

City of Northfield
Planning & Zoning Board
1600 Shore Road
Northfield, New Jersey 08225
(609) 641-2832 Ext. 127 Fax (609) 646-7175

Minutes: February 16, 2006

Notice of this meeting had been given in accordance with Chapter 231 Public Law 1975, otherwise known as the Open Public Meetings Act. Notice of this meeting has been given to The Press, posted on the bulletin board in City Hall, and filed with the City Clerk, stating the date, time and place of the meeting and the agenda to the extent known.

The regular meeting of the Northfield Planning & Zoning Board, held on Thursday, February 16, 2006 in Council Chambers, City Hall, Northfield, was opened by Chairman Richard Levitt at 7:33 p.m. with the following members present:

Dr. Richard Levitt	Art Barrera-absent
Jerry Nuzzolo, Construction Official & Inspector	Mayor Frank Perri- absent
Clem Scharff	Guy Schlachter, Councilman-absent
Lou Milone	
Ron Roegiers	
Nick Droboniku	
Pete DaPrato	
Henry Notaro	

Thomas Subranni, Esq.- Solicitor
Matt Doran, PE-Engineer

Chairman Levitt opened the meeting at 7:33 p.m. by congratulating Planning Board member Pete DaPrato and his wife on the birth of their new daughter, Emily Rose.

The first application to be heard this evening is from Mark Howell who is applying for a "D" variance and Site Plan Waiver. Mr. Howell is legally represented by Nicholas T. Menas of Cooper Levenson in Atlantic City. The Planner is Lance B. Landgraf, Jr. of Aqua Terra in Hammonton. The property location is 1406-1408 Shore Road and is known as Block 175, Lots 21 and 22 on the Tax map and is located in the R-1 Zone. The following witnesses were sworn in: Mark Howell, the owner of the property, Mike Smith, the proposed new tenant, and Jim Macaroy and Frank Barbera who may be needed to testify on the use abandonment issue. The Planner and Attorney were also sworn in. Exhibit A-1 is the submitted plans and Exhibit A-2 was added to the record at this meeting. A-2 is an aerial view showing Commercial and Recreational uses in the vicinity.

Mr. Menas noted that the application actually contains three parts. They are requesting a waiver of site plan since there are no proposed changes to the site and there are no changes or increases in impervious coverage. The second portion is the "D" use variance for a pre-existing non-conforming use. The third segment involves a rider and whether or not the original use has actually been abandoned. Mr. Menas noted that he requested information from the Clerk's office using the Government Records Request Form and obtained the requested information. He has a

copy of the original resolution dated October 10, 1991 for an interpretation and waiver of site plan as well as tax records for the property. He will discuss them if needed. Mr. Landgraf, the Planner visited the property of the old Star-N Florist shop and was questioned by Mr. Menas as to the present conditions and the history of the building. In the past, the site has been a Florist and a Design Studio-Kitchen cabinet shop. The building is 33 ft. wide and 93 ft. deep. They are proposing signage changes, but are not proposing any enlargement of the sign. They will continue to use the same sign façade. Surrounding uses were discussed. There currently exists an HBAC contractor, a CPA office, City Hall is down the street, there is a house cleaning service on the corner, and at the intersection of the Margate Bridge Road and Tilton, Shore and Mill Roads and in the near vicinity, there exists Superior Auto, Doctor, X-Ray and commercial offices. The exhibit produced showed areas of commercial use, recreational use and residential use along Shore Road. Mr. Smith's intended use is very low impact as compared to residential trips which can average about 10 per day. Mr. Smith's daily trips to and from the shop will be much lower in number. The HBAC Contractor has a common wall not owned by Mr. Howell. It will be difficult to use this property as residential due to the wall and the fact that the buildings are situated property line to property line.

