

Regarding: Berkeley Group LLC and the CMS Request to Rezone Elizabeth Lane Elementary School Hearing on November 11, 2013

**Town of Matthews
232 Matthew Station Street
Matthews, NC 28105**



Attention, Time of Matthews Zoning Committee

As property owners at 708 Swancroft Ln., Matthews, NC 28105 who are adjacent to the Elizabeth Lane Elementary School, my wife and I adamantly oppose any cell tower being built on Elizabeth Lane Elementary School Property. Due to conflicts, we are unable to attend your meeting however; I wish to have it noted that there are several concerns related to our opposition to this rezoning effort:

- 1.) This unsightly tower will be an eyesore to the pristine, tree-lined backyard we enjoy sitting in every evening and a detriment to the value of our property. In addition, our property is zoned as Residential for a reason; allowing Commercial zoning in residential areas sets a bad precedent for all of the residents of Matthews.
- 2.) The well-documented, Electromagnetic radiation hazard to both the children and teachers of the school as well as the neighboring property owner's health. My wife as well as others in our neighborhood recently undergone cancer treatments therefore; electromagnetic radiation is the last thing our Elizabeth Place community needs.
- 3.) There are plenty of other commercial and industrial zone properties near John Street and Highway 51 that will be more appropriate for this cell phone tower rather than the backyards of the of Matthews residents.
- 4.) As a young man once, I can assure you that the temptation to climb the tower during or after school hours will be very strong and will no doubt end up putting children at risk unnecessarily ending in lawsuits to which; The Town of Matthews, CMS and The Berkeley Group will be liable for. In addition, these cell phone towers are a high risk to topple over during several of the strong storms we get in this area, once again causing you even more liability issues. Is this a risk worth taking?
- 5.) Our cell phone service as well as our neighbors, to the best of my knowledge, is very good now therefore; why is this cell phone tower in our backyards even necessary?
- 6.) What is the process for being compliant with the FCC NEPA Checklist that must be performed prior to establishing new cell phone towers?

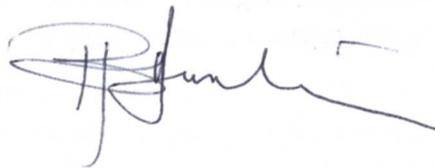
We wish to have these oppositions above recorded in the minutes of your meeting and the meeting minutes mailed to us.

Yours,



James and Jacqueline Hunter

708 Swancroft Ln., Matthews, NC 28105
704-847-6610 Home Phone
704-975-9693 Mobile
E-Mail: jamesjhunter@carolina.rr.com



2013-601
10-30-2013



October 30, 2013

To: Town of Matthews Zoning Department

Attached is the protest petition for Application number 2013-601. As instructed by your office, people were told to write their legal signature. Out of 41 parcels, there are signatures for 35 parcels.

Notes:

Item 5) Parcel 21329180

As initialed by his wife, Neil P. Taylor died 3/29/12.

Item 8) Parcel 21329183

Thomas R. Purvis and Allison Purvis purchased 519 Silversmith Lane, Charlotte, NC 28270 on September 11, 2013. Their signatures are on an individual sheet.

Item 14) Parcel 22703422

There are two signatures here. They are just close together separated by a slash.

Item 16) Parcel 22703425

Lynn Aulick's legal signature is a stamp because he is legally blind.

Item 28) Parcel 22703607

There are two signatures here. The second signature is written in the white space in between the two black lines.

Please call me (Julia Curley at 704-849-8313) if you have any questions.

Thank you,

Julia Curley

Note: The petition is 7 pages.

2013-601
10-30-2013



APPLICATION NUMBER 2013-601
CHANGE IN ZONING CLASSIFICATION ELIZABETH LANE ELEMENTARY
PROTEST PETITION
ADJOINING OWNERS

- | PARCEL ID | OWNER NAME | ADDRESS |
|-------------|---|--|
| 1) 21316405 | JOHN J O'MALLEY & DOLORES A O'MALLEY | 8233 SCHOONER LN, CHARLOTTE, NC 28270 |
| 2) 21329177 | CARL WILLIAM FREDRICK III SCHROEDER & MONICA SCHROEDER | 437 SILVERSMITH LN, CHARLOTTE, NC 28270 |
| 3) 21329178 | DOUGLAS MOORE & SANDRA LEGGIO MOORE <i>Douglas N. Moore</i> | 3518 MILL POND RD, CHARLOTTE, NC 28226 <i>Sandra Leggio Moore</i> |
| 4) 21329179 | PATRICK N SADEK | 449 SILVERSMITH, CHARLOTTE, NC 28270 |
| 5) 21329180 | NEAL P TAYLOR & AMANDA K TAYLOR <i>AKK</i> <i>Neal Patrick Taylor died 3/29/12</i> | 501 SILVERSMITH LANE, CHARLOTTE, NC 28270 <i>Amanda Kaye Taylor</i> |
| 6) 21329181 | CHARLES M MUMPOWER & LYDIA R MUMPOWER | 507 SILVERSMITH LN, CHARLOTTE, NC 28270 |
| 7) 21329182 | PAUL DOUGLAS CANUP & JANIS CORDER CANUP | 513 SILVERSMITH LN, CHARLOTTE, NC 28270 |
| 8) 21329183 | KRISTIE K WOJTON & KELLY A WOJTON | 519 SILVERSMITH LN, CHARLOTTE, NC 28270 |
| 9) 21329184 | RICHARD LATINO & ELIZABETH A LATINO <i>R. Latino</i> | 525 SILVERSMITH LN, CHARLOTTE, NC 28270 <i>Elizabeth Latino</i> |

