



UPPER UWCHLAN TOWNSHIP
Planning Commission Meeting
August 14, 2014
Minutes
Approved

In Attendance:

Bob Schoenberger, Sally Winterton, Joe Stoyack, Chad Adams, John McTear, Jim Dewees, Ken Engle, Derald Hay, MaryLou Lowrie, P.E. – Gilmore & Associates, Gwen Jonik – Planning Commission Secretary

Bob Schoenberger called the meeting to order at 7:30 p.m.

American Towers, LLC, Conditional Use Application

Richard Lemanowicz, Esq., representing American Towers, LLC, briefly reviewed the Conditional Use Plan presented at the June 12 meeting, proposing construction and operation of a 150' telecommunications tower on a portion of 780 Dorlan Mill Road. Mr. Lemanowicz advised the Applicant would be able to address the Township's consultants' comments; however, there are steep slopes (25%+) where the tower is proposed which will require either locating the tower elsewhere on the property or seeking a variance from the Township Zoning Board.

Mr. Lemanowicz was accompanied by Gary Lucas, P.E. who provided the following information or answers to the Planning Commission members' questions:

1. the existing access road past the house will be used, and improved;
2. the tower will be located behind the existing house, considered an uninhabitable structure;
3. the tower is proposed for 150' tall; 79' setback to the rear property line - a variance was granted by the Township Zoning Board; 137' from the house; 311' from the Brandywine Creek;
4. the monopole tower will be constructed in compliance with the 2009 IBC;
5. soil testing will be conducted in order to design the foundation to properly support the pole;
6. there is no need for FAA regulated lighting or marking;
7. 10' high fence enclosing the site, which is the tower, a 12 x 20' structure to house the equipment, and a diesel-powered 50 KW back-up generator. Security of the structure will be monitored remotely and inspected by tower personnel at least once monthly; this site will not have climbing pegs;
8. the tower won't interfere with existing communication services;
9. it will comply with FCC requirements regarding effects of electromagnetic fields on humans;
10. existing vegetation won't be disturbed;
11. it is unknown if the property owner plans to renovate the house to become habitable; they have approached the property owner regarding a deed restriction but no communication has occurred;
12. the State Historic Commission has been notified regarding the historic nature of the property;
13. AT&T will occupy this cell tower. This tower is not related to the County's emergency communications system upgrade but the County could locate equipment on it; collocation by other carriers possible.

14. 2 parking spaces are required so the plan will be revised as it only shows 1;

Mr. Lemanowicz introduced Mark Rubin, Radio Frequency Engineer, who provided the following information or answers to the Planning Commission members' questions:

1. AT&T's service along Route 282/Creek Road and the secondary roads is inadequate;
2. displayed an exhibit showing AT&T's existing sites (6) in relation to the proposed site, none within 1.5 miles of this site; existing towers range from 120' monopoles to 257' lattice;
3. water amplifies the signal; there weren't any existing tall structures on which to collocate; proposed site is above the terrain and 'clutter';
4. the tower will comply with the FCC guidelines regarding human exposure to electromagnetic fields; this site is well below the maximum permissible exposure
5. AT&T proposes no more than 12 antennas within (3) arrays. Several frequencies are proposed, ranging from 700 MHZ to 2360 MHZ.

Mr. Lemanowicz advised they will comply with or be granted variance from all Zoning Ordinance Section 200-91 requirements. If Conditional Use Approval is granted, they will go through land development and building permit processes.

The Planning Commission briefly discussed a few conditions of approval to be included in their recommendation to the Board of Supervisors.

1. who reviews the Electromagnetic Field Report? Does the Township have a consultant versed in the electromagnetic emissions, and the impact to health and safety, who will review the reports submitted with and supplemental to this submission.
2. should additional landscaping be required,
3. should a deed restriction, prohibiting habitation of any structure within 150' radius of the tower, be a condition of approval,
4. require the foundation and the tower be designed to allow for the height to be increased for purposes of collocation,

Chad Adams moved, seconded by Ken Engle, to recommend approval of the Conditional Use accompanied by the following (2) conditions:

1. That the foundation and the tower be designed and constructed to allow for an increase in tower height in the future for purposes of collocation; and
2. That the Township engage a Consultant well-versed in electronic emissions and the impact to health and safety, to review any Reports submitted with and supplemental to this Application.

The Motion carried with 7 ayes and 1 opposed (Deweese).

Derald Hay moved, seconded by Jim Dewees, to include the following condition with the above recommendation: that the Applicant obtain a deed restriction for a fall zone easement which prohibits the construction of new structures or use of existing structures within 150' of the tower for residential purposes. The Motion did not carry with 2 ayes (Hay, Dewees) and 6 opposed (Engle, Winterton, Stoyack, McTear, Schoenberger, Adams).

Mr. Boden, neighboring property owner, distributed one copy of a letter from the U.S. Department of the Interior regarding the impact of communication towers to wildlife. Bob Schoenberger requested Gwen Jonik scan and email the letter to all Commission members.

Approval of Minutes

Joe Stoyack moved, seconded by Jim Dewees to approve as presented the minutes of the June 12, 2014 Planning Commission meeting. The Motion carried unanimously.

Open Session

Sally Winterton made comment regarding the bid to clean the Marsh Harbour treated effluent lagoon.

Bob Schoenberger announced the next Planning Commission meeting is September 11, 2014, 7:30 p.m.

Adjournment

Joe Stoyack moved, seconded by Sally Winterton, to adjourn the meeting at 9:22 p.m. So moved.

Respectfully submitted,

Gwen A. Jonik
Planning Commission Secretary