Morgenstern review is letter of May 14, 2013.

The applicant proposes to upgrade the equipment on the existing tower in 2 phases. The first phase would leave the six existing antennas in place and add five new antennas. The second phase would see the removal for the 6 old antenna and the five new antenna and equipment would remain. Of the five new antennas two of them are 2 ft. diameter dishes. The new equipment installed includes the additional 6 remote radio heads, changing the cabling and wires. This equipment will be mounted at 141 ft. The GPS antenna will be mounted on the existing cabinet.

There are several variances required;

1. Use Variance for antennas on an existing monopole & equipment for a wireless communications facility
2. Height 43.75 ft. permitted and 141 ft. proposed
3. Variance from the requirement to pave the equipment compound.
4. Monopole & cell phone equipment are not permitted uses in the HC-MFG Zone

Mr. Simmons reviewed his report of May 9, 2013

- Item # 5 Applicant stated that the cable will be inside the pole not outside
- Item # 9 Elevation will remain the same
- Item # 10 FAA approval of the existing monopole & proposed antenna should be Obtained – they will furnish
- Item # 11 Monopole calculations should be furnished to the construction official
- Item # 12 Applicant to furnish a complete set of "As-built" drawings

The above items are the most important and required to furnish before a building permit is issued.

A motion to deem application complete and grant wavers for information not furnished was made by Mr. Daniels and 2<sup>nd</sup> by Mr. Lake

**ROLL CALL:** Mr. Daniels, yes; Mr. Ambrosi, Yes; Mr. Nazzaro, Yes; Mr. Zawacki, Yes; and Mr. Lake, Yes.

A motion to grant the above mentioned variances was made by Mr. Daniels and 2<sup>nd</sup> by Mr. Zawacki

**ROLL CALL:** Mr. Daniels, Yes; Mr. Ambrosi, Yes;; Mr. Moore, No; Mr. Nazzaro, Yes; Mr. Zawacki, Yes; and Mr. Lake, Yes.

A motion to grant Preliminary and Final Site Plan approval with conditions was made by Mr. Daniels and 2<sup>nd</sup> by Mr. Zawacki.

**ROLL CALL:** Mr. Daniels, Yes; Mr. Ambrosi, Yes; Mr. Moore, No; Mr. Zawacki, Yes; Mr. Nazzaro, Yes; and Mr. Lake, Yes.

A motion to carry to June 27<sup>th</sup> for a Memorializing Resolution was made by Daniels and 2<sup>nd</sup> by Mr. Zawacki.

**ROLL CALL:** Mr. Daniels, Yes; Mr. Ambrosi, Yes; Mr. Moore, No; Mr. Nazzaro, Yes; Mr. Zawacki, Yes; and Mr. Lake, Yes.

**13-052B United Telephone Co. of NJ – d/b/a Century Link – Block 1001  
Lot 5 – Digital Switching Station**

Present for this application was Attorney Megan Ward of Kelly & Ward, Robert O'Connor representative from Century Link and Jason Dunn, PC of Dykstra Associates .

Ms. Ward stated that this a sub-station equal to the station down on Dove Island Rd. according to the photo submitted.

Mr. Morgenstern reviewed is letter of May 13, 2013.

The applicant is the current phone company serving our area. This switching station will be built on Two Poles with control cabinets on each. The power to this site will be over head. Applicant states that this site will not need water, septic system, garbage or emergency services. It will not produce noise audible beyond the site, vibration, heat, smoke, radiation, microwave or glare. It will be an unmanned site.

There several variances since this is not a permitted use in the R-3 Zone. Following are the variances:

1. Use variance for a telephone switching station not permitted, in the R3 Zone.
2. A variance for two principal uses on one lot, section 108-28
3. Front yard setback variance – 75 ft. required and 10 ft. proposed from Kemah-Mecca lake road.
4. Side Yard setback- 35 Ft. required and 5 Ft. proposed.
5. Applicant does not propose to pave any portion of the easement area, variance is required since paved parking areas are required for a commercial use, section 108-26C1
6. If the parking area is not intended to be striped, a variance is required under section 108-26C1 and C4.
7. If no curbing is proposed, a variance is required under section 108-26
8. A non residential use requires a loading space and none is proposed Section 108-12G
9. The minimum livable floor area shall be 1000 sq. ft. and no livable area is proposed, Section 108-12J.
10. Lighting is required for off-street parking area and none is provided Section 108-26B1
11. Access drives are required to be at least 40 ft. from any property line. The easterly side of the proposed easement is the common line with adjacent Tax Lot 6 and the easement only has 25 ft. of frontage on Kemah-Mecca Lake Rd. Therefore, the minimum 40 ft. offset to the property line can not be met and stay within the easement even if a driveway is proposed. Section 108-26D

Mr. Simmons reviewed his letter of May 15, 2013 – ( The above variances are included from his report).

Approvals for this application are necessary from the Sussex County Planning Board of a waiver.

The applicant furnished the following exhibits:

- A-1 Lot Line Adjustment for the original subdivision granted by the Planning Board in 2011.
- A-2 Area Map concept for the switching station.
- A-3 Existing Site at Ridge Road and Dove Island Road
- A-4 Carrier Serving Area # 7 – Branchville Exchange, Hampton Twp. Sussex Co. NJ

A motion to deem application complete with waivers was made by Mr. Daniels and 2<sup>nd</sup> by Mr. Lake

**ROLL CALL:** Mr. Daniels, Yes; Mr. Ambrosi, Yes; Mr. Moore, Yes; Mr. Nazzaro, Yes; Mr. Zawacki, Yes and Mr. Lake, Yes.

A motion to Grant the Use Variance and above mentioned variances was made by Mr. Moore and 2<sup>nd</sup> by Mr. Nazzaro.

