

**OCEANPORT PLANNING BOARD  
MINUTES  
June 23, 2010**

Chairman Widdis called the meeting to order at 7:30 p.m. and announced that the meeting had been advertised in accordance with the Open Public Meetings Act.

Chairman Widdis led the flag salute.

**MEMBERS PRESENT:** Mr. McCarthy, Mr. Kleiberg, Mr. Gervolino, Mr. Fichter, Mr. Widdis

**MEMBERS ABSENT:** Mr. Ibex, Mr. Bertekap, Mr. Sullivan, Mr. Savarese, Mr. Whitson, Ms. Flor

**OFFICIALS PRESENT:** Jeanne Smith, Board Secretary, Rick DeNoia, Board Attorney and William White, Board Engineer/Planner

**BOARD BUSINESS:**

1. Minutes of the meeting of May 12, 2010 were approved as presented on a motion from Mr. Kleiberg and a second from Mr. McCarthy and approved by the eligible Board members present.

**RESOLUTIONS:**

2. Anthony Burdi - As the Resolution was made available to the Board previously, Mr. DeNoia summarized the Resolution after which, Mr. McCarthy made a motion to approve the resolution which was seconded by Mr. Gervolino and received the following roll call:

AYES: Mr. McCarthy, Mr. Kleiberg, Mr. Gervolino, Mr. Widdis  
NAYES: None  
ABSTAIN: None  
ABSENT: Mr. Ibex, Mr. Bertekap, Mr. Sullivan, Mr. Savarese, Mr. Whitson, Ms. Flor  
INELIGIBLE: Mr. Fichter

**OLD BUSINESS:** None

**NEW BUSINESS:**

3. PB File: 2010-01  
T-Mobile Northeast  
Block 65, Lot 37  
196 Monmouth Boulevard  
Request for Use and Bulk Variances

**A-1** Antenna Site FCC RF Compliance Assessment and Report, T-Mobile Northeast, LLC, Site NJ-08-548F, dated November 12, 2009

**A-2** Map of Search Ring

**A-3** Resume of Aditya Kedia, Radiofrequency Engineer

**A-4** Radiofrequency Coverage Map prepared by Aditya Kedia

James Pryor, Attorney for the Applicant, stated that the application before them was seeking relief for the installation of a telecommunications facility consisting of a monopole and the ground-based compound in which the monopole would be located. Mr. Pryor continued that they were prepared to proceed that night with the understanding that there were only 5 Board members present and that they

would not seek a vote that night as one of the variances being sought was use that required 5 affirmative votes and the hope that additional members would be available and eligible for the next hearing.

Mr. Pryor gave an overview of the application, testimony and expert witnesses to be heard.

An unknown person from the public asked to interject before proceeding further to address a jurisdictional matter.

Mr. Holden, 7 Blue Point Cove, stated he lived across the street and that he believed he was within 200' of the subject property and that he had not received any notice regarding the matter and found out from a neighbor. Mr. Holden argued that the hearing should not take place and why he thought the Board should not accept jurisdiction.

Mr. White directed the Board to the Applicant's plan that indicated a 200' map including Mr. Holden's property, however, the property was not included on the certified list from the Assessor.

Mr. Pryor responded that Mr. Holden's property may have been within the 200', however there was very specific statutory provision in the Municipal Land Use Law that the Applicant is permitted to rely upon the list provided by the municipality. Mr. Pryor continued that they did not anticipate finishing that evening and if Mr. Holden wished to have an expert on his behalf at a subsequent meeting but under the statute it did indicate specifically that if there was any error on the list it was not a reason to not proceed.

Mr. DeNoia responded that Mr. Pryor's interpretation was correct and that jurisdiction could be maintained based on service to that list.

Mr. Holden continued to argue what he thought was the intent and purpose of the statute and how their map clearly shows the identified lots and was in their knowledge that they should not have relied upon the list.

Mr. DeNoia stated that he understood Mr. Holden's position, however, the statute was specific and the Applicant has the right to rely on the list.

Mr. Holden asked if the list would be marked into the record.

Mr. DeNoia answered that the list was part of the application and was therefore part of the record.

Mr. Widdis asked how the Applicant would be addressing the review letter prepared by the Board's Engineer.

Mr. Pryor stated that each witness would address the items appropriate for their applicable field.