Mr. Menas called Robert Smith as a witness. He is the proposed tenant and resides at 216 Ocean Heights Avenue in Linwood. His trade is to build custom canvas boat covers. Basically his business is by word of mouth and telephone calls. Referrals come mostly from friends. Most of the work is done on site at the marina. The rough layout will be done on premises at the shop and can take 8 to 40 hours to produce. Standard sewing machines are used similar to machinery a dry cleaner would use. The sewing machines are not large or industrial. They produce no unusual noise, odors, or pollution. He intends to employ one or two other workers. The peak season is expected to be from May to September and Mr. Smith expects approximately one client per day to actually come into the shop during this time. In the off-season, October to April, he expects one order per week and one or two clients to visit the shop on a weekly basis. He expects his business to include 25% sign work, but he will not be displaying any of the signs as they will be custom made. The shop is to be considered a work station. Dr. Levitt asked for a description of the signs and was told they will be vinyl, plexiglass or wood and that there will be no painting involved. The signs will be for boat lettering and will consist of machine cut vinyl. The signage will be plotted on vinyl and a table saw will be used for cutting.

Mr. Landgraf spoke about the uses from a planner perspective. The business will involve a minimal amount of customers, employees and traffic. The use will be minor. He believes the site is suitable for the intended use since it is a commercial building.

Matt Doran discussed his Engineer's report. The application is presently a non-conforming use in a residential zone and the business will operate as a Marine Signage Upholstery and Canvas Assembly Facility to be more specific. Unit A is 1105 sq. ft. and Unit B is 1161 sq. ft. The site in question for the variance is Unit B and contains 6 onsite parking spaces in the rear with a driveway access to Shore Road. Mr. Doran noted in his report that the new use proposed is in one of the two existing units and that the other will remain as general office and general retail. A site plan waiver has been requested since the site is existing and there are no proposed changes. Curbs and sidewalks are existing. There are two planters at the front of the building. Dr. Levitt commented that the solid sidewalk is not appropriate for street trees and that the planters will suffice and will be maintained by the tenant.

At this point, Dr. Levitt asked if the applicant would agree to the recommendations made by the City of Northfield Fire Department in a letter dated February 3, 2006 and written by Assistant Chief John Lees. The Fire Department has concerns over the ingress/egress driveway and requires

the driveway to be signed and painted to read "Fire Lane No Parking". The applicants agreed to this requirement. Mr. Milone asked if any boats would be stored at the shop and was told no. Chairman Levitt opened the session to the public. Pat McGowan of 2005 Shore Road in Northfield was sworn in. He expressed concerns about delivery trucks. Rolls of canvas may be large and require big trucks for delivery. He was told that deliveries would be by UPS and that there is enough room at the rear to turn a truck around. Mr. McGowan is also concerned with aesthetics and what will be visible through the front glass. Mr. Smith assured him he will keep the interior looking decent. Mr. McGowan answered that he does not want the shop to look like a workshop and would like to see curtains or an office type atmosphere. Mr. Menas stated that they will submit plans for a curtain or wall for approval. Gail Frank of 201 W. GlenCove Avenue spoke next. She is concerned with what kind of waste will be created. Mr. Smith answered that there would be scraps of canvas. She is also concerned with saw noise in a residential neighborhood. Mr. Smith said they would have private trash pick up. Chairman Levitt added that he wants trash to be kept indoors until date of pick-up. Councilman Tim Carew of 1512 Shore Road spoke next. He wants to go on the record that there will be no boats on site. He questioned the hours of operation and was told by Mr. Smith the hours would be 9 to 5 plus some overtime if necessary. Mr. Smith stated that he is conscience of the neighbors. Mr. Carew stated that he wants to keep Shore Road looking nice and asked that the applicants clean up the front of the property. Mr. Howell, the owner, addressed Mr. Carew and the Board and said that he needs a tenant and then he will commence fixing up the property. He has been a Northfield resident for 26 years as a taxpayer and has been looking for the perfect tenant for years. He has a desire to improve the look of the building. Dr. Levitt asked what the specific plans were and Mr. Smith and Mr. Howell discussed them. There will be new signage to reflect the change of business and the sign will have less impact. They will put up a wall or curtains inside to screen the workshop from public view. The sign is currently neon, although it has not been lit for some time and Mr. Smith noted that he wants a back lit sign and will get rid of the neon if at all possible. Dr. Levitt suggested a lighted sign for lower impact rather than a back lit sign or neon. Mr. Howell agreed to painting and repairs. Dr. Levitt said that the sign can be lit only during normal working hours. Mr. Smith wants to have the sign lit longer, but the Board does not agree due to the surrounding residential neighborhood. The sign can only be lit during business hours. Chairman Levitt closed the public session since there was no one else who wished to speak.

