

**LAKWOOD ZONING BOARD OF ADJUSTMENT  
MINUTES – SPECIAL MEETING  
MAY 22, 2006**

Meeting was called to order at 7:40 P.M.  
Meeting properly advertised according to the Sunshine Law.

**SALUTE TO THE FLAG**

**ROLL CALL:**

Attending: Mr. Gelley, Mrs. Goralski, Mr. Naftali,  
Mr. Lieberman, Mr. Halberstam, Mr. Sernotti

Absent: Mr. Gonzalez, Mr. Zaks

Also present: John Jackson, Attorney  
Jim Priolo, Engineer/Planner  
Ed Mack, Zoning Officer  
Fran Siegel, Secretary

Mr. Sernotti announced that he read the transcript of the meeting of March 20, 2006.

Mr. Jackson – Mr. Stilwell provided representation that the property was under two separate corporate entities. It does appear that it is two separate entities and two separate lots.

A-15 - letter that Mr. Stilwell sent to Mr. Edwards dated March 24, 2006.

A-16 – letter that Mr. Stilwell sent to Mr. Edwards dated April 24, 2006

Mr. Stilwell – there were four properties that Claire Odud said were Municipal Properties in the area of the proposed site. There was no response from either of the letters that he sent. At the previous meeting of March 20th, there was testimony from Mr. Ignari, professional engineer, Mr. Tinder, real estate appraiser & Mr. Robinson. They were asked to consider municipal properties and they were not available to us.

A-17 – e-mail from Claire Odud, Birdsall Engineering, advising of the four municipal properties dated 4/17/06 properties. Block 2 Lot 4 is a school building, block 2 lot 70, canopy and pool. Block 1.01 lot 19, 10 x 112 appears to be an easement, block 25.05 Lot 57, 30 x 422 triangular, appears to be an easement. Pine Park is the only one in the search area.

A-18 - map of Lakewood Township showing zoning classifications and search area.

Mr. Robinson showed the four properties on the map.

Mr. Stilwell – Pine Park is in “green acres” and they have been turned down to allow their facilities on any land that is green acres.

Mr. Jackson – would like to investigate that further.

Mr. Stillwell- have not heard anything from Mr. Edwards or anyone from the municipality. Mr. Tinder, his appraiser found that there was a typographical error which said that 16 Whispering Way was sold at \$1,400,000.00, it was sold at \$1,417,000.00.

Timothy M. Kronk, sworn.

Board accepted his credentials.

Mr. Kronk – Reviewed the application, engineer drawings, municipal land use ordinance, master plan, and visited the site. Subject property is located in the OS zone which does not allow a cell tower unless the property is owned, controlled or leased by the Township. Also proposing a height variance. The proposed monopole is 150 feet. Minimum lot area required is 3 acres and the property is 2.4 acres. Was at the site 9/13/05 when there was a balloon test for this study. Six antennas are designed for co-location of future carriers. There is a 10 x 20 foot concrete slab to handle the equipment.

A-19 aerial photograph taken February 28, 2004.

Mr. Kronk – no major land use changes since the flight photograph. The golf course is approximately 90 acres.

A-20 copy of Lakewood Township Zoning Map.

Mr. Kronk – There are gaps in coverage along County Line Road. The lot is entirely wooded which would give visual buffers. The closest permitted zone is the M-1 zone which is over 2 miles away. The Open Space would have less impact on the neighbors. There is no noise, glare, or odor, no vibration, no noxious characteristics. This is an unmanned facility. The technician arrives every 4 to 7 weeks. There is no impact on traffic or parking. There is no water, or sewer, only electric and telephone. They will comply with all FCC & DEP standards.

A-21 – view from intersection of Brookwood Parkway & Route 526 – 2 photos, existing conditions and with monopole inserted.

A-22 – view from Country Club Drive

Mr. Kronk - The cluster mount does reduce the visibility.

