

FOR OFFICIAL USE ONLY

Planning Board                       Zoning Board of Adjustment

Name of Applicant: \_\_\_\_\_ Docket Number: \_\_\_\_\_

**PART A**

Explain, in detail sufficient for the Board to understand the nature of the proposal, the exact nature of the proposed application and proposed physical modifications to be made to the site and/or building(s) including the proposed use of the premises.

Applicant proposes to provide 218 parking spaces instead of 296 existing, when Ordinance requires approximately 732. Pursuant to the attached parking report, Applicant asserts this is sufficient.

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\_\_\_\_\_

Applicant requests the Site Plan Approval(s) indicated below (check all that apply):

- Amended Preliminary Major Site Plan *and/or*
- Final Major Site Plan

or

Check below if Waiver of Site Plan is requested

Waiver of Site Plan Provide explanation why Waiver of Site Plan is sought: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**PART B**

APPLICANT:             Individual             Partnership             Corporation

APPLICANT:     Owner             Applicant             Other \_\_\_\_\_

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

Street Address 180 Washington Valley Road Apt./Ste/Unit # \_\_\_\_\_

City Bedminster State New Jersey Zip Code 07921

c/o Richard D. Stanzione, Esquire

Phone 732-349-1212 Fax 732-349-1217

Email rstanzione@hdslaw.net

OWNER (If different from Applicant):

Name Cedar Hill Club

Street Address P.O. Box 5201 Apt./Ste/Unit # \_\_\_\_\_

City Somerset State NJ Zip Code 08873

Phone George Wade 908-812-4029 Fax \_\_\_\_\_

Email \_\_\_\_\_

PART C

SUBJECT PROPERTY:

Block/s 424.12 Lot/s 5.01 Zone R-40

Street Address 156 Cedar Grove Lane

City Somerset State NJ Zip Code 08873

Approximate Site Size: 18.5 Acres/ 810,024 Sq. ft.

Present use of the property, specify: Swim Club - Wireless Communications (previously approved)

Proposed use of the property, specify: Swim Club, Wireless Communications, Parking

Area of new disturbance: 0.05 % of the gross lot area: 39,787 Sq. ft.

Gross square footage of the building: Existing: No Change Sq. ft.  
Proposed: No Change Sq. ft.

Public water available: N/A  Yes  No If not, proposed?  Yes  No

Public sanitary sewer available: N/A  Yes  No If not, proposed?  Yes  No

Is the site located within a Township-designated Historic District and/or located within 1000 feet of the Delaware & Raritan Canal?:  Yes  No

Describe any off tract improvement required or proposed None

Deed restrictions, covenants, easements, association by-laws: N/A

Yes (Provide a copy)  No  Proposed (Must be submitted for review)

Does the applicant own any contiguous property?  Yes  No

If yes, state the address, block and lot of such property: \_\_\_\_\_

PART D

Has there been any previous appeal, request, or application to this or any other Township Boards or the Technical Review Committee involving this property?  Yes  No

If yes, in the space below state the type of approval (e.g., site plan and/or variances), docket number, the nature of the application and approval date. In particular, describe whether this submission is intended to supersede or further effectuate such previous approval(s) – e.g., site plan approval for a previously granted use variance.

See Attached Resolution ZBA-16-00033 adopted March 16, 2017

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Identify the associated development approvals sought at this time (check all that apply):

Note: Applicant must consult the respective Instruction Sheet(s) and Submission Checklist(s) for the associated development approvals (e.g., subdivision, variances) being sought at this time. The submission will not be deemed an Application for Development unless all required submissions are provided for all requested development approvals.