The Board summarized the application and the Chairman asked for questions or comments. Mr. Scharff expressed concerns over the proposed wall or curtain. He thinks a canvas boat or sail design would be more visibly pleasing while it also blocks the view of the workshop. Dr. Levitt commented that the window must contain some kind of buffering of the business operations. The Chairman called for a voice vote for the site plan waiver and all members were in favor.

The Chairman asked for a vote on the "D" variance containing the above noted conditions and requirements. Mr. Scharff made the motion and it was seconded by Pete DaPrato. All members voted in favor.

At 8:13 p.m. the Board took a 5 minute recess.

Vice-Chairman Clem Scharff re-opened the meeting at 8:19 p.m. Chairman Levitt recused himself from chairing this portion of the meeting due to a conflict of interest. The second application is from Omnipoint Communications Enterprises, LP (T-Mobile). The site name is Beth Israel Congregation and the address is 2501 Shore Road at Block 78, Lots 23, 24, 25 & 26 and the zoning is R-1 single family residential. The Attorney representing Omnipoint is Warren O. Stilwell, Esq. of Margate and the Plans were prepared by Damiano Long, LLC of Camden. They are seeking an interpretation of the Municipal Ordinance, the necessary variances needed-a "D" Variance for the tower and various "C" variances for setbacks, as well as a minor site plan. It

was noted that further notification and advertising is not necessary as stated at the original meeting January 5, 2006. This hearing was rescheduled at that date due to the Board members not being properly notified (copies of application and plans were not mailed to the members) by the applicant.

The applicants want to construct and install a Wireless Communication Tower at the Beth Israel Congregation located at Shore Road and Ridgewood Avenue. They are also seeking approval to build an 11' x 53.4 equipment area along the southwest side of the building. This tower will be a Monopole which will resemble a flagpole. The original plans called for a 140 ft. pole, but they have since decided to seek approval for a 130 ft. pole since that height seems sufficient for their purposes, which will be discussed later in the hearing.

Mr. Stilwell began by requesting an interpretation of the merged Telecommunication Ordinance (3-2001 and 17-2001), specifically section #3-D on page 5. The ordinance reads:

“The location of a wireless telecommunication tower within a residential zone shall only be permitted when the applicant demonstrates that it cannot locate the antenna on an existing tower structure or in any non-residential zone, and the failure to do same shall have the effect of prohibiting the provision of personal wireless services.”

The above led the attorney to interpret that they would indeed have a permitted use for the tower. Mr. Scharff interpreted the ordinance to read that this section pertains to an area in the middle of the woods which has no existing service. There is existing wireless service throughout the City of Northfield and they need to prove that they must construct the tower at this site in order to have Omnipoint service. Mr. Subranni commented that these towers are not a permitted use in a residential zone by Ordinance and they must show criteria for a use variance. Mr. Stilwell wants an interpretation of the section and the need for a “D” variance from the Chairman. Mr. Stilwell stated that he cannot tell the Board that no one provides service to the area, but he can state that his client does not provide service. Mr. Scharff gave the interpretation that we do have wireless service available throughout the City and therefore the “D” variance is needed. Mr. Subranni added that the Board reserves the right to have other reasons for requiring the “D” variance. Mr. Nuzzolo made the motion and Mr. DaPrato seconded. Mr. Scharff asked for a voice vote and all members present were in favor of accepting the Chairman’s interpretation. It was also noted that there were seven voting Board members present this evening. Mr. Stilwell was satisfied with that number.