Dr. Eisenstein – build the foundation and the lower part of the tower so that it could accommodate 150 feet but you only build the tower to 120 feet so that the application would be for a 120 foot tower but have the capability for extensions.

Mr. Kronk – the weather on the day the pictures was taken sunny and warm and 85 degrees.

A-23 – view from Mulberry Lane & County Line Road with view simulation of monopole

A-24 – view from intersection of Crocus Street & Hawthorne Street with view simulation of monopole

A-25 - simulation of tower location that looks like a tree structure

A-26 – tree structure

Mr. Kronk - Made attempts to secure municipal property. Made attempts to co-locate on existing structures. The only negative impact is visual.

Recess.

Mr. Priolo – regarding the Pine Park property to the west – under the green acres regulations if the cell tower were to be allowed would that be a more suitable property?

Mr. Kronk – that is a higher priority because it is permitted location.

Mr. Liston cross-examined Mr. Kronk, his credentials and asked for employment history.

Mr. Liston - By placing the monopole on the interior of the Lakewood Country Club site you would reduce its visibility from the surrounding residences. From a Planning standpoint that would hypothetically be a better location.

Mr. Kronk – hypothetically yes

Mr. Jackson – Were other areas of the golf course explored?

Mr. Stilwell – explored that notion and never got definitive answer from the owner of the property. They are listed on the tax map as 2 different owners. They are not the same entity.

Mr. Liston - Did you look at any other locations in the search area.

Mr. Kronk - Contacted the owner of the golf course and did not get an definitive answer.

Mr Liston cross examined Mr. Robinson.

Mr. Robinson – the proposed facility at this present time, T-mobile will be the only carrier.

Open to Public to ask questions of the experts.

Zev Ausch, 565 Seton Circle, affirmed. He has T-Mobile and Horizon and he has perfect service.

Dr. Huppert, affirmed. How will the tower be camouflaged?

Mr. Kronk – it was suggested that cluster mounts be constructed and have offered to the board a stealth structure.

Closed to Public.

Mr. Naftali - Felt that the comparisons that were submitted did not convince him that there was no damage financially to the homes in the area.

Mr. Tinker – the market did not react to the installations of the tower.

Dr. Eisenstein – The FCC report was 1998 and he has not seen anything more recent. The data is based on physical concepts and they do not change with time.

Thomas A. Thomas, professional planner, sworn.

Board accepted credentials.

Mr. Thomas – reviewed the ordinance, familiar with the master plan and has been to the site many times. The primary goal of the ordinance is the separation of the towers and residential zones and dwellings. The requirement is that the tower location should be 1500 feet from any residential dwelling. There are other sites within the search range which would be more suited based on the ordinance.

Mr. Stilwell cross examined Mr. Thomas.

Open to Public.

Dr. Nellie Huppert – if Horizon is giving service that is adequate why can't they just add to that tower? Do not want to see this everyday.

Dr. Eisenstein – the evidence is that T-mobile has a gap in coverage. If there was any tower within the search ring they would have used it.

Closed to Public.

Mr. Jackson advised the board that health issues cannot be considered.

Mr. Gelley – not in favor of application

Mr. Stilwell summarized the application.

Mr. Liston - They haven't met the criteria and this application must be turned down.

Mr. Stilwell – spoke to Mr. Edwards on the phone when they first started this project – they investigated municipal properties. Wrote letters and he has not responded.

Mr. Lieberman – believe that the tower would dramatically effect property values in this area not in favor of application.

Mr. Sernotti – not in favor of this application.

Mr. Naftali – the neighbors do not want this tower and he is not in favor of application.

**Motion to deny** – Mr. Naftali

Second – Mr. Gelley

**Roll call vote:** affirmative: Mr. Gelley, Ms. Goralski, Mr. Naftali, Mr. Lieberman,  
Mr. Halberstam, Mr. Sernotti

Application denied.

**MOTION TO ADJOURN.**

All in favor.

Meeting adjourned at 11:15 P.M.

Respectfully submitted,  
Fran Siegel