Application Number 2013-601

2013-601
10-30-2013

Change in Zoning Classification Elizabeth Lane Elementary
Protest Petition
Adjoining Owners

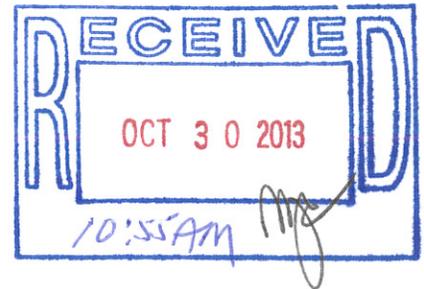
8) 21329183 Thomas R. Purvis & Allison Purvis

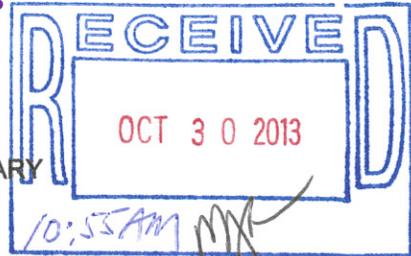
519 Silversmith Ln.
Charlotte, NC 28270

Thomas R. Purvis

Allison Purvis

WE PURCHASED THE HOME ON SEPTEMBER 11, 2013.





APPLICATION NUMBER 2013-601
CHANGE IN ZONING CLASSIFICATION ELIZABETH LANE ELEMENTARY
PROTEST PETITION
ADJOINING OWNERS

- | PARCEL ID | OWNER NAME | ADDRESS |
|--------------|--|---|
| 10) 22703414 | ASSOCIATION SARDIS PLANTATION HOMEOWNERS | 1515 MOCKINGBIRD LN STE 414 CHARLOTTE, NC 28209-3298 |
| | <u>Karen Randolph, President, Sardis Plantation Homeowners Association</u> | |
| 11) 22703419 | JINBO LU & YIJUN WU | 407 CLAIRVIEW LN, MATTHEWS, NC 28105 |
| | <u>[Signature]</u> | <u>Jinbo Lu</u> |
| 12) 22703420 | SHANKER PERSHAD & RASHMI PERSHAD | 413 CLAIRVIEW LN, MATTHEWS, NC 28105 |
| | <u>[Signature]</u> | <u>R/R</u> |
| 13) 22703421 | EDMOND STUTTS & SARAH P STUTTS | 419 CLAIRVIEW LN, MATTHEWS, NC 28105 |
| | <u>[Signature]</u> | <u>E. Edmond Stutts</u> |
| 14) 22703422 | GARY LIVINGSTON RANDOLPH & KAREN COOPER | 107 BOWEN CT, MATTHEWS, NC 28105 |
| | <u>[Signature]</u> | |
| 15) 22703423 | GREGORY A BLEVINS | 108 BOWEN CT, MATTHEWS, NC 28105 |
| | <u>[Signature]</u> | |
| 16) 22703425 | LYNN AULICK & VIVIAN AULICK | 501 CLAIRVIEW LN, MATTHEWS, NC 28105 |
| | <u>[Signature]</u> | <u>[Signature]</u> |
| 17) 22703426 | MARTHA M DUNN | 509 CLAIRVIEW LN, MATTHEWS, NC 28105 |
| | | |
| 18) 22703427 | BARBARA G MCCALL <i>Dement</i> | 515 CLAIRVIEW LN, MATTHEWS, NC 28105 |
| | <u>Barbara McCall Dement</u> | |
| 19) 22703428 | SHIPING YANG & XIAOPENG LIU | 521 CLAIRVIEW LN, MATTHEWS, NC 28105 |
| | <u>[Signature]</u> | <u>[Signature]</u> |



APPLICATION NUMBER 2013-601
CHANGE IN ZONING CLASSIFICATION ELIZABETH LANE ELEMENTARY
PROTEST PETITION
ADJOINING OWNERS

- | PARCEL ID | OWNER NAME | ADDRESS |
|--------------|---|--|
| 20) 22703429 | LIEN T BRAGG <u><i>Lien Bragg</i></u> | 525 CLAIRVIEW LN, MATTHEWS, NC 28105 _____ |
| 21) 22703576 | CHARLES C IDOL & MARION W IDOL <u><i>Marion W. Idol</i></u> | 201 ROSEDALE LN, MATTHEWS, NC 28105 <u><i>Chris Idol</i></u> |
| 22) 22703577 | DAVID R STYKA & RHONDA STYKA <u><i>Rhonda Williams Styka</i></u> | 205 ROSEDALE LN, MATTHEWS, NC 28105 <u><i>David Styka</i></u> |