Mr. Stilwell began by stating that the applicant is seeking a D-1 Use variance and a D-6 Height variance. They are also seeking a “C” variance for distance of the tower to the property line for which 75 feet is proposed and 130 feet is required and a “C” variance for the distance from residential homes. The tower will be less than the 250 feet required at approximately 200 feet. They are also requesting waivers having to do with curbs, trees, driveways, and landscaping. These will be discussed later. They will show that they satisfy the positive criteria and special reasons criteria as well as particular suitability of site. Mr. Stilwell stated that the applicants possess an FCC license and this license gives them beneficial reasons. Also, they will provide their service in the least obtrusive way possible. They will testify that the site is particularly suitable since they believe there are no other locations they can use. They will satisfy the negative criteria and prove that they are not a detriment to the master plan or public good and that the only negative criteria is the aesthetic impact. Mr. Stilwell stated that the Board should use the Sica Balancing test to come to a decision on this application. The Sica test is a standard test that the Supreme Court has used in similar cases. It is a four-prong test that first identifies the use being proposed (wireless telecommunication), secondly identifies any detriments, thirdly, the Board

should impose any reasonable conditions to mitigate the negative affects and lastly, the Board needs to weigh the positive and negative criteria of the application and only if the negatives outweigh the positives, deny the application.

Mr. Stilwell introduced his witnesses and they were sworn in collectively. Mr. Faiq Farouqi is the Radio Frequency Engineer with T-Mobile. He designs cellular sites and his qualifications were accepted by the Board. Dr. Kenneth R. Foster is the applicant's Health and Safety expert. He is a professor of bio-engineering from The University of Pennsylvania and was hired by T-Mobile as a private consultant. Joseph Gigantiello is the Professional Engineer. Douglas Cowan is the Professional Planner. A.J. Tegler is the Site Acquisitionist with T-Mobile.

Mr. Farouqi was the first witness to be heard. He testified that Omnipoint is licensed by the FCC which allows them to provide cell phone coverage to customers. He discussed the transmission of radiofrequency energy, GSM Technology, and communication processes. He stated that the tower would increase radiofrequency communication. Mr. Farouqi admitted a number of new exhibits to the record. They are presently on file in the Construction Office at Northfield City Hall. The plans on file submitted with the original application are labeled as such:

T-1 Title Sheet
Z-1 Zoning Exhibit
S-1 Site Plan & Elevation
S-2 Construction details and notes
The Site# is AT6434H

Exhibit A-1 shows coverage without AT6434H showing that a gap in coverage exists (white areas in the exhibit). He described the data and also other towers in the area and on the exhibit. He stated that more coverage is needed especially for commercial buildings due to the concrete, metal and wood makeup of the structures. Mr. Stilwell noted that the applicants are not looking for the best coverage. Mr. Farouqi said that the bare minimum is needed to provide better coverage. He added that there is a gap along Shore Road, spanning approximately 1.5 miles and also another 1.5 mile gap on East to West Mill Road along the access road to the Margate Bridge. They cannot provide reliable services, and in some areas, there is no service.

Exhibit A-2 shows data collected by the Drive Test technicians. This data shows where signal strength is and exhibits the roads the vehicles traveled to collect the data. They measured signals coming into the area. Mr. Firouqi described the different measurements. Nex-84 is considered the standard coverage used by T-Mobile. It measures standard in-vehicle coverage. Nex-70 is the best coverage, Nex-70 to 76 is considered residential coverage, as noted, Nex-76 to 84 is in-vehicle coverage and Nex 84 to 92 is in-street coverage.

At this point, Mr. Scharff introduced Matthew R. Macready of Pleasantville, NJ who has been hired by the Board to serve as an advisor and consultant in the field of Radio Frequency Engineering. According to Ordinance 17-2001, section #3-G:

“The City may seek at the applicant's expense, independent expert advice on the specific location need for design, construction and operation of a local communication facility to aid in the evaluation of applications of such facilities”.

He is currently employed by the City of Ocean City as the Communications System Coordinador and has 20 years experience with Motorola Communications. He was sworn in by Mr. Scharff.

Mr. Firouqi continued with the exhibits. He introduced Exhibit A-3 which shows the service that would be available if the application is approved. The Shore Road shortfall would be only 1 or 2 blocks as opposed to 1.5 miles at present. The tower will not improve the Mill Road area as much, but it will improve the gap in coverage now existing.

Mr. Stilwell addressed the engineer concerning whether they are E911 compliant. Mr. Firouqi explained that they are mandated to meet FCC requirements regarding E911 systems and their system supports public safety and E911. They must be able to locate anyone making emergency calls on their system at all times.