Mr. DeNoia stated that there were 5 witnesses in addition to the Board's Planner/Engineer which were sworn in including, Dave Collins, Expert in Compliance with FCC Rules and Regulations regarding emissions, 14 Ridgedale Avenue, Cedar Knolls, NJ; Lyle Petrasek, Site Acquisition, 20 Stockton Drive, North Brunswick, NJ; Aditya Kedia, Radio Frequency Expert, 271 Route 46 West, Fairfield, NJ; Charles Stewart, Site Engineer and Land Surveyor, 320 Runnemede Road, Essex Fells, NJ; Timothy M. Kronk, Professional Planner, PO Box 465, Mendham, NJ and Board Expert, William White, Professional Engineer & Professional Planner.

Mr. Pryor asked Mr. Collins to advise the Board of his background and/or expertise in the field of regulatory compliance with respect to Federal Communications Commission regulations. Mr. Collins presented his qualifications and was accepted by the Board as an expert in his field.

Mr. Collins provided testimony regarding the procedures for determining compliance, the use of an in-house software to perform calculations of the necessary data, the conservative approach of the data, and the report of findings provided in the Antenna Site FCC RF Compliance Assessment and Report, T-Mobile Northeast, LLC, Site NJ-08-548F.

Mr. Pryor asked if the report incorporated his findings with respect to whether or not the findings were in compliance with the Federal regulations. Mr. Collins answered correct.

Mr. Pryor asked what his final determination was for compliance. Mr. Collins answered that the maximum calculation value of the radio frequency energy expressed as a percentage of the whole was 100% at the maximum level permitted and anything under that complied with the rules and regulations and that in this particular case the maximum calculated RF level found was 0.0710% - less than one tenth of one percent permitted by the FCC level and the equivalent of more than 1400 times below the FCC's limit and that the application was in compliance by a very wide margin. Mr. Pryor asked how the results fell in terms of compliance with the NJDEP. Mr. Collins answered that their regulations were 5 times less stringent and that the application was in compliance with NJDEP also by a wide margin.

Mr. Gervolino asked how much coverage would be provided by the antenna. Mr. Collins answered that would be better answered by the RF Engineer.

Mr. McCarthy stated that the report indicates a 6'5" person was perfectly safe within 5' of the tower. Mr. Collins answered everyone actually and explained why the FCC recommends that specific height.

Mr. McCarthy asked cell phone towers are a mature thing at this time and was there any problem to his knowledge that damaged anybody. Mr. Collins answered no.

Mr. Pryor interjected that Mr. Collins was there to answer questions about regulatory compliance and try not to have him answer questions about safety or health as he was not a medical doctor.

Mr. Collins stated that by his experience he had never had a tower or antenna site that were more than 32' above the ground was of sufficient distance and sufficient low power could not cause a problem in terms of exceeding the subscribed limits of the FCC at ground level.

Mr. Kleiberg asked if it would project on a 360 degree arc. Mr. Collins answered that the antenna was semi-directional in nature and would use a sectorized array of antennas that point approximately 120 degrees away from each other so that the entire horizon would be covered.

Mr. Fichter asked if co-locations in the future in Oceanport were possible. Mr. Pryor answered it would be common-place for that to happen on a site such as the subject if they were to publish it and if it were to be approved they would ask for a condition of the approval allow for future carriers.

Mr. Fichter asked if the compliance analysis consider additional antennas. Mr. Collins answered no, however, based on his experience with this carrier that all 5 carriers that are available in this market could be on the pole and not exceed the limit.

Mr. Widdis asked why was the tower so high. Mr. Collins answered that would be for the RF Engineer.

Mr. Widdis asked so these standards are set forth by the State and they just enter the data and asked if his system had been tested to check if they are getting the correct...Mr. Collins answered that the software was from their point and it allowed a computer to make the 500 calculations. Mr. Widdis

asked and they've validated...Mr. Collins responded yes they have been accepted in every state of the Union.

Mr. Holden asked they have tested for compliance 500' all the way round. Mr. Collins responded that they don't *test* for compliance they calculate levels out to a distance of 500' as testing would indicate that they made measurements. Mr. Collins gave a lengthy explanation on how the levels are calculated and the energy levels that emit from a pole. Mr. Holden asked based on his testimony that the representation doesn't mean anything if its not known what direction the antenna was pointing. Mr. Collins responded no, that in the representation it was known where the antenna was pointing and that when he makes his calculations he does so under the assumption that the person who would be receiving the energy waves would be standing directly in front of the main beam so that the results provide the worst case.