"C" Variance(s):

- The strict application of the provisions of the Development Ordinance would result in peculiar and exceptional practical difficulties or exceptional and undue hardship - N.J.S.A. 40:55D-70.C(1)
- The purposes of the Municipal Land Use Law would be advanced by a deviation from the zoning ordinance requirements and the benefits of the deviation would substantially outweigh any detriment - N.J.S.A. 40:55D-70.C(2)

"D" Variance(s):

- Use or principal structure in a district restricted against such use or principal structure – N.J.S.A. 40:55D-70.D(1)
- Expansion of a nonconforming use - N.J.S.A. 40:55D-70.D(2)
- Deviation from a specification or standard pertaining solely to a conditional use - N.J.S.A. 40:55D-70. D(3)
- Increase in the permitted floor area ratio - N.J.S.A. 40:55D-70.D(4)
- Increase in the permitted density - N.J.S.A. 40:55D-70.D(5)
- Height of a principal structure exceeds by 10 feet or 10% the maximum height permitted in the district for a principal structure - N.J.S.A. 40:55D-70.D(6)

PART F

CONTACT PERSON INFORMATION/ CERTIFICATION

The person indicated below shall serve as the point-of-contact with the Township Department of Planning and Zoning and shall be the sole recipient of official correspondence from the Department. By signing this form, in Part G below, the Applicant and Owner certify that that the party listed below is authorized to act on their behalf as the designated contact person with the Department.

Owner     Applicant     Attorney     Engineer     Architect     Other

Name Richard D. Stanzione, Esquire

Street Address 64 Washington Street Apt./Ste/Unit # \_\_\_\_\_

City Toms River State NJ Zip Code 08753

Phone 732-349-1212 Fax 732-349-1217

Email rstanzione@hdslaw.net

PART G

APPLICANT'S CERTIFICATION

I, \_\_\_\_\_, of full age, being duly sworn according to law and upon my oath, depose that: I reside at \_\_\_\_\_ in the County of \_\_\_\_\_ and State of \_\_\_\_\_, and that the above statements contained in this application and in the papers appended thereto are true. I further certify that I am the individual applicant, or a general partner of the partnership applicant, or an officer of the corporate applicant and I am authorized to sign the application for the partnership or corporation.

Sworn to and subscribed before me this 5<sup>th</sup> day of November, 2019

*[Handwritten Signature]*  
NOTARY PUBLIC

MARGARITA MANSO  
A Notary Public of New Jersey  
My Commission Expires 03/30/2021

*[Handwritten Signature]*

APPLICANT'S SIGNATURE  
Richard D. Sfanzone, Esquire  
Attorney for Applicant

OWNER'S CERTIFICATION See Attached Zoning Authorization

(If the owner is a corporation, this section must be signed by an authorized corporate officer. If the owner is a partnership, this section must be signed by a general partner.)

I, \_\_\_\_\_, of full age, being duly sworn according to law and upon my oath depose that: I reside at \_\_\_\_\_ in the County of \_\_\_\_\_ and State of \_\_\_\_\_, and that the above statements contained in this application and in the papers appended thereto are true. I further certify that I am the owner of the property which is the subject of this application, and I am the applicant or I have authorized the applicant to make this application, and I agree to be bound by the application, the representations made and the decision in the same manner as if I were the applicant.

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC

\_\_\_\_\_  
OWNER'S SIGNATURE

FOR OFFICIAL USE ONLY

Planning Board

Zoning Board of Adjustment

Name of Application: \_\_\_\_\_ Docket Number: \_\_\_\_\_

### PART A

#### APPLICANT REQUESTS THE FOLLOWING:

Explain, in detail sufficient for the Board to understand the nature of the proposal, the exact nature of the proposed application and proposed physical modifications to be made to the site, building(s) and/or signage including the proposed use of the premises.

Applicant proposes to provide 218 parking spaces instead of 295 existing, when  
Ordinance requires approximately 732. Pursuant to the attached parking report,  
Applicant asserts this is sufficient.

Identify the type of variance(s) requested. Check all that apply.