Mr. Firouqi stated that Omnipoint has been attempting to fill gaps in coverage for three years. Alternate candidates were looked into at thirteen other potential properties and none were available from the landlords or owners or from a radiofrequency perspective, the locations of the sites would not provide the service Omnipoint is looking for. They also looked into non-residential areas due to zoning problems and other issues that arise at residential sites. Non-residential sites have less zoning issues and are less time consuming to secure. They prefer non-residential to residential sites.

The following is a list provided by the applicant of alternate site candidates:

Central Methodist Church-Central Ave. & Shore Road, Linwood	Steeple REJECTED-would only allow 80 ft. height
Hackney's Boat Yard-114 Margate Bridge Road, Northfield	Monopole ALTERNATE-unresponsive; access issues
Northfield City Hall-1600 Shore Road, Northfield	Flagpole PRIMARY
NJAW-47 Mill Road, Northfield	Monopole-structural issues; small site
Mountain Union-3515 Bargaintown Road, EHT	Colocation-too close to an existing site
Brighton Farms-Shore Road, Linwood	Smokestack REJECTED-too far south
Linwood Fire Company- Lincoln Road, Linwood	Flagpole-too far to west
Beth Israel Congregation- 2501 Shore Road, Northfield	Flagpole ALTERNATE
Linwood Country Club-500 Shore Road, Linwood	Flagpole-too far from range-owner didn't respond
Northfield Church of Christ-525 Pincus Ave., Northfield	Steeple REJECTED
Atlantic City County Club-1 Leo Fraser Drive, Northfield	Flagpole-too far north-owner not willing
Northfield Church of Christ-525 Pincus Ave., Northfield	Monopole-approved at 120 ft.

A list of existing tower sites is available for inspection as part of the original application filed by Omnipoint and is on file with the Board Secretary and the Northfield Construction Department.

Exhibits A-4 to A-6 displays gaps in coverage. Mr. Firouqi discussed Exhibit A-4 showing commercial sites and other possible locations for the tower. Exhibit A-5 displays what the coverage will be like if placed in alternate areas. Exhibit A-6 shows coverage of non-residential areas and existing structures that will not help with the current gap in coverage. Rejected sites were discussed and it was noted that building towers near existing sites is redundant and won't serve the purpose Omnipoint is seeking. Mr. Stilwell commented that the only available sites other than Beth Israel that will serve their purpose from a radiofrequency standpoint are Northfield City Hall and the Church of Christ. Mr. Nuzzolo asked about the Burton Avenue Tower and if raised up, would it fill the gap. Mr. Firouqi said that the tower is now at 153 feet and they would not want to build too high because interference would occur. Mr. Nuzzolo asked what a safe height would be and was told by the Engineer that he doesn't know, but he still thinks the Burton Avenue site is too far away and that analysis would be needed. It was asked if the Northfield Public Works Building would be a possible site. This location is too close to another

tower. Mr. Scharff asked if analysis is made in winter or summer and the Engineer said that they do analysis when the leaves are off the trees. They may get inaccurate results when leaves are present. Mr. Stilwell questioned Mr. Firouqi and asked if his company keeps track of complaints from cell phone customers about lack of coverage. He answered "yes" and stated that there is a 72-hour response help desk available. Mr. Stilwell asked for a height description and Mr. Firouqi said they need at least 130 feet height to cover gaps along Shore Road, Mill Road, and surrounding residential neighborhoods. Mr. Stilwell asked if a lower height would suffice and was told that the original height proposed was at 140 feet, but 130 feet seems sufficient for quality customer service. Mr. Stilwell asked for testimony on the flagpole and Mr. Firouqi stated that the antennas are inside the pole and the pole can accommodate additional carriers.

Mr. Figouqi admitted Exhibit A-7 to the record. This exhibit shows areas where customer complaints come from. The report contains actual complaints that are documented by date, time, and place. Mr. Scharff asked about the possibility of microcells and was told that they only cover small areas. Mr. Figouqi concluded his testimony at this time. It was noted that Matt Macready will review all of the exhibits at a later time after receiving a packet of the exhibits from Mr. Figouqi. Both of the radio engineers are to communicate with each other concerning these exhibits.