There was a lengthy exchange of questions and responses between Mr. Holden and Mr. Collins regarding the direction of the main beam, the impact of multiple carriers and that the numbers are calculated based on the worst case as if the beam was pointed directly at the party in question. Mr. Collins also gave examples of levels in households and that the levels from everyday equipment such as the refrigerator or microwave put out higher levels than the antennas would put out at their maximum level. Mr. Holden asked questions about other regulations, i.e., state, county, local or otherwise and if they were considered in the situation. Mr. Collins answered yes, and repeated which ones that were considered and which ones did not apply as they didn't have emissions or didn't interfere. Mr. Collins asked if the towers emit radio frequencies such as broadcast signals or in zones/uses such as hospitals or police stations. Mr. Collins answered no as it was a Federal matter.

Mr. Pryor objected that Mr. Collins had already answered the questions and that Mr. Holden's questions did not have any bearing on the issue being testified about which was FCC compliance.

Mr. DeNoia acknowledged the objection for the record but allowed Mr. Holden to proceed.

Mr. Holden asked if Mr. Collins was familiar with regulations and the usage of the breathalyzer or the alpha test machines used throughout the State of New Jersey. Mr. Collins answered no. Mr. Holden asked if he were aware of any rules, statutes governing their usage pertaining to radio frequency interference.

Mr. Holden asked if Mr. Collins visited the site. Mr. Collins answered that as he stated earlier, the FCC accepts either a measurement which in this case was impossible as there was no antenna there to measure or a mathematical calculation based on the FCC provided formula which was included in the report so no he had not visited the site.

Mr. Holden asked if he authored their program and if the program had been certified by anyone. Mr. Collins answered no, his brother had and that the FCC has seen their reports and accepted their reports which include the formula. Mr. Holden asked if they had examined the source code. Mr. Collins answered no, to the best of his knowledge. Mr. Holden asked if the software was available to the public. Mr. Collins answered no, it was proprietary and that it was merely the FCC's formula with the ability to change the distance figure and the downward discrimination figure.

Mr. Holden asked many questions on how the calculations were done, what inputs were made, what assumptions were made and if various influences were considered which Mr. Collins answered.

Lou Pistilli, 189 Monmouth Blvd., stated that all of this was mathematical and asked when the antenna goes up would someone go out to site and make sure that what was said mathematically is what happened. Mr. Collins answered that the FCC does not require that and explained the benefits of mathematically calculating compared with on-site measurements.

Mr. Pistilli stated that his concerns were that the particular antenna that would go up who checks to be sure it wouldn't emit more than calculated. Mr. Collins explained that it was very similar to the power emitted from a light bulb and when it fails it just burns out and stops working.

John Paolise, 202 Monmouth Blvd., asked if the FCC cares whether there were a bunch of antennas next to one another in regards to large antennas next to one another and emissions. Mr. Collins responded the only rule would be the combined value of all the emissions. Mr. Paolise asked then if there was a big antenna a ¼ of a mile from the site would that make a difference. Mr. Collins answered that a ¼ of a mile away its nearly there out to 500' the effects start to diminish and approaches 0. Mr. Paolise asked what type of energy emits. Mr. Collins answered electromagnetic wave.

Mr. Pryor began questioning Mr. Petrasek, Site Acquisition for the Applicant. Mr. Petrasek explained his role in the process including locating appropriate sites for placement of a tower to address areas lacking coverage, how the search areas are determined, the steps that are taken when an appropriate site was located including going to the municipality, the length of time the process takes, that he approached Borough Hall and spoke with the Clerk/Administrator to see if there was any interest in releasing a bid to put a site on Borough grounds as towns have to go to bid, his 2 attempts to see if the town was interested, the alternative to seek other sites that were not residential, the lack of commercial properties in the town, the successful approach to the subject site, the negotiations for a lease. Mr. Pryor asked Mr. Petrasek to expand on his contact with the Borough which Mr. Petrasek explained it had been about a year since his last contact and that he had described the tower proposed and that he had been the first one to approach the Borough.

Mr. Pryor then proceeded to display a map for reference.

Mr. DeNoia asked Mr. Pryor before he continued that the prior witness referred to the FCC Compliance Report and was it his intention to propose it as an Exhibit.

Mr. Pryor answered yes, described the document, Antenna Site FCC RF Compliance Assessment and Report, T-Mobile Northeast, LLC, Site NJ-08-548F, dated November 12, 2009 which was marked as **Exhibit A-1**.