"C" Variance(s)

- The strict application of the provisions of the Development Ordinance would result in peculiar and exceptional practical difficulties or exceptional and undue hardship - N.J.S.A., 40:55D-70.C(1)
- The purposes of the Municipal Land Use Law would be advanced by a deviation from the zoning ordinance requirements and the benefits of the deviation would substantially outweigh any detriment - N.J.S.A., 40:55D-70.C(2)

"D" Variance(s):

- Use or principal structure in a district restricted against such use or principal structure - N.J.S.A., 40:55D-70.D(1)
- Expansion of a nonconforming use - N.J.S.A., 40:55D-70.D(2)
- Deviation from a specification or standard pertaining solely to a conditional use - N.J.S.A., 40:55D-70.D(3)
- Increase in the permitted floor area ratio - N.J.S.A., 40:55D-70.D(4)
- Increase in the permitted density - N.J.S.A., 40:55D-70.D(5)
- Height of a principal structure exceeds by 10 feet or 10% the maximum height permitted in the district for a principal structure - N.J.S.A., 40:55D-70.D(6)

Identify requested variances from the requirements of the Franklin Township Land Development Ordinance:

<u>Ordinance Section</u>	<u>Requirement</u>	<u>Proposed Deviation</u>
§112-		
§112-		
§112-		
§112-		
§112		
§112		
§112-		

PART B

APPLICANT:  Individual  Partnership  Corporation

APPLICANT:  Owner  Applicant  Other \_\_\_\_\_

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

Street Address 180 Washington Valley Road Apt./Ste/Unit # \_\_\_\_\_

City Bedminster State New Jersey Zip Code 07921

Phone 732-349-1212 Fax 732-349-1217

Email rstanzone@hdslaw.net

OWNER (if different from Applicant):

Name Cedar Hill Club

Street Address P.O. Box 5201 Apt./Ste/Unit # \_\_\_\_\_

City Somerset State NJ Zip Code 08873

Phone George Wade 908-812-4029 Fax \_\_\_\_\_

Email \_\_\_\_\_

PART C

Note: "\*" indicates not required in association with signage variances

SUBJECT PROPERTY:

Block/s 424.12 Lot/s 5.01 Zone R-40

Street Address 156 Cedar Grove Lane

City Somerset State NJ Zip Code 08873

Approximate Site Size \* 18.5 Acres/ 810,024 Sq. ft.

Present use of the property, specify: Swim Club - Wireless Communications (previously approved)

Proposed use of the property, specify: Swim Club, Wireless Communications, Parking

Public water available:\* N/A  Yes  No If not, proposed?  Yes  No

Public sanitary sewer available: \* N/A  Yes  No If not, proposed?  Yes  No

Describe any off tract improvement required or proposed\* None

Deed restrictions, covenants, easements, association by-laws: N/A

Yes (Provide a copy)  No  Proposed (Must be submitted for review)

Does the applicant own any contiguous property?\*  Yes  No

If yes, state the address, block and lot of such property: \*

Has there been any previous appeal, request, or application to this or any other Township Boards involving this property?  Yes  No

If, yes, state type, docket number, the nature and date of such appeal: \_\_\_\_\_

See Attached Resolution ZBA-16-00033 adopted March 16, 2017

How long has the present owner had title to this property? \* \_\_\_\_\_

Is the property under contract to be sold?  Yes  No

If yes, state the date of contract and name of the contract purchaser: \_\_\_\_\_



PART D

Identify if the application is proposed to be bifurcated (i.e., variances identified herein sought at this time with approval for other development approvals, such as subdivision and/or site plan approval, to be sought at a later date):  Yes  No

If not bifurcated, identify the associated development approvals sought at this time (check all that apply):

- Waiver of Site Plan
- Minor Site Plan
- Preliminary Site Plan
- Final Site Plan
- Minor Subdivision
- Preliminary Major Subdivision
- Final Major Subdivision
- Conditional Use Approval
- Other(s) (Specify: Amended Site Plan)

Note: Applicant must consult the respective Instruction Sheet(s) and Submission Checklist(s) for the associated development approvals being sought at this time. The submission will not be deemed an Application for Development unless all required submissions are provided for all requested development approvals.

If bifurcated, identify the nature of subsequent development approvals to be sought: \_\_\_\_\_

For signage variances indicate the following:

- Single Tenant Building
- Multiple Tenant Building

PART E

C Variance(s):

- The strict application of the provisions of the Development Ordinance would result in peculiar and exceptional practical difficulties or exceptional and undue hardship under N.J.S.A.. 40:55D-70.C(1)

List in detail wherein this case conforms to this requirement, including, if applicable, reference to exceptional narrowness, shallowness or shape of the property, or exceptional topographic conditions or physical features uniquely affecting the property, or extraordinary and exceptional situation uniquely affecting the property or the structures lawfully existing thereon.

