

**RESOLUTION  
SUBDIVISION/SITE PLAN COMMITTEE  
PLANNING BOARD  
TOWNSHIP OF LIVINGSTON**

Decided: June 2, 2015

Re: Application No. 2015-17-MS  
Applicant: NY SMSA LP d/b/a Verizon Wireless  
Premises: 179 S. Livingston Avenue  
Block: 3500; Lot: 14  
Zone: B-1

WHEREAS, application has been made by NY SMSA LP d/b/a/ Verizon Wireless (“Applicant”) to the Planning Board of the Township of Livingston (“Board”) for Minor Site Plan approval for installation of a 50-square foot concrete pad abutting the existing building and installation enclosed equipment cabinets on such pad and of two gated board-on-board fences; all in conjunction with installation of a wireless telecommunications small network node facility with a single 2-foot cylindrical small network node mounted on the building’s roof; and

WHEREAS, the Board has a Subdivision/Site Plan Committee (“Committee”) pursuant to § 170-3 of the Code of the Township of Livingston, with jurisdiction to determine whether a site plan Application meets the definition of “minor” and, if so, to take final action of approval or disapproval of such Application; and

WHEREAS, the Zoning Officer has determined that the concrete pad would constitute an increase in a non-residential building footprint of less than 600 sq. ft. and less than 10%; and

WHEREAS, the Zoning Officer has also determined that the small network node facility itself is subject only to federal regulation and is exempt from zoning regulation; and

WHEREAS, the Committee has determined that, because the Application before it is for an increase in a non-residential building footprint of only 50 square feet on which enclosed equipment cabinets will be installed and for installation of fencing in a non-residential zone, it is an Application for Minor Site Plan approval and that Application notice by the Applicant and public hearing are not required; although notice of this Meeting of the Committee and its agenda have been provided; and

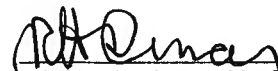
WHEREAS, the Committee has reviewed:

1. The Application.
2. The Site Plan prepared and signed by Christopher M. Cirrotti, P.E , dated 4/08/15 and revised through 04/14/15, consisting of Drawings T-1 and Z-1 through Z-6.

3. The April 21, 2015 letter from Kevin R. Jones, Esq. of the Law Offices of Alan B. Zublatt, representing the Applicant.
4. The June 2, 2015, 9:50 AM, email from Kevin R. Jones, Esq. to the Board Secretary.
5. The May 13, 2015 letter from the County of Essex Department of Public Works.
6. The May 21, 2015 report from the Township Engineer and the Township Planner.

NOW, THEREFORE, the Committee does make the following findings of fact and conclusions with respect to this Application:

1. The jurisdiction of the Committee is limited to the concrete pad, the equipment cabinets and the fencing.
2. The small network node shall be entirely screened by a faux brick chimney consistent in appearance with the existing chimney on the building.
3. The Application for Minor Site Plan approval is hereby approved subject to the terms and provisions herein and the following conditions:
  - a. At the close of each work day the Site shall be thoroughly cleaned and all construction trash and debris shall be removed from the site or placed in covered dumpsters to be removed when construction is completed.
  - b. The full text of this Resolution shall be added to the Site Plans together with a note that the small network node shall be screened as provided above; and such revised site plans shall be submitted to the Township Engineer, the Township Construction Official and the Essex County Planning Board before any permits are issued by the Township.

  
Richard Dinar, Chairperson  
Subdivision/Site Plan Committee

  
Peter M. Klein, Chairman  
Planning Board

I hereby certify this to be a true and accurate copy of the Resolution adopted by the Subdivision/Site Plan Committee of the Planning Board of the Township of Livingston on June 2, 2015 by the affirmative votes of Richard Dinar, Peter Klein and Samuel Ratner; they being a quorum of the Committee and all the Members present.

  
Jackie Coombs-Hollis  
Planning Board Secretary