**ROLL CALL:** Mr. Daniels, Yes; Mr. Ambrosi, Yes; Mr. Moore, Yes; Mr. Nazzaro, Yes; Mr. Zawacki, Yes; and Mr. Lake, Yes.

A motion to grant Preliminary & Final Site Plan approval and carry to June 27<sup>th</sup> for Memorializing Resolution was made by Mr. Nazzaro and 2<sup>nd</sup> by Mr. Moore.

**ROLL CALL:** Mr. Daniels, Yes; Mr. Ambrosi Yes; Mr. Moore, Yes; Mr. Nazzaro, Yes; Mr. Zawacki, Yes; and Mr. Lake, Yes.

**13-06ZB      Kemah Lake Property Owners Assoc. – Block 1602, Lot 21  
Pavilion on the beach**

Present for this application was Association President Michael Nicomini and Robert Fox a member of the Board

Mr. Nicomini stated that the Association was looking make the beach are more available for its residents. Providing cover from the sun for those who can not be in the sun, protection from the rain and an area for a picnic and other activities that may be planned by the Association.

Mr. Morgenstern reviewed his report of May 13, 2013

The lot contains 1.86 acres and has frontage on Kemah Lake and is located in the R1.5 Residential Zone. This use is not a permitted use so a use variance is necessary. There are no signs proposed, or exterior lighting proposed other than the security light which already exists.

Mr. Simmons review his report of May 16, 2013

Mr. Simmons comments on the existing conditions in regards to the Kemah-Lake dam and getting involved with the DEP.

This application needs a number of variances as follows:

1. A Uses Variance for the construction of the Pavilion which I s recreational use and structure. It is not a permitted use in the R1.5 Zone District eight as a principal permitted use of an accessory use. Section 108-18B
2. The Pavilion represents the construction of an accessory structure without a principal structure required under section 108-18B
3. Lot depth Variance – 225 Ft. Required 143 Ft. existing
4. Variance to construct a structure on a Lot Not fronting on an approved Township Road – NJSA 40:55D-35 & 36
5. The Zoning Ordinance requires a parking area and driveway for a commercial or recreational use to be paved, striped and curbed – Sections 108-26C1,C4 & C5

Mr. Morgenstern reviewed all the check lists.

A motion to deem application complete with waivers was made by Mr. Nazzaro and 2<sup>nd</sup> by Mr. Moore.

**ROLL CALL:** Mr. Daniels, Yes; Mr. Ambrosi, Yes; Mr. Moore, Yes; Mr. Nazzaro, Yes; Mr. Zawacki, Yes; and Mr. Lake, Yes.

A motion to grant the Use Variance other variances mentioned above was made by Mr. Moore and 2<sup>nd</sup> by Mr. Nazzaro.

**ROLL CALL:** Mr. Daniels, Yes; Mr. Ambrosi, Yes; Mr. Moore, Yes; Mr. Nazzaro, Yes; Mr. Zawacki, Yes; and Mr. Lake, Yes.

A motion to grant a Minor Site Plan with variances and carry to the June 27<sup>th</sup> meeting for the Memorializing Resolution was made by Mr. Daniels and 2<sup>nd</sup> by Mr. Moore

**ROLL CALL:** Mr. Daniels, Yes; Mr. Ambrosi, Yes; Mr. Moore, Yes; Mr. Nazzaro, Yes; Mr. Zawacki, Yes and Mr. Lake, Yes.

**BILLS:**

<b>Harold E. Pellow &amp; Assoc. – SCCC</b>	<b>218.75</b>
<b>Harold E. Pellow &amp; Assoc. – Kittatinny School</b>	<b>312.50</b>
<b>Harold E. Pellow &amp; Assoc. – General</b>	<b>125.00</b>
<b>Harold E. Pellow &amp; Assoc. – New Cingular Wireless</b>	<b>1,014.50</b>
<b>Harold E. Pellow &amp; Assoc. – New Cingular Wireless 3603/12</b>	<b>31.25</b>
<b>Dolan &amp; Dolan – United Telephone</b>	<b>348.75</b>
<b>Dolan &amp; Dolan – General</b>	<b>418.46</b>
<b>Dolan &amp; Dolan – Kemah Lake Property Owners Assoc.</b>	<b>310.00</b>
<b>Dolan &amp; Dolan – New Cingular Wireless 901/19</b>	<b>632.40</b>

**Dolan & Dolan - New Cingular Wireless 3603/12**  
**Dolan & Dolan - Sprint**

**51.12**  
**451.05**

A motion to pay the bills as presented was made by Mr. Nazzaro and 2<sup>nd</sup> by Mr. Moore

**ROLL CALL:** Mr. Daniels, Yes; Mr. Ambrosi, Yes; Mr. Moore, Yes; Mr. Nazzaro, Yes; Mr. Zawacki, Yes; and Mr. Lake, Yes.

**ADJOURNMENT**

A motion to adjourn and 9:45 PM was made by Mr. Daniels and 2<sup>nd</sup> by Mr. Nazzaro with all members present in Favor and None Opposed.

Respectfully submitted:



Mary Whitesell  
Secretary