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\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ and/or

The purposes of the Municipal Land Use Law would be advanced by a deviation from the zoning ordinance requirements and the benefits of the deviation would substantially outweigh any detriment under N.J.S.A. 40:55D-70.C(2).

List in detail wherein this case conforms to this requirement:

The required parking exceeds that which is necessary to serve the Swim Club. The proposal reduces the land disturbance and preserves open space.

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**D Variance(s):**

State why the property is particularly suitable for the proposed use, including any inherently beneficial conditions and/or any undue hardship, if any, showing that the property cannot reasonably be adapted to a conforming use:

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**C and D Variance(s):**

Supply a statement of facts why relief can be granted without substantial detriment to the public good.

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Supply a statement of facts why relief can be granted without substantial detriment to the intent and purpose of the zone plan and zoning ordinance.

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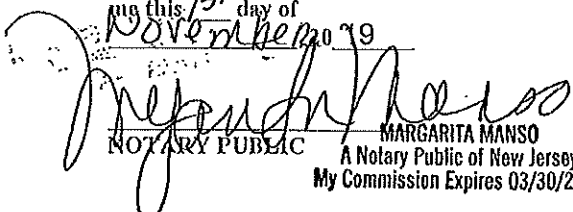
PART II


APPLICANT'S CERTIFICATION

I, \_\_\_\_\_, of full age, being duly sworn according to law and upon my oath, depose that: I reside at \_\_\_\_\_ in the County of \_\_\_\_\_ and State of \_\_\_\_\_, and that the above statements contained in this application and in the papers appended thereto are true. I further certify that I am the individual applicant, or a general partner of the partnership applicant, or an officer of the corporate applicant and I am authorized to sign the application for the partnership or corporation.

Sworn to and subscribed before

me this 13<sup>th</sup> day of November, 2019

  
NOTARY PUBLIC MARGARITA MANSO  
A Notary Public of New Jersey  
My Commission Expires 03/30/2021

  
APPLICANT'S SIGNATURE  
Richard D. Stanzione, Esquire  
Attorney for Applicant

OWNER'S CERTIFICATION See Attached Zoning Authorization

(If the owner is a corporation, this section must be signed by an authorized corporate officer. If the owner is a partnership, this section must be signed by a general partner.)

I, \_\_\_\_\_, of full age, being duly sworn according to law and upon my oath depose that: I reside at \_\_\_\_\_ in the County of \_\_\_\_\_ and State of \_\_\_\_\_, and that the above statements contained in this application and in the papers appended thereto are true. I further certify that I am the owner of the property which is the subject of this application, and I am the applicant or I have authorized the applicant to make this application, and I agree to be bound by the application, the representations made and the decision in the same manner as if I were the applicant.

Sworn to and subscribed before  
me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
OWNER'S SIGNATURE

\_\_\_\_\_  
NOTARY PUBLIC

**RESOLUTION OF BOARD OF ADJUSTMENT OF THE TOWNSHIP  
OF FRANKLIN, SOMERSET COUNTY, NEW JERSEY**

**NEW YORK SMSA LIMITED PARTNERSHIP  
d/b/a VERIZON WIRELESS**

**DOCKET NO. ZBA-16-00033**

**WHEREAS**, New York SMSA Limited Partnership d/b/a Verizon Wireless (hereinafter "Applicant") has applied to the Franklin Township Board of Adjustment for a D(3) Variance and Site Plan approval in order to place a 118-foot tall telecommunications tower at 156 Cedar Grove Lane, Block # 424.12, Lot # 5.01, pursuant to N.J.S.A. 40:55D-70 D(3); and

**WHEREAS**, a public hearing was held on said application by the Board of Adjustment on November 2, 2016; and

**WHEREAS**, no members of the public spoke on this application; and

**WHEREAS**, the Board, after carefully considering the evidence presented to it by the applicant, the application and the documents filed by the applicant and the comments of the appropriate Township officials and agencies together has made the following findings of fact:

1. The property is located at 156 Cedar Grove Lane, Block 424.12, Lot 5.01 in the R-40 Zone on the Franklin Township tax map.