APPLICATION NUMBER 2013-601
CHANGE IN ZONING CLASSIFICATION ELIZABETH LANE ELEMENTARY
PROTEST PETITION
ADJOINING OWNERS

PARCEL ID OWNER NAME
23) 22703602 BENJAMIN M CLARK & LORI ANN CLARK

Lori Ann Clark

ADDRESS
306 WILLOW BROOK DRIVE, MATTHEWS, NC 28105

Ben Clark

24) 22703603 MIN CHEN & ZHAOJUN WU

Min Chen

740 SWANCROFT LN, MATTHEWS, NC 28105

Min Chen

25) 22703604 JOHN HOFLAND & DEBORAH HOFFLAND

Deborah Hoffland

732 SWANCROFT LN, MATTHEWS, NC 28105

John Hoffland

26) 22703605 HARRY A PALEFSKY & DEBORAH A PALEFSKY

Deborah Palefsky

724 SWANCROFT LN, MATTHEWS, NC 28105

Harry Palefsky

27) 22703606 ZHOU QIANG CHEN & YI MEI LIN

Zhou Qiang Chen

716 SWANCROFT LN, MATTHEWS, NC 28105

PAN

28) 22703607 JAMES J HUNTER & JACQUELINE B HUNTER

James J Hunter Jacqueline B Hunter

708 SWANCROFT LN, MATTHEWS, NC 28105

29) 22703608 VICKIE HUEY-YI WANG

Vickie Huey-yi Wang

700 SWANCROFT LN, MATTHEWS, NC 28105

30) 22703609 SUBRAMANIAN KALYANASUNDARAM & GOMATHY T KALYANASUNDARAM

Subramanian Kalyanasundaram

642 SWANCROFT LN, MATTHEWS, NC 28105

GOMATHY THERUMALAI MATHUSAMY

31) 22703610 JOE MAXWELL L/T LEE & LINDA E L/T LEE

Joe Maxwell Lee

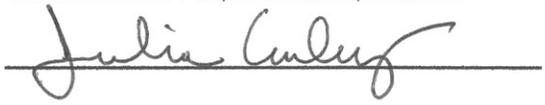
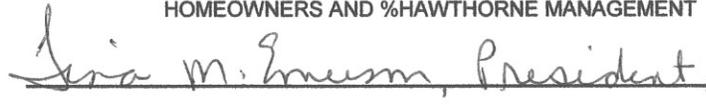
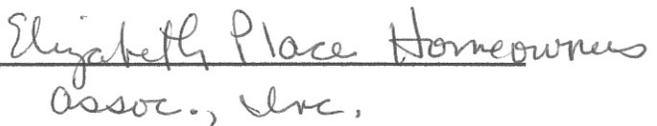
636 SWANCROFT LN, MATTHEWS, NC 28105

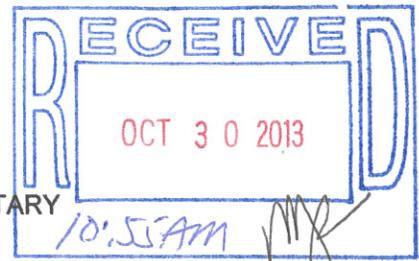
Linda E Lee

2013-601
10-30-2013



APPLICATION NUMBER 2013-601
CHANGE IN ZONING CLASSIFICATION ELIZABETH LANE ELEMENTARY
PROTEST PETITION
ADJOINING OWNERS

| PARCEL ID | OWNER NAME | ADDRESS |
|--------------|---|--|
| 32) 22703611 | JAMES J CURLEY & JULIA CURLEY | 630 SWANCROFT LN, MATTHEWS, NC 28105 |
| |  |  |
| 33) 22703616 | ASSOCIATION INC ELIZABETH PLACE HOMEOWNERS AND %HAWTHORNE MANAGEMENT | 2221 PARK RD, CHARLOTTE, NC 28203 |
| |  |  |



APPLICATION NUMBER 2013-601
CHANGE IN ZONING CLASSIFICATION ELIZABETH LANE ELEMENTARY
PROTEST PETITION
ADJOINING OWNERS

PARCEL ID OWNER NAME
34) 22732158 ROY ALTON JR CADNEHEAD & MARY SUZANNE L

ADDRESS
801 MANSARD CT, MATTHEWS, NC 28105

Roy Alton Cadnehead

Mary Suzanne Cadnehead

35) 22732159 DAVID MICHAEL POSSAGE

809 MANSARD CT, MATTHEWS, NC 28105

David Michael Possage

36) 22732160 CHAD M ASVESTAS & KRISTIN M ASVESTAS

323 ROSE ARBOR LN, MATTHEWS, NC 28105

Kristin M. Asvestas

Chad M. Asvestas

37) 22732162 ELISA B WALDMAN & MARKUS D CLACKUM

3826 RALEIGH ST, CHARLOTTE, NC 28206

Elisa Waldman

Markus D. Clackum

38) 22732177 EDGER J JOHNSON

102 UMI CT, MATTHEWS, NC 28105- 2610

Edger J. Johnson

39) 22732178 MICHAEL E SNEAD & BONNIE D SNEAD

100 UMI CT, MATTHEWS, NC 28105- 2610

Bonnie D. Snead

Michael E. Snead

40) 22732179 JOHN BRADSHAW & JENNIFER BRADSHAW

101 UMI CT, MATTHEWS, NC 28105-2603

John Bradshaw

Jennifer M. Bradshaw

41) 22732185 JAMES LANGLEY & REBECCA LANGLEY

800 BRIGHTWOOD LANE, MATTHEWS, NC 28105

Rebecca Langley

James Langley

**Community Meeting Report
Petitioner: Berkley Group LLC
Application # 2013-601 Elizabeth Lane Elementary
PID 227-034-91**

This Community Meeting Report is being filed with the Planning Department pursuant to the provisions of the Town of Matthews Zoning Ordinance.