Vice-Chairman Scharff asked Mr. Stilwell to call his 2nd witness, but before he could do so, a few of the residents verbalized that they had been listening to testimony for over an hour and they wanted to be heard. Mr. Scharff stated that the Board must hear all of the testimony from the applicants first before opening the session to the public. Many questions may be answered by listening to all of the testimony. The Board needs to weigh all of the issues and the Board must give the applicants a chance to present all the data first. The Board cannot hear from the public at this time and all present should understand that this hearing will likely be continued at a later date. Mr. Scharff referred to a comment made by Mr. Stilwell that he worked on a case in Morris County that was heard over a two year period in 31 sessions.

Mr. Stilwell presented his second witness, A.J. Tegler who is a consultant for T-Mobile and a Site Acquisitionist. It is his job to locate tower location sites. His qualifications were accepted by the Board. He described alternate sites that he has looked into and the reasons they cannot use these sites. He has spoken with the City Administrator, Jeffrey Bruckler, and was told in December 2005 that at the present time, there are no proposals on the table for locating a tower at the City Hall property. He also stated that Hackney's Boat Yard on the Margate access road was unresponsive, probably due to access issues getting to the site. He also contacted Ralph Henry on Wabash Avenue and he was not interested. Mr. Scharff was under the impression that Hackney's Boat Yard was appropriate for radiofrequency. There was no comment from Mr. Stilwell or Mr. Tegler. The consultant was asked for letters from the property owners not interested or rejecting the proposals. Mr. Tegler has only received one letter from Central United Methodist Church in Linwood who declined pursuit of the use of their church steeple as a housing for Omnipoint's antenna. This letter was dated September 22, 2003 and was submitted this evening as part of the record. Mr. Tegler concluded his testimony at this time.

Mr. Stilwell called his third witness. Dr. Kenneth R. Foster, a University of Pennsylvania Bioengineering professor, an author who has published numerous works on health and risk assessments, and a consultant for government and other organizations was sworn in. He has done research since 1971 on health risks from radiofrequency energy. Dr. Foster submitted a report labeled Exhibit A-8. This report discusses exposure limits and shows that their exposure limits comply with FCC exposure limits. He stated that radio waves from the proposed tower are more than 1,000 times below the limits which are set by the federal government and are more stringent

than New Jersey State limits. The FCC is quite protective when it comes to exposure limits. He received technical data from Omnipoint concerning output and power antennas and compiled his report labeled A-8. He believes the site will comply with FCC regulations by a very large margin.

The public again expressed concerns that they would not be able to voice their opinions this evening. Mr. Scharff decided to venture away from normal procedures and allow the public to question Dr. Foster relating to exposure limits only since it became apparent the Doctor would be unable to attend a continuation of this hearing. Dr. Foster reminded that his testimony is about the applicant's compliance with FCC regulations.

The first member of the public who wished to be heard was Michael Weeks of 110 W. Revere Avenue. He was sworn in by the Chairman. He did research on the internet and sited reports from Spain, Tel Aviv, and Germany which reported incidents of cancer from exposure up to 400 meters. These reports dated back to 1993. Mr. Scharff remarked that these reports are old and that technology and studies are different now. Mr. Weeks wants to see studies that will guarantee that no health risks will occur 10 to 15 years from now. Mr. Stilwell reminded that they are testifying as to compliance. Dr. Foster commented that no science can guarantee that there will never be a health risk and that there have been thousands of studies to back up the safety of radiofrequency energy. It is not a good idea to focus on a small part of a study and to make assumptions as to risks. Major health agencies have done major studies and have found that preset exposure limits are sufficient for hazards and risks. He noted that radiofrequency is not a new field and that there exists 150,000 bay stations throughout the country. He also happens to live near a tower and this tower is situated near a school.

Valerie Lonkert wished to speak next. Her children go to the Beth Israel School and she fears for her children's health and safety. She says that Omnipoint doesn't care about her children.