2. Richard Stanzione, Esq. appeared on behalf of the applicant.

3. The Applicant is seeking a D(3) Conditional Use Variance and Site Plan approval for the placement of a 118 foot tall telecommunications tower "stealth pole" with 12 antennas. Additionally, an eight (8) foot lightning rod will be attached to the top of the pole bringing the overall height to 126 feet.

4. Chad Schwartz, Engineer, came forward and was sworn in. The Board accepted his qualifications. Mr. Schwartz gave a brief overview of the property, Cedar Hill Swim Club, located along Cedar Grove Lane. He described the existing conditions and the proposed location of the pole. He noted that the nearest residential property is 587 feet away from the center of the pole. The compound, itself, is 25 feet from the side yard setback and 50 feet from the rear yard setback. Mr. Schwartz indicated that there are three (3) sectors of four (4) antennas each, for a total of twelve (12) antennas. Mr. Schwartz indicated that cables and radio equipment are located within the pole and run down to the equipment pad. There is a backup generator which runs on propane and is sourced by a 500 gallon tank. Additionally, the compound will include a gravel base. Mr. Schwartz testified that the entire compound will not be utilized by Verizon only, there are other co-locators interested in utilizing this facility. The proposed pole will be

surrounded by a deeply wooded area and be at a height of 126 feet (118 feet plus 8-foot lightning rod).

5. The proposed "monopole" will look like a pine tree and can accommodate up to four (4) carriers along the length of the pole. Mr. Schwartz advised that presently there are four (4) carriers in the market. Mr. Schwartz stated that there are other types of poles that can be utilized at this site, the Applicant's planner will present two designs, a "monopole" and a "flagpole" design for the Board's consideration. Mr. Schwartz indicated that maintenance of the facility will be remotely monitored as well as visited monthly, by a technician. Four (4) grey equipment cabinets are proposed, approximately 6 feet in height. Mr. Schwartz advised that the propane generator conforms to the Township's noise ordinance and is housed within a sound proof enclosure. He stated that the Applicant will provide bollards within the compound, should the Board request them. The compound is surrounded by a chain link fence.

6. Mr. Schwartz discussed the comments of the Township Engineer's report. The Applicant will comply with the Township's storm water management requirements and provide the NJDEP LOI (Letter of Interpretation) regarding the wetlands and buffer area. Mr. Schwartz advised that they will provide a letter stating that the structural calculations and integrity support of the proposed antennas can meet or exceed the required codes. The letter will be provided before any building permits are applied for. Mr. Schwartz addressed Mr. Healey's planning report. He explained that updated equipment and designs with cutting edge technology are being used to accommodate future carriers. Mr. Schwartz testified that the compound is of a substantial size and can accommodate additional carriers. Mr. Schwartz testified that no landscaping is proposed, the site is located in a heavily wooded area and includes wetlands. Mr. Schwartz addressed the proposed lighting and stated that the only lighting is a work light on a countdown timer.

7. Mr. Schwartz addressed the Fire Prevention report, noting that his understanding of the ordinance was that a Type 1 permit is required for the storage of a liquid between 60 and 600 gallons. The tank they are proposing is for the storage of 500 gallons of propane, which is a compressed gas. For that reason, Mr. Schwartz does not believe a Type 1 permit is required or necessary. However, if one is necessary, the Applicant will certainly obtain one. As to the driveway widening, he believes that a complete widening to 15 ft. is not necessary. The Applicant agrees to meet with, Mr. Hauss, the Fire Prevention Director, in order to come up with a satisfactory plan to address all of the outstanding issues.