Persons & Organizations contacted with Date and Explanation of how contacted:

A representative of the Petitioner mailed a written notice of the date, time and location of the Community Meeting to the individual & organizations set out in Exhibit A-1 attached hereto by depositing such notice in the US mail on October 11, 2013. A copy of the written notice is attached hereto as Exhibit A-2.

Date, Time and Location of Meeting:

The Community Meeting was held on Monday, October 28, 2013 from 5:15pm to 6:45pm at Matthews Levine Senior Center located at 1050 DeVore Lane Matthews, NC 28105.

Persons in Attendance at Meeting:

The Community Meeting was attended by those individual identified on the sign in sheet attached hereto as Exhibit B. The Petitioner's representatives at the Community Meeting were Joann Fischer, Bonnie Newell, Jim Hildebrand, Charles McDonnell, & Todd Lanham.

In addition, Petitioner received an e-mail from an individual. See attached Exhibit C.

Note: 41 households/organizations invited, of those 4 households attended or 9.7%
1 email response, 4 additional households attended - a total of 11 people

Summary of Items Discussed:

The individuals who attended the Community Meeting were advised that the sole purpose of the rezoning petition is to allow the construction, installation and operation of a cellular communication tower and any facility plant and support on the the site. The location of the proposed cell tower was shown on the site drawings. Individuals were advised that no other changes to the approved Conditional Rezoning governing the use and development of the site are being pursued in this rezoning petition.

Individual discussions were held with each individual present to explain Petitioners request and answer all questions.

During the course of the parties' conversations', the following information was provided to the individuals who attended the Community Meeting:

- tower is to be 120' monopine
- the leased area would be 100' x100' with a 60' x 60' fenced area
- landscaping will surround the site
- cellular carriers would lease space on the tower
- all supporting buildings and equipment will be located behind the fence surrounding the cell tower area
- propagation maps showing need for service improvement were reviewed
- structural integrity of tower - built to strict international building codes/50' fall zone
- technicians on site only with CMS permission, all techs must sign in, after school hours visits only except in emergency
- site construction to be completed when school is not in session
- RF emissions compared to other common household electronic devises discussed- see attached Exhibit D
- photo simulations of surrounding areas showing visual impact of tower
- other tower locations where children congregate were discussed: Gateway Academy, Providence High School, Quail Hollow Middle School, Charlotte Christian, Hellenic Park, & United Faith Christian Academy to name a few- no issues or concerns have arisen in the 12-15 years these sites have been in place
- alternative locations both on the Elizabeth Lane property and the surrounding area were discussed - alternatives on the Elizabeth Lane property were rejected due to the amount of trees that would need to be removed - no other alternative locations in the surrounding area were considered viable

Questions/Comments Raised by Individuals Attending the Community Meeting

Questions Asked/Response:

-affect of tower on property values --(past history does not support a devaluation of property values when a cell tower is added to the landscape, in fact many are excited to have improved service)

-safety of students -structure stability, RF emissions, & technicians on premises--
(strict building standards will be followed, RF emissions *1000 times lower* than allowed by law, strict CMS rules for technicians on premises will be followed)

-aesthetics --(every effort will be made to preserve the tree buffers and have the site blend into the existing landscape)

-why do we need a tower? --(wireless usage has grown exponentially and will continue to skyrocket, without the necessary additions to the wireless infrastructure service degradation and outage will occur)

-why on a school? --(typically located in residential areas where service enhancements are needed, large tract of land)

Comments Made:

-- "we don't want to look like that side of the street"

--"I won't be able to sell my house if you build a tower there"

--"this situation has been handled poorly"

--"I don't have a problem with this and would support it. "

-- "Oh, that isn't so bad"

-- "My friend always complains that her XYZ phone doesn't work when she visits my home."

-- "better coverage would be nice..."

Overall response: Impression of project

| | Before Meeting: | After meeting: |
|----------------------|-----------------|----------------|
| Positive | 0 | 3 |
| Neutral | 3 | 2 |
| Negative | 4 | 2 |
| Declined comment - 4 | | |

Changes Made to the Petition as a result of the Community Meeting as of the date herteto:

No changes were made to the Rezoning Plan or Petition as a result of the Community Meeting.

