

**MINUTES  
BOROUGH  
REGULAR MEETING OF THE PLANNING BOARD  
Wednesday, September 27, 2023 – 7:00 P.M.**

**Roll Call:**

Alex Barletta – absent  
John Bennett – absent  
Anthony Cataline – present  
Joanne Filippone – present  
Jennifer Hartman-Sica – present  
Vincent Marino – present  
Joseph Palinsky – present  
Thomas Restaino – present  
George Shenewolf – absent

Mary Chyb - present

**Also Present:** Terry Brady, Esq.  
Michael Goldstein, PE, CFM

**Flag Salute:**

**Public Notice Announcement:**

This is the Borough of Lavallette Planning Board Regular meeting of September 27, 2023. Adequate notice of this meeting has been given as required by Chapter 231 Public Law 1975, commonly known as "The Sunshine Law." The date, time and place of this meeting was posted on the bulletin board located in the Borough Hall Planning Board office at 1306 Grand Central Ave., filed with the Borough Clerk, and supplied to the official Borough newspapers, the Ocean Star and the Asbury Park Press.

This meeting is a judicial proceeding. Any questions or comments must be limited to issues that are relevant to what the Board may legally consider in reaching a decision and decorum appropriate to a judicial hearing must be maintained at all times.

**Public Hearing:**

**Application # 06-23: Verizon Wireless – Small Cell Wireless Facility Installations**

Lavallette resident, Barbara Susinno, identified herself and asked Mr. Brady if she could record the proceedings on her cell phone. Mr. Purcell, Verizon attorney, had no objections nor did members of the Board. However, Mr. Brady reminded everyone that the official recording is the one taken by the Planning Board Secretary.

Edward W. Purcell, Esq., of Price, Meese, Shulman & D'Arminio, outlined the current proposal and verified that they are in compliance with our Borough Ordinance 56-50.

Mr. Purcell called his first witness, Nathan Slack, Project Manager, Scherer Design Group, 100 Corporate Drive, Lebanon, NJ. His credentials were reviewed and accepted by the Board. Mr. Slack explained that the additional 4G nodes would be attached to the 5G and submitted the following:

Exhibit A: Color photo of 4G and 5G set up in Harrison, NJ  
Color photo of 4G and 5G set up in Sea Isle City, NJ  
Photo simulation of existing conditions at 506 Oceanfront  
Photo simulation of proposed conditions at 506 Oceanfront

Michael Goldstein asked if the height of each pole would be affected by these additional installations, and if all the proposed antennas would be brown and all cabinets gray. Mr. Slater answered, yes, to both.

Mr. Brady asked what would happen if other carriers want to come in with their nodes. Would there be space available to them. Mr. Slater explained that poles can be collocated, but with the current height restrictions in the township, the answer is no.

Mrs. Filippone voiced her objection to the proposed site at 2201 Baltimore Avenue, which is right near a playground where our children play. Mr. Slater explained that the pole could be moved further away to Elizabeth Avenue. Mr. Shenewolf offered his opinion, that they should not go anywhere near the playground. Mrs. Filippone asked how the public would know about this proposed new location on Elizabeth Avenue since the site is listed as 2201 Baltimore Ave. At this time, Mr. Purcell reminded the Board that the 90 day time period is approaching.

Mr. Brady then recommended that this particular pole site be denied. Mr. Purcell advised that the Board should recommend moving it rather than denying it. It was determined that Verizon would return to the Planning Board with a better option at our next meeting. Michael Goldstein said he would make himself available to meet at a new proposed site prior to the next Board meeting.

Mr. Goldstein added that the submitted surveys should be revised to show that the proposed locations are 18" from the curb line.

Mr. Purcell introduced Andrew Petersohn, owner DBM Engineering of Fairview Village, PA. His credentials as a professional electrical engineer were accepted by the Board. He explained that the water tower has been providing the majority of coverage to the area. Usage has increased from streaming and other wireless services; thus the reason for more resources. Mr. Petersohn presented the following illustrative charts that tracked usage from 2021 to the present:

Exhibit A-2: Verizon Wireless Existing 4G LTE Coverage (Water Tank)  
Exhibit A-3: Verizon Wireless Existing 4G and 5G Coverage  
Exhibit A-4: Verizon Wireless Proposed 4G and 5G Coverage  
Exhibit A-5: Lavallette (Water Tank) Northerly Sector Usage  
Exhibit A-6: Lavallette (Water Tank) Southeasterly Sector Usage  
Exhibit A-7: Lavallette (Water Tank) Southwesterly Sector Usage

Discussion ensued regarding:

- How other companies handle the increased demand.
- EMF exposure: ranges and measurements
- FCC guidelines from 1996 and re-examination in 2019
- Cabinets on poles
- Shrouded or unshrouded equipment
- Pole height and exposure impact

Michael Goldstein asked if it would be possible to supply renderings of what each pole would look like and show the color options.

Mr. Slater agreed to look at each pole and recalculate the height (shrouded/unshrouded).

At approximately 9:50 p.m. Chairman Cataline opened the meeting for public comment.

Barbara Susinno of One Pennsylvania Avenue expressed her opinions that based on the usage charts, these additional nodes are overkill. She voiced her concerns that is seems any liability is on the Borough.

Mark Speaker of 111 Brown Avenue commented on the fact that Verizon is proposing going higher to do the same thing that the first installations did. He is concerned about the height issue.

Louis Critelli of 216 Bryn Mawr Avenue asked if we have the opportunity to say no and asked if the FCC or the government say that this must be done. Are we obligated by law to do this? Mr. Purcell cited the 2018 FCC ruling that a denial would violate the FCC order.

Mr. Brady reminded Mr. Critelli that the purpose of the hearing is for the Planning Board to make recommendations to the Council for the benefit of the town.

The public portion was closed at approximately 10:05 p.m.

A motion to continue these applications to the October 25, 2023, meeting at 5 p.m. was made by Mr. Marino, seconded by Mr. Palinsky with all present voting in favor

**Resolutions Memorialized:**

Application # 04-23 – Marc A. Kowtko, Trustee For Linda V. Kowtko Family Trust, 210 Bryn Mawr Ave. – Block 115, Lot 5 – approval

**New Business:**

**Discussion:**

**Review and Adoption of Minutes:**

A motion was made by Mr. Palinsky, seconded by Mr. Marino to accept the minutes of the August 23, 2023, Regular Meeting with all present at that meeting voting in favor.

**Adjourn:**

Mrs. Filippone moved to adjourn the meeting, seconded by Mr. Marino, and the meeting adjourned at approximately 10:10 p.m.

Respectfully submitted,

Joyce Deutsch, Secretary