8. Chairman Thomas opened up a discussion on site security, he stated that this site is very accessible to the public. He believes that a condition should be imposed for a gate on Cedar Grove Lane. The gate shall be kept locked, unless the swim club is in operation, preventing any entry to the property. He added that only Police, Fire

Prevention, Cedar Hill Club and Verizon Wireless shall have access. Approval will be needed from Cedar Hill Club, or else the Applicant needs to return to the Board in order to seek relief. Mr. Thomas suggested that the swim club and Verizon operate as separate uses. Mr. Schwartz testified that the compound is alarmed and will be locked with an 8 foot chain link fence.

9. The meeting was opened up to the public. Anthony Gannon, came forward and addressed his concern as to sound levels and the location of the generator. He questioned the effects of radiation levels coming from the proposed poles.

10. Sean Haynberg, Radio Frequency Engineer, came forward and was sworn in. The Board accepted his qualifications. Mr. Haynberg discussed the (RF) Emissions Study showing the detailed RF emissions from the proposed site and the comparisons to the federal standards. The study includes all four (4) frequency bands that are being used by Verizon Wireless at the proposed site. Mr. Haynberg concluded that the maximum FCC standard, is well below the FCC limits and is more than 200 times below the federal limit. Mr. Haynberg further indicated that even with the added co-locators, it will be well below the federal limits. Mr. Haynberg indicated that Verizon Wireless holds four (4) FCC licenses to operate on four (4) frequency bands. He noted that all four (4) bands are to be installed at the subject site. Entered into the record as Exhibit A-1, a propagation map of the proposed site. Mr. Haynberg discussed the overlay and the current coverage and gap in service that they are hoping to fill. He noted that some of the surrounding sites are at full capacity limits. The radio frequency propagation map showing coverage to be provided to the gap was entered into the record as Exhibit A-2. Entered into the record as Exhibit A-3, another gap already to be filled on the proposed site. It is not in service as of yet, but will be soon. No existing structure can be used to fill the gap.

11. William F. Masters, Jr., Planner, came forward and was sworn in. The Board accepted his qualifications. Mr. Masters indicated that the Applicant is seeking a D-3 Variance, site plan approval, along with additional variance relief. They include setbacks for the tower of 252 feet where a setback of 43.4 feet is proposed (westerly side property line) and a setback of 69.6 feet is proposed (rear property line). D(3) variance relief with respect to landscape screening. The Applicant agrees to work with Township professionals on a tree replacement plan. Additionally, D(3) variance relief is also sought from providing a building structure to house the equipment. Instead, the Applicant is proposing equipment cabinets within a fenced compound area. Mr. Masters discussed the dual purpose for the tower setback requirements, the first purpose provides visual separation from the adjoining properties and secondly, providing a fall zone on the property in the event of a structural failure of the pole. He believes this is a better zoning alternative by situating the pole within the heavily wooded area. The adjoining properties are open space properties owned by the

Township, likely never to be developed due to environmental constraints associated with this property. Mr. Masters discussed the necessary proofs to show that the site is particularly suited for the proposed use. The site provides better telecommunications coverage, is within a permitted area, and has non-residential use on a large lot. The location of the tower within the wooded area and abutting Green Acre property, helps to mitigate the overall visual impact.

12. Mr. Masters explained that the proposed tower will be located nearby two (2) major traffic corridors, generating telecommunications use, near major residential communities as well as availability of co-location of telecommunications carriers at the site. Mr. Masters stated that this improvement in coverage will be beneficial. Entered into the record as Exhibit A-4, was a color photograph of the Delbarton tree pole. This type of tree is an example of what the proposed "monopine" will look like. The Board requests that the Applicant screen the chain link fence with vegetation and include privacy slats. The Applicant agrees to place a 10-foot high fence, with privacy slats and evergreens to shield the compound. Mr. Masters believes that the positive aspects outweighed any detriments to the surrounding areas.

13. The meeting was opened to the public.

**WHEREAS**, the Board has made the following ultimate findings and conclusions based upon the foregoing findings of fact:

1. The applicant has shown special reasons to satisfy the requirements for granting a D-3 variance pursuant to the provisions of N.J.S.A. 40:55D-70 D(3).

2. The applicant will comply with all staff reports.

3. The applicant has shown that the project as proposed, and as hereinafter conditioned, can be done in a manner which will minimize any negative visual impacts.