Submitted by: Berkley Group LLC
October 29, 2013

| | | | | | | | | | |
|----------|---|-----------------------------|-----------|----|------------|---------------|-------|-----|-------|
| 22703422 | RANDOLPH AND KAREN COOPER | 107 BOWEN CT | MATTHEWS | NC | 28105 | L12 M27-586 | 09315 | 799 | 1 LT |
| 22703423 | GREGORY A BLEVINS | 108 BOWEN CT | MATTHEWS | NC | 28105 | L11 M27-586 | 27795 | 520 | 1 LT |
| 22703425 | LYNN AULICK AND VIVIAN AULICK | 501 CLAIRVIEW LN | MATTHEWS | NC | 28105 | L9 M27-586 | 21510 | 245 | 1 LT |
| 22703426 | MARTHA M DUNN | 509 CLAIRVIEW LN | MATTHEWS | NC | 28105 | L8 M27-586 | 09026 | 912 | 1 LT |
| 22703427 | BARBARA G MCCALL | 515 CLAIRVIEW LN | MATTHEWS | NC | 28105 | L7 M27-586 | 21986 | 15 | 1 LT |
| 22703428 | SHIPING YANG AND XIAOPENG LIU | 521 CLAIRVIEW LN | MATTHEWS | NC | 28105 | L6 M27-586 | 21218 | 21 | 1 LT |
| 22703429 | LIEN T BRAGG | 525 CLAIRVIEW LN | MATTHEWS | NC | 28105 | L5 M27-586 | 09537 | 493 | 1 LT |
| 22703437 | GARDIS PLANTATION ASSOCIATION | 1515 MOCKINGBIRD LN STE 414 | CHARLOTTE | NC | 28209-3298 | C/A M27-586 | 10925 | 386 | 1 LT |
| 22703491 | EDUCATION CHARLOTTE MECKLENBURG BOARD OF | 701 E 2ND ST | CHARLOTTE | NC | 28202-2825 | NA | 07992 | 678 | 27 AC |
| 22703576 | CHARLES C IDOL AND MARION W IDOL | 201 ROSEDALE LN | MATTHEWS | NC | 28105 | L35 M27-586 | 22118 | 615 | 1 LT |
| 22703577 | DAVID R STYKA AND RHONDA STYKA | 205 ROSEDALE LN | MATTHEWS | NC | 28105 | L34 M27-586 | 09950 | 796 | 1 LT |
| 22703602 | BENJAMIN M CLARK AND LORI ANN CLARK | 306 WILLOW BROOK DR | MATTHEWS | NC | 28105 | L1 M41-203 | 26152 | 872 | 1 LT |
| 22703603 | MIN CHEN AND ZHAOJUN WU | 740 SWANCROFT LN | MATTHEWS | NC | 28105 | L45 M41-203 | 18118 | 406 | 1 LT |
| 22703604 | JOHN HOFLAND AND DEBORAH HOFLAND | 732 SWANCROFT LN | MATTHEWS | NC | 28105 | L44 M41-203 | 23919 | 796 | 1 LT |
| 22703605 | HARRY A PALEFSKY AND DEBORAH A PALEFSKY | 724 SWANCROFT LN | MATTHEWS | NC | 28105 | L43 M41-203 | 19526 | 826 | 1 LT |
| 22703606 | ZHOU QIANG CHEN AND YI MEI LIN | 716 SWANCROFT LN | MATTHEWS | NC | 28105 | L42 M41-203 | 22788 | 859 | 1 LT |
| 22703607 | JAMES J HUNTER AND JACQUELINE B HUNTER | 708 SWANCROFT LN | MATTHEWS | NC | 28105 | L41 M41-203 | 19831 | 690 | 1 LT |
| 22703608 | VICKIE HUEY-YI WANG | 700 SWANCROFT LN | MATTHEWS | NC | 28105 | L40 M41-203 | 18197 | 467 | 1 LT |
| 22703609 | SUBRAMANIAN KALYANASUNDARAM AND GOMATHY T KALYANASUNDARAM | 642 SWANCROFT LN | MATTHEWS | NC | 28105 | L39 M41-203 | 25782 | 403 | 1 LT |
| 22703610 | JOE MAXWELL L/T LEE AND LINDA E L/T LEE | 636 SWANCROFT LN | MATTHEWS | NC | 28105 | L38 M41-203 | 27426 | 536 | 1 LT |
| 22703611 | JAMES J CURLEY AND JULIA CURLEY | 630 SWANCROFT LN | MATTHEWS | NC | 28105 | L37 M41-203 | 25592 | 118 | 1 LT |
| 22703616 | ASSOCIATION INC ELIZABETH PLACE HOMEOWNERS AND % HAWTHORNE MANAGEMENT | 2221 PARK RD | CHARLOTTE | NC | 28203 | COS M41-203 | 17740 | 945 | 1 LT |
| 22703667 | ASSOCIATION INC ELIZABETH PLACE HOMEOWNERS AND % HAWTHORNE MANAGEMENT | 2221 PARK RD | CHARLOTTE | NC | 28203 | COS M41-203 | 17740 | 945 | 1 LT |
| 22732158 | ROY ALTON JR CADENHEAD AND MARY SUZANNE L | 801 MANSARD CT | MATTHEWS | NC | 28105 | L4 B4 M20-913 | 09807 | 802 | 1 LT |

