

**PLANNING BOARD OF THE BOROUGH OF FANWOOD**  
**Regular Meeting Minutes**  
**July 26, 2017**

The Regular Meeting of the Planning Board, scheduled by the time, place and date of the meeting, prominently posted on the bulletin board at Borough Hall, mailed to the Times and the Courier, filed with the Borough Clerk, and mailed to any person requesting same in accordance with the requirements of the Open Public Meetings Act is called to order at 7:35PM.

Present: Matt Jukes, Mike Lysicatos, Teresa Seefeldt, Dennis Sherry, John Steigerwald, Adam Matty, Michelle Moore, Hans Ruhlandt, William Lee, Catherine DeAppolonio, Ray Sullivan

Absent: Mayor Mahr, Teresa Keeler, David Blechinger, Jack Molenaar, Michelle Moore

**Minutes:**

The Board unanimously approved the minutes for the June 28, 2017 Regular Meeting

**Carried to August 23, 2017 Hearing**

**Block 50, Lot 30, 55 North Ave, Verizon**

Mr. Jukes announced the above-referenced application to be carried with no further notice.

**New Business**

Mr. Jukes announced a change in the agenda, moving the Coiro hearing to first and the Wagner hearing to second.

**Block 26, Lot 33 (bulk), 9 Stewart Place, Coiro**

Ms. DeAppolonio administered the oath to property owners Jarrett Coiro and Paul Lavella.

Mr. Jukes read comments into the record as follows:

Fire Dept.: No objection  
DPW: No objection  
Bd. Of Health: no objection

Applicants seek a variance for setback and coverage relief in order to build a patio and walkway on this corner property. While the board was comfortable with the proposal and stated it comports well with the master plan requirements, it was pointed out that the existing Terrill Rd fence falls upon municipal property.

The applicant agreed to move the fence to their private property and were granted a fence height variance to 5" in order to provide privacy/security from this busy roadway. Applicant agreed to abide by stormwater retention requirements as directed.

Motion to approve by Ms. Seefeldt, seconded by Mr. Sherry.

Ayes: Seefeldt, Sherry, Lee, Jukes, Lysicatos, Steigerwald, Matty, Ruhlandt

Motion carries

**Block 111, Lot 17 (bulk) 1 Shady Lane, Marchand/Waggner**

Ms. DeAppolonio administered the oath to property owners Mr. & Mrs. Waggner.

Mr. Jukes read comments into the record as follows:

Construction: no objection  
Bd. Of Health: no objection  
Fire Dept.: no objection  
Police: no objection  
DPW: no objection

Applicants seek a variance for setback relief in order to build a patio on this corner property. Applicant agreed to abide with stormwater retention requirements. Applicants also indicated a possible desire to include a shed on the property in the future. Zoning Officer indicated that the shed in question would fall within the lot are requirements and would require no further variances.

Motion to approve by Ms. Seefeldt with a second from Mr. Lee.

Ayes: Seefeldt, Lee, Jukes, Sherry, Lysicatos, Steigerwald, Matty, Ruhlandt

**Block 105, Lot 16 (roof antenna for HAM operator) 187 King Street, Malone**

Ms. DeAppolonio administered the oath to Mr. Malone, the applicant.

Mr. Jukes read comments into the record as follows:

Bd. Of Health: no objection  
Fire Dept.: no objection  
PD: no objection  
DPW: no objection

Applicant seeks to install a 31-foot antenna on the roof of his one-story home for the purpose of using his HAM license.

Ms. DeAppolonio enlightens the board regarding FCC regulations which permit HAM operators to install antennas suitable to their licensing up to a height of 200 feet, at which point FAA regulations govern. Ms. DeAppolonio points out that FCC regulations supersede local zoning and the Borough could be subject to litigation should the Planning Board deny this application.

Mr. Malone agreed to place the roof-mounted antenna at the center of his roof in order that to avoid a neighboring property should the antenna fall. Mounting hardware is set on the sloping roof, so should not increase the 31-foot height significantly.

The meeting was opened to the public and received testimony from:

- Jeff Banks, 17 Robin Road: Mr. Banks expressed concerns about the resale value of his home
- Any Schreiber: 191 King: Mr. Schreiber expressed concerns about property values, aesthetics and radio waves. He also submitted as Exhibit Public-1 a photograph depicting the view from his bedroom window, demonstrating that the proposed antenna would be directly in view from his home.
- Donna Clark: 15 Robin Road: Ms. Clark is concerned that the proposed antenna will be an eyesore and points out that currently the subject property is poorly maintained with abandoned cars and an unkempt rear yard
- Sowmiyamurthy Sundaram: 232 Second Street: Mr. Sundaram is concerned that the proposed antenna will be an eyesore, fears it is a threat to public safety and has concerns regarding radio frequency.

Board members expressed serious reservations about this application, questioning the supremacy of FCC regulations. They expressed sympathy for the neighbor's concerns regarding aesthetics. Ms. DeApplonio reiterated the supremacy of FCC regulations.

Ms. Seefeldt moved to approve the application with the conditions that there will be no signage or lights placed on the antenna, the antenna must be centered atop the house and the antenna shall be removed upon expiration of the owners HAM license or his sale of the home.

Mr. Sherry seconded

Ayes: Seefeldt, Sherry, Lee, Juckes, Ruhlandt

Nays: Lysicatos, Steigerwald, Matty

Motion carries

### **Good of the Order:**

Mr. Matty was congratulated on achieving completion of his Planning Board member certification class.

### **Resolutions:**

#### **Block 38, Lot 3, 389 Midway, Loureiro (driveway expansion)**

Mr. Sherry moved to approved, with a second from Mr. Lysicatos

Ayes: Sherry, Lysicatos, Lee, Steigerwald, Matty

Motion carries

**Block 19, Lot 12, 60 Montrose, Hobbs (bulk)**

Mr. Sherry moved to approve with a second by Mr. Lysicatos

Ayes: Sherry, Lysicatos, Lee, Juckes, Steigerwald

Motion carries

Motion made and seconded to adjourn at 8:50 PM.

Respectfully submitted:

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Pat Hoynes, Planning Board Secretary