Mr. Pryor referred to a site location map as A-2 and asked Mr. Petrasek to identify what the map showed including the proposed site and the search ring which was mostly residential. Mr. Petrasek identified the document as Map of Search Ring which was marked as **Exhibit A-2** and concluded Mr. Petrasek's testimony.

Mr. White asked Mr. Petrasek about his discussions with the Borough Administrator and if he had anything in writing. Mr. Petrasek answered no.

Mr. Gervolino asked if any other town property was located within the ring such as Blackberry Bay Park. Mr. Petrasek answered that the ordinance excludes parks. Mr. McCarthy confirmed.

Mr. Widdis asked so you they could go on other locations of the town or other towns. Mr. Petrasek answered he looks where they tell him to look.

Mr. Widdis asked questions about the owner of the property where the site would be located, was the site leased or owned, the consent of the owner and the terms of the Applicant's agreement with the owner and the appropriateness of the subject site to which Mr. Pryor indicated was better answered By the radiofrequency engineer.

Mr. Gervolino asked if the radiofrequency engineer was the one that identified the bull's eye on Exhibit 2. Mr. Petrasek answered yes.

Mr. McCarthy asked was that the site as specified in the lease documents? Mr. Petrasek answered yes.

Mr. Pistilli asked questions about where the tower would be located and its proximity to residential areas as most of Oceanport was residential.

Mr. Pryor advised Mr. Pistilli that the planner's testimony would be addressing those criteria.

Robert Holden, 7 Blue Point Cove, asked Mr. Petrasek questions regarding his employment and the relationship with T-Mobile, his role in the acquisition process, the process by which he evaluates appropriate sites, the tools used to for locating a site, review of the Borough's zoning, the location of the proposed site within a residential zone, the types of properties and land use in that zone, the current use of the proposed site, did they approach the municipality and obtain a written response, had they reviewed the Borough's ordinance regarding placement of cell towers only on a Borough property, why they pursued a lease with Lucky Charm property as opposed to a formal process with the Borough.

Mr. Petrasek responded that he was employed by Lucien Group contracted by T-Mobile for the purposes of site acquisition and provided explanations to each of Mr. Holden's questions and specifically that the town wasn't interested.

Mr. Holden asked additional questions regarding the large tract of undeveloped land behind the subject site, its zoning, the presence of wetlands and their impact on the use of the land to which Mr. Petrasek responded.

Mr. Holden asked if they had approached the racetrack property. Mr. Petrasek answered no as he believed the racetrack was outside of the ring.

Mr. Holden asked what the terms of the proposed lease were in terms of income.

Mr. Pryor objected as that information was proprietary and the Applicant would not disclose the financial terms of the lease.

Mr. Holden stated disagreed with that, with regard to our ability to understand what that is, because the application seeks either the expansion of a nonconforming use or the presentment of an additional use within a property that's presently being used commercially. Mr. Holden continued that the alternative way of taxing real estate at that property has to do with the lease information and that he believed it was a factor the Board should consider as the subject site was selected in lieu of no other available properties and what the tax rate would become.

Mr. Pryor answered that he didn't understand how becoming a ratable has any bearing on zoning issues and detailed how land use issues are addressed and that the payment to a landlord was not a consideration in any cases decided by the courts of New Jersey and that the Applicant would not provide that information.

Mr. Holden continued that the application was seeking to put a commercial use within a residential zone where there exists a nonconforming use which was being sought to change or be expanded and that the NJ tax laws allow a tax collector to apply an alternative taxing method to properties that are income properties. Mr. Holden continued his argument as to why he believed the economic factors should be considered

Mr. Pryor objected responded that Mr. Holden was correct in terms of the tax assessor or collector, and that if the Board approves this and the tax collector sends an income information statement to the property owner that they would comply however that was separate from what was before the Board presently and that the town had already responded to their inquiries not interested.

Mr. DeNoia stated that suitability of site was what must be demonstrated proving the negative and positive criteria and that he understood Mr. Pryor's objection however if he did know the answer he believed Mr. Holden was correct in terms of enough relevance and that he believed it was relevant of the site selection process and although Mr. Petrasek indicates that he spoke to the Borough Administrator, there was no formal application and no attempt to contact anyone else and that suitability of the site was relevant. However if they refused to answer that was their prerogative.