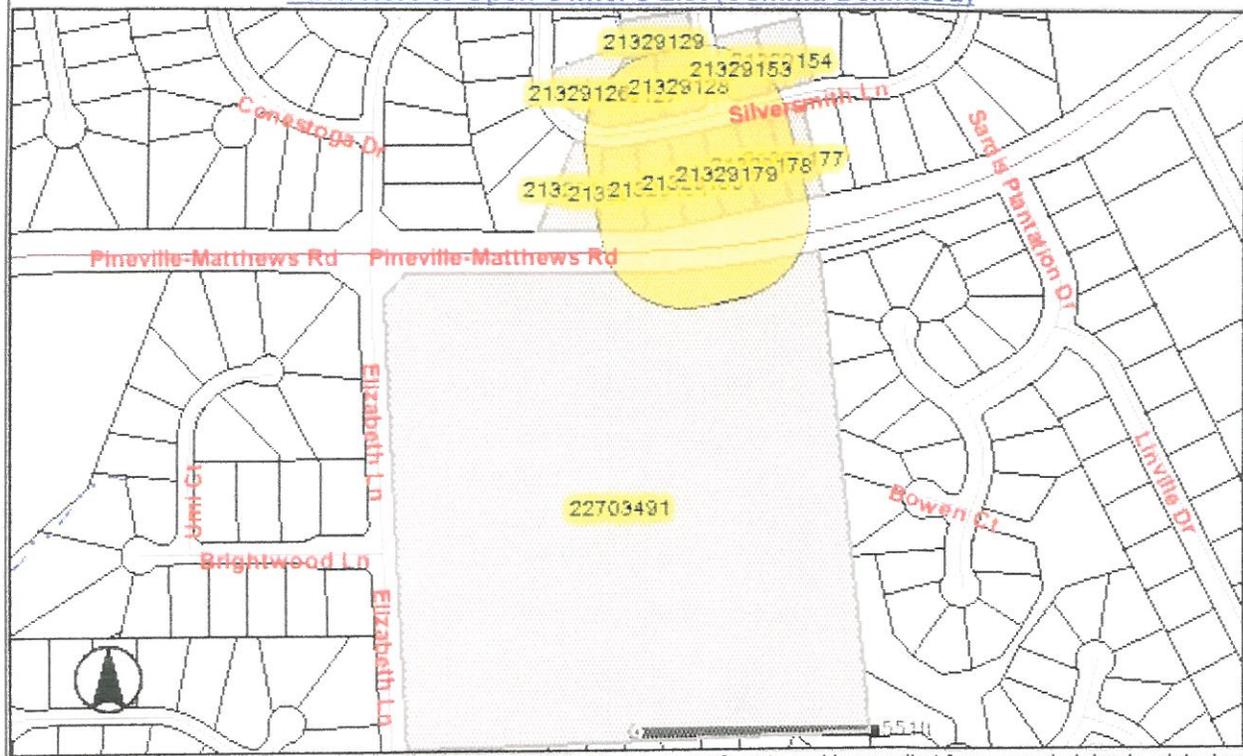
dup.
N/A

dup.

| | | | | | | | | | |
|----------|--|---------------------------|-----------|----|----------------|----------------------------------|-------|-----|------|
| 22732159 | DAVID MICHAEL POSSAGE | 809 MANSARD CT | MATTHEWS | NC | 28105- 5625 | L3B4M20-879 809 MANSARD CT | 07428 | 149 | 1 LT |
| 22732160 | CHAD M ASVESTAS AND KRISTIN M ASVESTAS | 323 ROSE ARBOR LN | MATTHEWS | NC | 28105 | L2 B4 M20-913 | 14706 | 109 | 1 LT |
| 22732162 | ELISA B WALDMAN AND MARKUS D CLACKUM | 3826 RALEIGH ST | CHARLOTTE | NC | 28206 | L24 M22-72 | 11253 | 882 | 1 LT |
| 22732177 | EDGER J JOHNSON | 102 UMI CT | MATTHEWS | NC | 28105- 2610 | L9M22-72 102 UMI CT | 11667 | 735 | 1 LT |
| 22732178 | MICHAEL E SNEAD AND BONNIE D SNEAD | 100 UMI CT | MATTHEWS | NC | 28105- 2610 | L8M22-72 100 UMI CT | 07182 | 445 | 1 LT |
| 22732179 | JOHN BRADSHAW AND JENNIFER BRADSHAW | 101 UMI CT | MATTHEWS | NC | 28105- 2603 | L7 M22-72 | 07754 | 400 | 1 LT |
| 22732185 | JAMES LANGLEY AND REBECCA LANGLEY | 800 BRIGHTWOOD LANE | MATTHEWS | NC | 28105 | L1 M22-72 | 20857 | 467 | 1 LT |

Mecklenburg County, NC POLARIS
Property Ownership Land Records Information System
Adjoining Owner's Report
 Buffer Distance: 200 Feet
 6/26/2013 10:30:45 AM

[Click Here to Open Owner's List \(Comma-Delimited\)](#)



This map is prepared for the inventory of real property within Mecklenburg County and is compiled from recorded deeds, plats, tax maps, surveys, planimetric maps, and other public records and data. Users of this map are hereby notified that the aforementioned public primary information sources should be consulted for verification. Mecklenburg County and its mapping contractors assume no legal responsibility for the information contained herein.

| Parcel ID | Owner Name | Mailing Address | City | State | ZIP | Legal Description | Deed Book | Deed Page | Land Area |
|-----------------|--|--------------------|-----------|-------|-------|--------------------------------|-----------|-----------|-----------|
| N/A 21329126 | TIMOTHY R FARRINGTON AND DIANA C LIND | 532 SILVERSMITH LN | CHARLOTTE | NC | 28270 | L68 B3 M20-276 | 24796 | 585 | 1 LT |
| N/A 21329127 | JEFFREY SCOTT HUDSON AND LEE ALLISON HUDSON | 512 SILVERSMITH LN | CHARLOTTE | NC | 28270 | L67 B3 M20-49 | 11164 | 659 | 1 LT |
| N/A 21329128 | JOHN MARC CLEVELAND AND MARY E CUTRERA | 500 SILVERSMITH LN | CHARLOTTE | NC | 28270 | L66B3M20-234 500 SILVERSMITH L | 14450 | 195 | 1 LT |
| N/A 21329129 | DEAN W RANK AND KRISTEN M RANK | 8028 CROCKETT LN | CHARLOTTE | NC | 28270 | L65 B3 M20-234 | 09567 | 105 | 1 LT |
| N/A 21329153 | KRISTEN MONACO JOHNSON AND DEREK K. JOHNSON | 442 SILVERSMITH LN | CHARLOTTE | NC | 28270 | L41 B3 M20-234 | 21080 | 337 | 1 LT |
| N/A 21329154 | JEFFREY A GRANZEN AND NANCY L GRANZEN | 436 SILVERSMITH LN | CHARLOTTE | NC | 28270 | L40 B3 M20-234 | 63351 | 113 | 1 LT |
| 21329177 | CARL WILLIAM FREDRICK III SCHROEDER AND MONICA SCHROEDER | 437 SILVERSMITH LN | CHARLOTTE | NC | 28270 | L17 B3 M20-234 | 21094 | 351 | 1 LT |
| 21329178 | DOUGLAS MOORE AND SANDRA LEGGIO MOORE | 3519 MILL POND RD | CHARLOTTE | NC | 28226 | L16 B3 M20-234 | 28235 | 950 | 1 LT |
| 21329179 | PATRICK N SADEK | 449 SILVERSMITH | CHARLOTTE | NC | 28270 | L15 B3 M20-234 | 12389 | 432 | 1 LT |