Susan Sokalsky, executive director of Beth Israel, commented that the \$5,000 monthly lease payment that the synagogue will receive from Omnipoint should the project gain approval is a false number. She stated that the actual figure is much less. She asked Dr. Foster if he is confident that there are no known health factors. He feels the issue has been examined fully and that exposure at low limits will produce no hazards. If exposure is below identifiable limits, the risk is non-existent. The world is full of antennas and radio towers. You cannot exist in society without being near these kinds of transmitters. She asked about the similarity to cell phones. He answered that putting a cell phone to your head will produce much more exposure. There is a similarity to cordless phones and microwaves. She concluded by asking the Dr. if cell towers and radio frequency waves are part of our everyday world and he answered "yes" and that there is nothing unusual about this kind of energy.

Gail Frank, a Northfield resident within 200 ft. at 102 West Glencove Avenue of the proposed site spoke next. She asked the Dr. if he is sure there are no known health hazards and what he means by that. The Dr. said all you can do is identify what can possibly go wrong using data. Exposure limits are then set to avoid problems. Once set, it is not a guarantee but a limit. Human knowledge is not perfect. He likened safety limits to building codes which are set to protect, but not against something unimaginable and that this goes for anything. She asked about the controversy. The Dr. stated that there is a large mass of literature and studies and to make a solid scientific judgement would take a massive amount of work. He stated that exposure limits do not significantly change. Mrs. Frank asked if there is a disagreement between experts. Dr. Foster said that yes, some groups are activists who believe radio waves cause everything and are dangerous. Then you also have large panels of experts who believe we are protected. There is always a difference of opinion. The World Health Organization believes we are protected. Mr. Scharff

interjected that he believes the Dr. has stated his case and proven what he needed to prove. Mrs. Frank questioned where future liability would fall. Mr. Scharff stated that no one here tonight can answer that question.

Jessica Weeks spoke next and stated that cell phone and microwave exposure are choices of exposure and that the cell tower would not be a choice. Dr. Foster commented that he is not prepared to discuss long term hazards. Mrs. Weeks is worried about her children and Dr. Foster again stated that his testimony is for compliance only. Mr. Scharff commented that it is not for the Board to determine governmentally acceptable limits. Mrs. Weeks noted that Northfield is a small town and asked the public in general "Do we want this here"? She thinks Northfield will no longer be a nice place to raise children and that Beth Israel will lose members of their congregation if the cell tower is approved. She stated this isn't Egg Harbor Township with lots of open space and asked why the tower couldn't be placed in a more commercial area such as near Alpine Ski shop behind Birch Grove Park. She feels Northfield is becoming too commercialized and will eventually cause residents to move out. She also expressed concerns for property values and that the values in town will decrease due to the tower.

Matt Macready posed a question to Dr. Foster. He asked if he used the latest reports available to compile his testimony. He answered "yes" and stated that his report documents how he came to his conclusions. Mayor Perri requested that all Discovery information presented tonight be on file with the Construction Department should anyone from the public wish to view the information. Councilman Tim Carew asked the Doctor if he was representing the University of Pennsylvania and he stated that he was not and that he is a consultant for Omnipoint only. Mr. Carew wanted it stated for the record that 26 members of the community were present for this meeting.

Before continuing with the meeting, one other member of the public wanted to be heard. Irv McCreight of 2319 Merritt Drive appreciates Omnipoint's concern for their customers but believes residents with children are more important. He has concerns with the unknowns involved. He spoke about the past denial of a cell tower behind Preferred Travel off New Road. He would like to see the City benefit from the monthly lease payments instead of a private organization. He hopes the Board does not approve this application.

At 10:35 p.m., Mr. Stilwell decided not to call his next witness because he did not believe all the testimony could be heard by the 11:00 p.m. deadline. This hearing will be continued at the April 6th meeting at 7:30 p.m. and will be the only application heard that evening. This announcement will be sufficient for notification and the applicant will not be required to re-notify residents or business owners within 200 ft. or to re-advertise.

There were three resolutions to be memorialized. The first was Palombo's with Mr. Scharff abstaining due to not being present at that hearing. The vote to accept was unanimous. The next two resolutions were Network 1000, LLC and Commerce Bank, N.A. and again the vote was unanimous to accept. Jerry Nuzzolo made the motions for each vote and Henry Notaro seconded.

Mr. Scharff closed the meeting at 10:38 p.m. with a motion from Mr. Nuzzolo and seconded by Mr. Notaro.

Respectfully submitted,

Robin Atlas-Clinton, Planning Board Secretary