Mr. Pryor stated that he respectfully disagreed that it was relevant and explained the reasons for not answering questions regarding the financial terms including an unwillingness to set a precedent that we're going to release proprietary terms before any Board, for policy and his strong belief that the Board has no authority to collect such information.

Mr. DeNoia stated that Mr. Pryor's argument was that the prejudice outweighs the probative value, belief that the information was proprietary and if there was a legitimate reason for protecting that piece of information, it was proprietary and that it was important that the record reflect that.

Mr. Holden stated he believed the door was opened when the testimony was given that he works on commission, and he sought other sites through the methods that he has and that he believed there was an inherent bias.

Mr. Pryor commented that the nature of the commission was also proprietary and that the information was beyond land use matters and they would not reveal that information.

Mr. Holden made additional comments about the credibility of a witness's testimony with information claimed to be proprietary and that the Board and the public had the right to argue that the value was inherent in the particular site location and the lack of a formal application to the town was them simply trying to get the best deal and not get the location that the ordinance suggests.

Mr. Pryor repeated why he believed that the information was not relevant

Mr. DeNoia stated that the record reflects the Applicant's position and that the Board would determine how to weigh the relevance of the information.

Mr. Holden asked Mr. Petrasek if he were to on another application within the same circle and come to the town and submit a proposal, would that proposal have the lease terms as you submit it?

Mr. Petrasek stated he did not understand the question.

Mr. Holden asked if they were to make an application to the Borough of Oceanport to put the tower right outside the Borough Hall.

Mr. Petrasek answered that the Borough of Oceanport would submit a public bid, and the carriers that had interest in that bid would submit their bids, and that would be public information.

Mr. Holden asked then it would be public information before you came to any planning boards or any other local boards that may have to approve that application?

Mr. Petrasek answered it would be a municipal bid and that they had requested the Borough release a bid but the Borough was not interested in releasing a bid and the proposal in a bid form comes from the town and not from him.

Mr. Holden asked if Mr. Petrasek had ever attended a Council meeting or approach a Councilperson chairing the communications committee. Mr. Petrasek answered no.

Mr. Holden asked if Mr. Petrasek had made any site applications with the circle for any other carriers or immediately adjacent to that circle for T-Mobile. Mr. Petrasek answered no.

Mr. Holden asked what was the closest acquisition to the circle. Mr. Petrasek answered Keyport

Mr. Holden asked additional questions about the search for the site, research on the Borough's Master Plan, did the waterfront figure into the review all of which Mr. Petrasek answered.

The Board adjourned for a short recess at 9:28 p.m., which was unanimously approved by the Board members present. Mr. Widdis called the meeting back to order at 9:39 p.m. with all members present.

Mr. Pryor asked Mr. Aditya Kedia, Radiofrequency Design Engineer for Applicant, questions regarding his educational background, his expertise in the field of telecommunications coverage and operations for cell phone networks, his experience as a witness before planning and zoning boards. Mr. Widdis asked if he worked for Amitar or if he worked on his own. Mr. Kedia answered that he worked for Amitar as a consultant for T-Mobile.

Mr. DeNoia referring to a document handed up by Mr. Pryor asked was that his dossier which Mr. Pryor answered yes.

Mr. DeNoia asked Mr. Holden if he had any questions regarding Mr. Kedia's qualifications.

Mr. Holden asked Mr. Kedia questions about his qualifications and experiences testifying before other Boards which Mr. Kedia answered he had testified before boards in Jackson and Holmdel for cell site applications and that he was specifically experienced in radiofrequency engineering.

Mr. Holden asked Mr. Kedia had any experience with radiofrequency interference which Mr. Kedia answered no.

Mr. Holden asked what his degree qualified him for. Mr. Kedia answered that it qualifies him to design cell sites and listed a number of locations in New York and New Jersey that he had designed totaling more than 100 cell sites.

Mr. Holden asked questions about the type of area those sites were located in such as rural, suburban, urban. Mr. Kedia answered that most are rural-suburban located mostly in Ocean or Monmouth counties but that he had also done urban.

Mr. Holden asked how much of his experience came from working for Amitar which Mr. Kedia answered the past 6 years and prior to that for Verizon wireless in New York doing cell site performance and troubleshooting of cell sites.

Mr. Holden asked if he worked for anyone else. Mr. Kedia answered that he was an employee for Amitar which contracts with various carriers: Sprint, Verizon, Metro PCS.