| | | LN | | | | | | | |
|-----------------|---|----------------------------|-----------|----|----------------|---|-------|-----|-------|
| 21329180 | NEAL P TAYLOR AND AMANDA K TAYLOR | 501 SILVERSMITH LANE | CHARLOTTE | NC | 28270- 0872 | L14B3M20-234 501 SILVERSMITH L | 21111 | 563 | 1 LT |
| N/A 21329181 | CHARLES M MUMPOWER AND LYDIA R MUMPOWER | 507 SILVERSMITH LN | CHARLOTTE | NC | 28270 | P13B3M20-49 507 SILVERSMITH LN | 04850 | 524 | 1 LT |
| N/A 21329182 | PAUL DOUGLAS CANUP AND JANIS CORDER CANUP | 513 SILVERSMITH LN | CHARLOTTE | NC | 28270 | P12 B3 M20-49 | 05276 | 518 | 1 LT |
| N/A 21329183 | KRISTIE L WOJTON AND KELLY A WOJTON | 519 SILVERSMITH LN | CHARLOTTE | NC | 28270 | P11 B3 M20-49 | 24751 | 545 | 1 LT |
| N/A 22703491 | EDUCATION CHARLOTTE MECKLENBURG BOARD OF | 701 E 2ND ST | CHARLOTTE | NC | 28202- 2825 | NA | 07992 | 678 | 27 AC |



Exhibit A -2

October 10, 2013

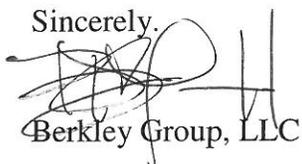
Dear Neighbor:

Berkley Group LLC invites you to a community open house to discuss our proposal for a communications tower on the property of Elizabeth Lane Elementary. The open house will be held Monday, October 28th at the Matthews Levine Senior Center located at 1050 DeVore Lane, Matthews, NC 28105 from 5:15 to 6:45. At the open house we will have site plans, photo renderings, and other pertinent information.

We invite you as nearby neighbors to stop by to discuss any questions and concerns that you may have. We welcome your input as we strive to create a viable solution and proposal. This project will be heard by the Matthews Town Council on November 11, 2013.

We encourage your attendance and questions. If you are unable to attend, please feel free to contact us at the numbers listed below. If you plan to attend, please RSVP to info@berkleygroupllc and include any specific information that you want to ensure is covered at the open house.

Sincerely,



Berkley Group, LLC

Bonnie Newell
b_newell@bellsouth.net
704-907-7104

Joann Fischer
joannfischer@carolina.rr.com
704-845-0625

10612-D Providence Road, PMB 742
Charlotte, NC 28277

Tel 704-892-0688
Fax 704-892-0698

SIGN IN SHEET

Exhibit B

| NAME | ADDRESS | PHONE | E-MAIL |
|---------------------|--------------------|--------------|------------------------|
| John O'Malley | 8233 Schooner | 704-847-0742 | |
| Dolores O'Malley | 8233 Schooner | 704-847-0742 | |
| Jim Carley | | | |
| Crystal Adams | 300 Fort Royal Dr | 704-708-8484 | |
| Linda Lee | 636 Swancroft Ln | 704-849-6733 | |
| Shiping Yang | 521 Clairview Ln | 704-847-8864 | |
| Ruth Lin Yang | ~ | ~ | |
| Margot Strickler | 120 Savannah Dr. | 704-246-8941 | |
| Barbara & Ed Dement | 515 Clairview Lane | 704 841 7354 | b.dement@earthlink.net |
| Bernie Bendley | 425 Clairview Ln | 704-845-8612 | |
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Exhibit C

From: Joann Fischer <Joannfischer@carolina.rr.com>
Subject: Fwd: Proposed Cell Tower at Elizabeth Lane Elementary School
Date: October 28, 2013 10:41:07 AM EDT
To: jamesjhunter@carolina.rr.com
Cc: Bonnie Newell <b_newell@bellsouth.net>, Jim Hildebrand <Hildy46.jh@gmail.com>

|| Mr & Mrs Hunter,

Thanks for your input. We take our work seriously and believe that if we had the opportunity to talk with you in person we could alleviate your concerns. Absent that, I have tried to respond to each of your issues below. Please call me if you would like to discuss any of this further. We will be filing our report with the Town and it will be on their website. I am also happy to send you a copy as well.

