

REGULAR MEETING

Lebanon Township Board of Adjustment

February 22, 2006

Municipal Bldg 530 West Hill Road Glen Gardner, N.J.

The Regular Meeting of the Lebanon Township Board of Adjustment was called to order at

by Chairman Bruce Terzuolo. Present were: Mr. Kozlowski, Mr. Cerf, Mr. Terzuolo, Mr. Perry, Mr. Nagie, 1st Alternate Abuchowski, Attorney Gallina, Planner Bolan and Engineer Risse.

Notice of this meeting was provided for in the "Annual Notice Schedule" adopted by this board on January 11, 2006, mailed to the Hunterdon Review, Hunterdon County Democrat, Express Times, Courier News, Star Ledger and posted on the bulletin board in the Municipal Building on February 16, 2006.

PRESENTATION OF MINUTES: January 25, 2006 Regular Meeting

Motion by Mr. Nagie and seconded by Mr. Cerf to approve the minutes with corrections. Unanimously approved.

PRESENTATION OF BILLS:

- | | |
|------------------------|--|
| a. John Gallina, Esq. | \$262.50 – Attend Mtg 1/25/06 & prepare Resolution |
| | \$218.40 - Escrow (Hann) |
| b. Court Stenographer | \$200.00 |
| Total: \$680.90 | |

Cingular Wireless Block #24 Lot #20
Use Variance/Conditional Use Route 513 R3
& Site Plan for a Cell Tower

**(Correspondence from: Engr. Risse, Hunterdon County Planning Board,
Attorney Gallina)**

Attorney Christopher Stracki of Pitney Hardin was present to represent the applicant along with Greg Nowak a Professional Engineer and Planner from French & Parrello. Attorney Stracki

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made a brief presentation to the board. Chairman Terzuolo asked Engineer Risse to review for the board the checklist items under consideration for waivers per his report dated February 9, 2006.

The following checklist items that Engineer Risse recommends are as follows: Checklist Item #5 Percolation/Soil Data, Item #6 Application to H.C. Soil Conservation, applicant has already filed with the Soil District, applicant will supply a copy of the Soil District letter for the file, Item #9 Estimate of Construction Cost, this item has been satisfied, Item #10 State Law Requires submission of breakdown of % ownership, this item has been satisfied, Item #11 Applicant to comply with the Environmental Inventory Plan, recommends to conditionally waive to public hearing date, Item #15g Survey of Property, to be supplied no later than 10 days prior to public hearing, Items #15h, #15i, #15j, #15m all items have been supplied, no waiver needed. Item #15p all purposed easements and public and community areas, recommend waiving for completeness purposes, Cingular has negotiated access in the lease for the existing driveway and the utilities are going to be brought from the existing structure, there will not be a need for a utility or access easement; it will be part of the rent agreement with the owner and Cingular. The applicant is asking to have this item waived since it is not applicable. Engineer Risse suggested that we condition it if something changes during the course of the application. The board agreed.

Continuing with the Checklist Items, #15q, #15r no waivers needed. Item #15s loading docks/platforms, waiver granted, Item #15t garbage disposal, waiver granted, Item #15u, applicant should be prepared to discuss at hearing, conditionally waived for completeness, Item #15v & #15w waived, Item #15y waived

for completeness purposes only, Item #15z condition of approval if approved. At the conclusion of the discussion on the checklist items, motion by Mr. Nagie and seconded by Mr. Cerf to approve the waivers granted and all miscellaneous items to be filed 10 days prior to the hearing. Unanimously approved. Chairman Terzuolo asked for a motion to deem complete. Motion by Mr. Cerf and seconded by Mr. Perry to deem the application for Cingular complete. Unanimously approved.

After a brief discussion, Chairman Terzuolo announced that the Public Hearing for Cingular will be held on March 22, 2006 at 7:30 p.m. Attorney Stracki asked if they were unable to have all their professionals available for the March 22nd hearing date, they will ask for postponement to another date. Chairman Terzuolo asked the applicant to notify Ms. Glashoff no later than 10 days prior to the hearing date, if they need to reschedule, this will also give the board's professionals ample notice. Ms. Glashoff confirmed with the applicant that revised plans will be forthcoming at least 10 days prior and asked that she have them in hand by March 10th but absolute deadline is March 13th. Attorney Stracki agreed.

Planner Bolan referred to Section 18-3.11.f regarding structural analysis. Planner Bolan stated

we have had several Tower applications over the years. Regarding the letter of commitment that the applicant would lease space to co-locators also a plan that would show other wireless telecommunication facilities in the Township, not just the applicants, but other facilities, tall structures and last perspectives when you super impose tower on an existing photo. These are

exhibits the board likes to see. Engineer Risse commented on the positioning where the compound will be located in relationship to the driveway and house. Attorney Stracki stated the reason the tower is being located where it is because of the Highlands. They are not able to disturb any non disturbed areas. If they move the tower to an undisturbed area then they run into Highland issues. At the conclusion of the discussion, Attorney Stracki thanked the board.

NEW BUSINESS:

Walter & Linda Davis Block #17 Lot #29
1105 Cokesbury Road Cokesbury Road RC 7½
Lebanon, N.J. 08833

APPLICATION FOR APPEAL

(Correspondence from: Rylak & Gianos)

The Davis Application was discussed earlier in the meeting.

Ms. Glashoff asked who would not be available for the March 22nd meeting. Mr. Perry stated that he will not be present.

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OPEN TO THE PUBLIC – no public comments.

Being no further business to come before the board, nor comments from the public, motion by Mr. Nagie and seconded by Mr. Cerf to adjourn the meeting at 8:25 p.m. Unanimously approved.

CHAIRMAN BRUCE TERZUOLO

GAIL W. GLASHOFF, BOARD SECRETARY