Mr. DeNoia asked Mr. Kedia if when he was in Jackson and in Holmdel, was he accepted as an expert in those two places? Mr. Kedia answered yes.

Mr. DeNoia asked if he had testified before any courts in the State of New Jersey or New York. Mr. Kedia answered no in New Jersey and that New York did not have a zoning process.

Mr. DeNoia stated that based on his credentials, background, and experience Mr. Kedia was accepted as an expert in his field.

Ms. Smith asked if they wished to submit Mr. Kedia's resume as an Exhibit.

Mr. Holden asked for it to be submitted and was marked as **Exhibit A-3**

Mr. Pryor asked questions of Mr. Kedia regarding T-Mobile's license with the Federal Communications Commission to operate a wireless communications network, the specific radiofrequency band designated for their network, its spectrum, the type of data coverage – voice or otherwise, examples of data transmission such as streaming videos, text messaging, internet and the T-Mobile network in and around the Borough of Oceanport.

Mr. Pryor asked Mr. Kedia if he had prepared an exhibit illustrating why the subject site had been selected consisting of an underlying base map color coded for the purpose of illustrating the coverage circumstances of T-Mobile. Mr. Kedia answered yes he had prepared such an exhibit.

Mr. Pryor submitted the Radiofrequency Coverage Map prepared by Mr. Kedia for the record and was marked as **Exhibit A-4**.

Mr. Kedia gave a detailed explanation of the Radiofrequency Coverage Map identifying the subject property, a description of the symbols used, how planned sites are identified, the locations of planned sites not yet built and the status of those sites in the zoning process particularly one located in adjacent town of Long Branch, the location of cell sites currently transmitting and the type of structure they were on.

Mr. Kedia also provided information regarding the one site located in Oceanport at Fort Monmouth - a raw land monopole which means a monopole that was built where one did not previously exist.

Mr. Widdis asked if he knew the specific address of the site at Fort Monmouth. Mr. Kedia answered that he did not know only that it was on Fort Monmouth.

Mr. Pryor asked what was the height on that antenna. Mr. Kedia answered 148 feet.

Mr. Pryor asked additional questions regarding sites located in Little Silver on Sycamore Ave – 110 feet, Long Branch on McClellan Street – 160 foot self-support tower and another on Rockwell Avenue – 95 feet in height but located on a rooftop, and in Monmouth Beach on Ocean Avenue – 155 feet also on a rooftop.

Mr. Pryor asked that as far as Exhibit A-4 was concerned it shows the extent of the existing and proposed coverage not including the proposed site in Oceanport. Mr. Kedia answered correct.

Mr. Kedia continued his testimony describing the color coding of the map and its intent to coordinate with the signal coverage levels for T-Mobile's network including areas of reliable in-building or indoor coverage, reliable in-vehicle coverage and described each type and what happens as one moves away from a site. Mr. Kedia also gave testimony concerning areas where calls can be made but T-Mobile would not guarantee reliability and that one may have some interference or cannot hear the other person clearly, or they may intermittently lose a call and according to T-Mobile standards that's not reliable coverage.

Mr. Pryor asked additional questions of Mr. Kedia concerning the tools used to produce the Radiofrequency Coverage Map to which Mr. Kedia gave an explanation on the use of a computer-generated software that takes various inputs such as latitude, longitude, antenna height, type of antenna, characteristics of the surrounding area of the site like tree heights, density such as buildings and match that with the transmit power of each and every cell site they are able to generate a prediction to see whether it meets the T-Mobile objectives of coverage for filling the coverage gap existing in the area.

Mr. Pryor asked Mr. Kedia if the map before them indicated any type of need or deficiency in the T-Mobile communications network that he as a radiofrequency expert. Mr. Kedia answered yes and pointed to the deficient areas on the coverage map about one mile along Monmouth Boulevard and about one mile north to south along Port Au Peck Avenue basically leaving a coverage gap of about one mile in radius.

Mr. Widdis asked Mr. Kedia to show the radius on the map.

Mr. Kedia identified the coverage gap on the map stating it was around 0.8 miles along Port Au Peck Avenue at this point of the map, where it intersects with Mohican Avenue and where it intersects with Branchport Avenue and that the intent was to gain reliable coverage for people in vehicles as well as houses.

Mr. Pryor asked Mr. Kedia if having established the coverage gap, did he find that there was a need to provide a cell site in order to address the coverage gap. Mr. Kedia answered yes.

Mr. Pryor asked if there was anything that could be done in terms of reorienting other sites to provide more coverage to the Oceanport area so there would be no need for a cell site at the subject site. Mr. Kedia responded no and the reason was that the existing sites are transmitting at their maximum power allowed by FCC for T-Mobile or any wireless carrier. There was additional discussion about various ways to change orientation of other cell sites and that ultimately the other sites were too far away from the Oceanport site.

Mr. Kedia then gave additional testimony on his preparation of Exhibit A-2 – Map of Search Ring, and explained how it was prepared in to regions, counties, and towns in order to determine the best solution in a region to minimize the number of sites and ultimately a one-site solution that would alleviate the coverage gap completely. Mr. Kedia explained that the resulting document would then be provided to the person performing the site acquisition – Mr. Petrasek in this case.

Mr. Pryor asked Mr. Kedia to explain how the two maps worked together and why coverage area was circular in nature. Mr. Kedia explained that T-Mobile usually prepares it in three sectors, trying to place them 120 degrees apart, as Mr. Collins said. They use directional antennas, which have a 65-degree horizontal beam width for the purpose of trying to cover as much area as possible.

Mr. Widdis asked Mr. Kedia to demonstrate on the map how he performs the sectors.

Mr. Kedia gave examples of the 120 degrees covered by a cell site and how the antennas would be pointing and in which directions to achieve the greatest coverage of the entire 360 degree space around a site that has a deficiency.

Mr. Pryor asked Mr. Kedia if a computer generates the search ring. Mr. Kedia answered no that he generated the search ring.

Mr. Pryor asked was he advised at any point by Mr. Petrasek that he had located any property. Mr. Kedia answered yes and described sites one was the Oceanport municipal property, and the other was located next to the firehouse property. He continued that the third site was the subject property.

Mr. Pryor asked was there a particular height. Mr. Kedia explained that the height depends on the location of the candidate. It depends on the clutter -- it depends on a lot of factors. Mr. Pryor asked what he meant by "clutter". Mr. Kedia continued that clutter means the characteristics of the surrounding, the average tree height, the residential -- in this case, single-family homes -- and all those factors are considered for determining the minimum height required to overcome the coverage deficiency. Mr. Kedia also explained that radio signals are blocked by trees, vegetation, etc. and described the term free space path losses which accounts for density of sound which diminishes the further one moves away -- the energy becomes absorbed in the air.

Mr. Widdis interjected and asked Mr. Pryor to find an appropriate place to stop due to the late hour and asked Mr. Pryor how he planned to address Mr. White's engineer review letter.

Mr. Pryor answered that Mr. Kedia would return as his testimony was not finished and indicated that they would like to respond to Mr. White's letter in writing for the Board's preview prior to the expert that would testify on that item.

Mr. Widdis asked Mr. White if that was acceptable for him. Mr. White answered yes.

Mr. Pryor continued that there was not at a point in the continuing testimony that would provide a natural stopping point and suggested that they stop at that point and resume at the next hearing.

There was some discussion as to when to continue testimony and as the Applicant's professionals were not available for the next hearing on July 14<sup>th</sup>, it was discussed that the August 11<sup>th</sup> date was an acceptable date.

Mr. Pryor also stated that in the interim they would the Borough to pursue or see if there's any interest on their part. Mr. McCarthy stated that was advisable.

Mr. Pryor commented with respect to Mr. Collins and Mr. Petrasek that unless the Board desired or Mr. Holden wished to further examine, he'd like to avoid bringing them back.

Mr. Holden stated that he was not going to waive anything at this point but noted for the record that he had a problem on August 11<sup>th</sup> and the Board should not consider his absence from that meeting as to be in favor of this application.

Mr. Pryor stated that they would bring everybody back.

Mr. Widdis asked Mr. White if he thought they needed any of the experts already heard to come back on August 11<sup>th</sup>. Mr. White answered not from his standpoint.

Mr. Pryor stated they would take that under advisement and that they would see them on August 11<sup>th</sup>.

Mr. DeNoia stated let the record reflect that the matter would be carried to August 11<sup>th</sup> without the need for further notice.

**PETITIONS FROM THE PUBLIC:** None

**ADJOURNMENT:** As there was no further business, the meeting was adjourned at 10:35 p.m. on a motion by Mr. Gervolino which was seconded by Mr. McCarthy and approved by the Board.

Respectfully submitted,

JEANNE SMITH  
Secretary