Joann Fischer
Berkley Group LLC

10612-D Providence Rd
PMB 742
Charlotte, NC 28277
704-845-0625

joannfischer@carolina.rr.com

Begin forwarded message:

From: "James Hunter" <jamesjhunter@carolina.rr.com>
Subject: Proposed Cell Tower at Elizabeth Lane Elementary School
Date: October 27, 2013 5:58:51 PM EDT
To: <Info@berkeleygroupllc.com>
Cc: <b_newell@bellsouth.net>, <joannfischer@carolina.rr.com>

Attention, The Berkeley Group

As property owners at 708 Swancroft Ln., Matthews, NC 28105 who is adjacent to the Elizabeth Lane Elementary School, my wife and I adamantly oppose any cell tower being built on Elizabeth Lane Elementary School Property. Due to conflicts we are unable to attend your meeting however; I wish to have it noted that there are several concerns for our opposition:

1.) This unsightly tower will be an eyesore to the pristine, tree-lined backyard we enjoy sitting in every

evening and a detriment to the value of our property. We have gone to great pains to insure that the site will not detract from the existing view. The tower is lower in height than most, (120'), and is designed to blend into the existing tree line. We have photo simulations available for review. In addition, we encourage you to drive the Carmel Park area and see the most physically similar application that has existed there for over 15 years.

2.) The well-documented, Electromagnetic radiation hazard to both the children and teachers of the school as well as the neighboring property owners is a danger to the children's, teachers and residents health. As a cancer survivor who was undergone radiation therapy, electromagnetic radiation is the last thing we need. Based on the input of many organizations that have studied this issue, we do not believe that the antennas pose a health threat. The amount of RF energy is thousands of times less than the limits for safe exposure set by the FCC with input from other regulatory organizations. In fact the antenna emissions are less than that of a baby monitor, hair dryer or garage door opener.

3.) There are plenty of other commercial and industrial zone properties near John Street and Highway 51 that will be more appropriate for this cell phone tower rather than the backyards of the of Matthews residents. The placement of a tower is dependent on topography, tree line, geography and surrounding sites. These antenna operate at very low power therefore the signal can travel only short distances. In order to provide the coverage demanded by the carriers clients, the tower must be located close to the area it will serve.

4.) As a young man once, I can assure you that the temptation to climb the tower during or after school hours will be very strong and will no doubt end up putting children at risk unnecessarily ending in lawsuits to which your company will be liable for. In addition, these cell phone towers are a high risk to topple over during several of the strong storms we get in this area again causing you even more liability issues. Is this a risk worth taking? We have taken precautions to insure the physical safety of this site and the people around it. The tower is designed to the most stringent international building code standards with a 50' fall zone. This site will withstand 90 mile an hour winds and is engineered to stay in tact well above almost any structure in the area. You will find that towers designed like the one proposed have withstood the most brutal of storms and hurricanes over the past two decades and in fact are critical for safety and response missions.

5.) Our cell phone service as well as our neighbors, to the best of my knowledge, is very good now therefore; why is this cell phone tower in our backyards even necessary? You may not be experiencing service issues, but issues do exist and will only become more obverse as time goes on. Data usage is exploding. The amount of bandwidth necessary to serve the carriers clients is increasing exponentially. It is only a matter of time before you notice a degradation of service.

We wish to have these oppositions above recorded in the minutes of your meeting and the meeting minutes mailed to us.

Yours,

James and Jacqueline Hunter
708 Swancroft Ln., Matthews, NC 28105

Jamie Hunter
704-847-6610 Home Phone
704-975-9693 Mobile
E-Mail: jamesjhunter@carolina.rr.com

RF Emissions

typical RF exposure from common devices.
exposure in Microwatts/cm²



data source: FCC

2013-601
10-1-2013

From: **S David Ross** <sdavidross@juno.com>
Date: Tue, Oct 1, 2013 at 10:25 AM
Subject: Comment on Zoning 2013-601: Cell Tower for Elizabeth Lane Elementary
To: kingrish@matthewsnc.gov, mayortaylor@matthewsnc.gov
Cc: hblodgett@matthewsnc.gov, rmessera@matthewsnc.gov

Kathi and Jim,

I've received a number of neighborhood e-mails regarding this Zoning issue. My comment is the opposite of what they want people to write.

Having been involved in an electro-magnetic field ("EMF") research project in the late 80's, I have no issue with cell tower fields. In fact, with the reception issues along Elizabeth Lane, this will be a good development.

As this is a conditional rezoning, I would like to suggest/request that a condition of this rezoning be that the petitioner be required to bury the telephone/power poles located along the north (school) side of Elizabeth Lane from the Pineville-Matthews Road to the first driveway of Elizabeth Lane Elementary School, and shift the C-DoT signal controller north along Pineville-Matthews Road.

By relocating the lines, telephone and electric security/safety will be improved during ice storms, and they will be protected from drivers. More importantly than this, the relocation greatly will reduce the cost to widen Elizabeth Lane adding an exclusive right turn lane, converting the current combined through and right turn lane to a through and left turn lane (both of which are controlled by the traffic light), and keeping the existing left turn lane as such or making it an inbound left turn lane to the first Elizabeth Lane Elementary driveway - an issue during carpool hours.

Should you have any questions regarding this, please feel free to contact me.

David
S. David Ross