4. The applicant has shown that the site is uniquely suited for the proposed use and that said use promotes the general welfare by allowing the Applicant to fill the identified gap in its coverage area.

5. The granting of the D-3 Variance and Site Plan applied for, and herein conditioned, can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Zone Plan and Zoning Ordinance.

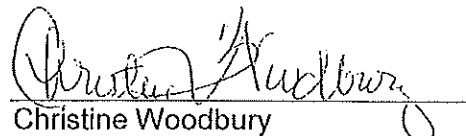
**WHEREAS**, at the conclusion of the hearing on November 2, 2016, the Board has taken action by voting on said application in accordance with N.J.S.A. 40:55D-10(g) of the Municipal Land Use Law and has directed that a resolution memorializing such action be prepared.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Adjustment on this 16<sup>th</sup> day of March, 2017, on the basis of the evidence presented to it, the foregoing findings of fact and ultimate findings and conclusions that the Board does hereby grant the D-3



Variance and Site Plan approvals applied for by the applicant subject to the following conditions:

1. The granting of the D-3 Variance shall not be construed to eliminate satisfaction of any other requirements of the zoning ordinance and/or other requirements of the agencies, boards, and authorities of the Township of Franklin, County of Somerset or State of New Jersey.
2. Applicant shall comply with representations and agreements as well as all comments in staff reports except as otherwise indicated herein this Resolution, including but not limited to those of the planner, engineer and the Fire Prevention Department.
3. Applicant agrees to surround the equipment compound with a 10-foot earth tone composite fence.
4. Applicant agrees to provide a tree removal plan along with evergreen tree landscaping outside the compound subject to review by the Township professionals.
5. Applicant agrees that the tower will be in the form of a "monopine". Plans shall be revised so that the submittal matches that presented to the Board (i.e., the "Delbarton style tree" as shown in Exhibit A-4) including but limited to a design that is more natural in appearance, where the "branches" of the "monopine" will be at the height of the natural tree canopy, where the pole will be dark brown and the "branches" naturally-colored, where the antennas will not extend beyond the "branches", and which specify that the antennas will be colored/painted in a way that blends in.
6. Applicant agrees to have a fence and gate at the entrance of the swim club subject to the landlord's agreement, or return to the board for discussion.
7. Applicant shall construct a macadam sidewalk along the entire frontage of the property in the same width as the adjacent properties and connecting to the existing sidewalks on each side.
8. Applicant shall submit a performance bond and/or other assurances addressing removal, as per ordinance

  
Christine Woodbury  
Board Secretary

**VOTE ON MOTION 11/02/2016**

**FOR**

Laura Graumann  
Donald Johnson  
Alan Rich  
Robert Shepherd  
Gary Rosenthal  
Cheryl Bergailo  
Chairman Thomas

**AGAINST**

**NONE**

**ABSTENTIONS**

**NONE**

**VOTE ON RESOLUTION: 04/06/2017**

**FOR**

Laura Graumann  
Alan Rich  
Gary Rosenthal  
Cheryl Bergailo  
Chairman Thomas

**AGAINST**

**NONE**

**ABSTENTIONS**

**NONE**

**ZONING AUTHORIZATION**

I, George Wade, hereby state to the Zoning Board of Adjustment/Planning Board of the Township of Franklin, Somerset County, New Jersey and/or the Township of Franklin as well as the Somerset County Planning Board, that The Cedar Hill Club is the owner of real property known as **Block 424.12, Lot 5.01** in the Township of Franklin, **also known as 156 Cedar Lane**, that **New York SMSA Limited Partnership d/b/a Verizon Wireless** is the **Lessee** of a portion of the real property and has the **consent and authorization of the owner** to make application(s) and seek any and all necessary permits for the development of the real property for a wireless communication facility.

**Owner:       The Cedar Hill Club  
                  A Non-Profit Corporation**

**By:** George Wade  
George Wade, President

Sworn to and subscribed to  
before me this 1st day of  
June, 2016.

James F. Clarkin III  
(Notary) Attorney At Law of N.J.  
My Commission Expires: