

**VILLAGE OF MONROE PLANNING BOARD
REGULAR MEETING
AUGUST 14, 2017
MINUTES**

PRESENT: Chairman Parise, Members Cocks, Karlich, Graziano, Engineer Queenan, Attorney Levinson, Building Inspector Cocks

Chairman Parise opened the meeting at 7:00 p.m. with the Pledge of Allegiance to the flag. An announcement was made regarding the location of fire exits.

PUBLIC HEARING:

1. Monroe Shop Rite Plaza –Verizon Micro Cell – (203-2-5)

Present: Hyde Clark, Esq., Young Sommer; Henry Parra, RF Engineer

Chairman Parise read the Public Hearing notice dated 7/19/17 into the record and acknowledged receipt of the proof of mailings from the applicant. Attorney Clark described the project to the public. Attorney Clark explained the project was for a small cell antenna to be placed on the roof of the shopping plaza at 785 Route 17M, over the Patriot Wine and Liquor store. Attorney Clark presented a sample of the antenna to the board and the public so they could see the exact size of the antenna. The antenna will be mounted on a 12 foot pole to be higher than the tallest roof line of the building. The equipment for the antenna will be located on the ground at the rear of the building. A small cell antenna allows Verizon to provide additional capacity to existing service, as opposed to a new tower. Verizon's engineering has identified the Shop Rite plaza as an area which needs capacitor relief. A high traffic area such as a shopping plaza is a beneficial area to provide that relief as it covers a small area with a lot of people. A small cell antenna is a low powered, low frequency piece of equipment. The frequency and emission levels which this unit will operate at are less than 1 % of the FCC regulated frequencies, and are documented in RF Engineering reports submitted to the board at the last meeting. Engineer Parra explained the need for this facility as providing more capacity, as opposed to more coverage. Mr. Parra gave an example of patrons to the shopping center all attempting to download data would experience slow downloads, or buffering. With this antenna, more users in the area would be able to access the wireless system at the same time at normal download speeds. The businesses use the service, and the customers use the service, all at the same time. This will alleviate the delay. The system is currently at maximum capacity. Chairman Parise opened the matter to the public.

Gilbert Goetz, 24 Roe Circle, Monroe. Mr. Goetz stated he was the president of the local Chabad, who owns the property directly behind the shopping plaza and will be

building a synagogue and a house for the Rabbi and his family. Mr. Goetz and Chabad want to make sure the children and members of Chabad will be safe with this antenna being installed. Mr. Goetz read a letter he wrote to the board, and the same is entered as part of these minutes.

In response to some of Mr. Goetz's comments, Engineer Parra informed Mr. Goetz that the cantenna operates in DBM, not tesla as Mr. Goetz suggested. The cantenna would transmit approximately 23 dbm. A safety report is provided once the site is set up. If necessary, warning signs would be placed on the roof for anyone who would be working on the roof. The signs would only be on the roof, as this is the capacity of the transmission of this particular cantenna. No barriers would be required. Transmissions would not exceed the roof space as it is very low transmissions. Attorney Clark added that a third party comes in to test the unit and ensure the levels are within the acceptable FCC range. This unit is already projected to be below the range. Mr. Goetz wants to ensure that his grandchildren will not get brain damage. Mr. Goetz commented about the amount of money Verizon would be paying the plaza to place the units on the roof.

Discussion was held regarding the height of the unit. Attorney Clark stated the building at Patriot Liquors is 19 ft. off the ground. The cantenna would be mounted on a pole bringing the height of the unit 32.5 feet off of the ground. If the antenna was lower, the transmissions would reflect back off the higher portion of the roof line and wouldn't work. The top of the antenna needs to be just above the highest roof line. Shop Rite's roof line is taller than the rest of the building. The applicant requested to mount the antenna on top of the Shop Rite roof however the landlord stated there were restrictions with the lease with Shop Rite and using their roof was not permitted. Other options were researched. Moving the antenna farther back on the roof would not work as it would prohibit the usage. Other options of placing the antenna on a light pole was suggested, but was ruled out due to safety reasons and the potential of a car hitting the pole; and the possibility of placing the antenna on the satellite building was also considered but because of the slope of the land was too low.

Greg Panzarella, 71 Gilbert Street – asked who specifically would benefit from the antenna as he lives across the street and has very good cell service. Engineer Parra responded the people in the stores, the plaza, in the parking lots, they would be the ones benefitting as they are using the majority of the capacity in that particular area. Engineer Parra explained it's not about added coverage, it's about added capacity. It's not about reception issues, but about download/upload ability. Mr. Panzarella stated some of these small cell towers are used for marketing information and asked if Verizon was collecting marketing information. Attorney Clark stated Verizon is in the business of providing cell phone service, not data collection.

Neil Dwyer, Village of Monroe Trustee made the following statement:

Neil Dwyer, Village Trustee. I have some questions for you. You're a third party you're not Verizon right? So this cell tower is in your interest to see it placed there, this micro

cell, yes? You guys identified the site. So one of the things I think that is great for me, not sure about the board, there has to be some sort of a standard. When you're talking about this.....it's very vague. Very vague. You need to be A, B, C, D, E, F, G so that this board has some tools to apply to this application. Right now let's forget the blogs for a second; I don't really know what that thing is going to be capable or incapable of doing. I do know that it doesn't go up into space and it's not a satellite that's going to speak to anything. That goes to the ground line. At the end of the day it goes back to the ground yes? So anybody within the area can benefit from it correct? So when I see that 19 foot piece with the antenna, that's proprietary to Verizon? Verizon is providing you to be here. Is anybody else going to attach on to that? No other providers will be on there? Just Verizon? Exclusive? And then about the data, you mentioned about the radius around that antenna, the line of site is dictating the height and the location right? The RF suggested this is the spot. So in that radius, in all these concentric circles there's a certain emittance of something. I don't know what it's called but it's something. And the further out it loses a bit. But it's enough so that I can talk on my phone from that area you spoke about, and since Mr. Panzarella doesn't have that dropoff, it's more usage we are looking at, its not reception, so I'm interested because you said before about coupons people checking coupons inside the building and you're 19 feet up and they are inside Shop Rite like 100 feet away, and it's a steel corrugated deck, and its going through that and getting to a cell phone but that's what I'm saying. What I'm saying is 105..I don't know. 105....that frequency....this kind of an application....this kind of a deck....that application...and what goes out. Mr. Panzarella lives 300 feet from that spot and Chabad is somewhere in that vicinity and Orchard Street is behind that and these folks want to know that this here is not a potential issue. There's got to be data. This is not your first rodeo. There's got to be factual information. No guesstimates. No speculation.

In response to portions of Trustee Dwyer's statement, Attorney Clark and Engineer Parra stated that Engineer Parra is a third party working for Verizon; Verizon would be the only provider on the antenna; the frequency is a very low frequency and will operate under 1% of the FCC approved frequency; all data, reports, and factual information was provided to the Planning Board. Chairman Parise added that Verizon's reports have been online for the public to review.

Chairman Parise acknowledged an email received from a resident, Adam Ross, who could not attend the meeting, and who voiced concern about the noise from the unit. Attorney Clark submitted to the board a written response to the email. Attorney Levinson stated that Mr. Ross' email as well as the written response from Attorney Clark will be attached to the minutes. Attorney Clark added that because this is a small cell antenna there is no generator. There will only be an equipment cabinet which will provide power and fiber therefore no noise would be generated.

There were no other questions from the public.

With no further questions from the public, on a motion made by Member Cocks and seconded by Member DeAngelis, it was unanimously **Resolved, that the Public**

Hearing for Monroe Shop Rite Plaza – Verizon Micro Cell Amended Site Plan be continued to the next regular meeting of the Planning Board of September 18, 2017 for further discussion.

REGULAR MEETING:

1. Monroe Shop Rite Plaza –Verizon Micro Cell – (203-2-5)

Present: Hyde Clark, Esq., Young Sommer; Henry Parra, RF Engineer

Member Cocks stated that a similar cell antenna was recently installed on the roof of a shopping center in Newburgh and the location was at the rear of the building and was very low. The shopping center is a similar size to this one. Why can't this antenna be mounted in a similar way. Engineer Parra explained that the antenna needs to be above the highest point of the roof, which is the Shop Rite roof. The antenna cannot be placed on Shop Rite's roof because of lease restrictions, therefore placing it on the lower roof, with a pole to lift it higher than the Shop Rite roof is the only solution. If the antenna was located farther back on the roof, then the pole would have to be higher, which the board is not in favor of. There was some confusion with the board as to the exact height of this pole. Engineer Queenan clarified by explaining that the roof of the building over Patriot Liquors is 19'. The pole itself will be 12' high. The total height from the ground to the top of the antenna will be 32', which will accommodate the highest roof line. It will not be 32' above the building. Engineer Queenan added that the unit has to be free and clear of any obstructions otherwise the signal bounces back and would be useless. The board could not understand why the antenna could not be on Shop Rite's roof and would like to see the terms of the restriction. Shop Rite is a tenant, Brixmor owns the building, it should be up to Brixmor as to what is installed on their buildings. Member Cocks was concerned with other companies wanting to install their antennas on the roof as well and what that would look like. Engineer Queenan suggested locating the antenna closer to the Shop Rite wall so it would blend in more instead of standing out the way it is now. The board liked the idea of locating the antenna close to the Shop Rite wall. The board was confused as to the need for this antenna and what it was actually going to do. Engineer Queenan clarified that Verizon identified a high usage area, or a hot spot, at the Shop Rite plaza. There are two different aspects to cell service, one being signal, and the other bandwidth. Based on the applicant's representations the phone signal is steady and not an issue, but as people are downloading data on their phones, the other aspect of bandwidth is being slowed down. This site and antenna is to boost the bandwidth capabilities in the identified hot spot locations, which will lessen the overall impact on the general tower and free up the usage for the rest of the area. Attorney Levinson added that the radio frequency emissions comply with the FCC regulations, are actually below what the FCC allows. Attorney Clark added that the emissions are lower than the FCC standards in and around the plaza, and the farther away from the site, the emissions become even lower. Chairman Parise stated he went to Federal Plaza, where a small cell antenna was recently installed, to listen for the noise that Mr. Ross states will come from this installation. Chairman Parise stated there was no noise at all from the cell antenna or related equipment. Member Graziano asked if there were any alternate locations the

antenna could be located. Chairman Parise reminded Member Graziano that this was discussed last month as well as earlier tonight, but reiterated for Member Graziano that the lower building was considered but is too low in height; a light pole was considered but there are safety issues like if a car hits it; and the roof of Shop Rite was considered but Brixmor won't allow them because of some sort of lease restriction. Engineer Queenan stated his office is still reviewing the site plan and compiling all of the uses together. Chairman Parise pointed out a typo in note #6 which refers to Genesee Street, which we do not have in the Village. Also, the list of tenants does not match the stores that are there today. Building Inspector Cocks suggested using unit numbers instead of individual store names, like what is used in the building department. Tenants come and go so frequently it's easier to track each unit by a unit number.

2. **Bracesetters – Free Standing Sign – (212-2-6)**
No one present

On a Motion made by Member Cocks and seconded by Member Graziano it was unanimously **Resolved that the Planning Board declare itself Lead Agency for Bracesetters Free Standing Sign Site Plan; and it is further Resolved the application be sent to Orange County Planning for 239 review due to proximity to the Heritage Trail.**

APPROVAL OF MINUTES

On a motion made by Member Karlich and seconded by Member DeAngelis, it was Resolved **that the Minutes of the July 12, 2017 meeting be approved.**

On a motion made by Member Karlich and seconded by Member Graziano, it was Resolved **that the Minutes of the July 17, 2017 meeting be approved.**

On a motion made by Member Karlich and seconded by Member DeAngelis, it was Resolved **that the Minutes of the Northeast Community Bank Site Visit on July 26, 2017 be approved. Member Graziano abstained.**

ADJOURNMENT

On a motion made by Member DeAngelis and seconded by Member Graziano it was unanimously **Resolved that there being no further business, the Meeting be adjourned.** The meeting was adjourned at 8:20 p.m.