

January 13, 2009
Scotland, PA 17254
Public Hearing

The Greene Township Board of Supervisors held the second of two (2) Public Hearings on Tuesday, January 13, 2009, at the Township Municipal Building, 1145 Garver Lane, Scotland, PA. This Public Hearing was held to consider a request for Conditional Use Permit submitted from AT & T Mobility.

Present:

Charles D. Jamison, Jr.	Travis Brookens
Todd E. Burns	Daniel Bachman
Glenn O. Shetter	Diann Weller
Welton Fischer	

Visitors: See list

The Chairman called the Public Hearing to order at approximately 7:05 P. M..

The Chairman noted this request was continued from previous meetings.

Mr. Michael Reed introduced himself noting he would be legal counsel representing AT & T for the purposes of this Hearing. Next introduced was Mr. Randell Holmes, Wireless Communications Consultants, Inc., since 1996 has been in the business of identifying sites, etc and has worked in this area since that time. Mr. Reed then proceeded to question his first witness, Mr. Holmes, regarding this project; questions/answers/testimony presented included but not limited to: Mr. Holmes' company had designed this site; their company was asked to proceed with the project; Mr. Holmes was familiar with the plan as prepared by the engineer for the project, Dewberry-Goodkind, Inc.; (Mr. Reed distributed copies of *Exhibit A-1* to the Board and others for referral during this questioning time.); Mr. Holmes proceeded by noting the owners of the property proposed for this site as 4970 Sunset Pike on land owned by Paul and Gloria Ebersol and described the property; noted the proposed structure(s) would be readily accessible to police and fire; this project would not be detrimental to adjacent properties and proposed project not within 1500 feet of two (2) properties; the only vehicular and/or pedestrian traffic to this site would be occasional maintenance personnel—site will be unmanned—site visited approximately every 6-8 weeks; land surrounding site is agricultural and propose small landscape buffer; the closest structures listed on State or National Historic Register (NHR) would be at Letterkenny Army Depot and they were contacted if any objections; (at this time Mr. Reed then distributed copies of *Exhibit A-2* to verify the location of any structures listed on the National Historic Register; this listing was prepared from the NHR which listed all properties in the Chambersburg area noting that none would be impacted by this project and the closest would be Letterkenny which would not be impacted); a Land Development Plan will be submitted; proof of licensing was provided by *Exhibit A-3*; FAA requirements would not require this tower to be 'lighted', however, any Township requirements would be followed; Mr. Holmes contacted the PA AA regarding regulations and he was referred to Chambersburg, Harrisburg, and other small airports; when Regional Authority was contacted they had no issues with the project and did not have

concern for lighting and gave their ‘blessing’ for this site; it was noted this proposed site is located within the Township’s “airport overlay” area; (The Township Solicitor stated this site is in the overlay area and that these regulations are from the State and must be complied with.); Mr. Holmes noted these regulations are very general in nature and they usually use FCC regulations which also tend to be general in nature as well; each site is checked specifically and if anything is specifically noted as to the condition (i.e. permit; lighting and marking, etc) and always defers to FCC; when Mr. Holmes asked the Township Solicitor if his comments answered his inquiry as to compliance and the Solicitor stated ‘no’, the Solicitor stated the Board of Supervisors could not overrule any zoning regulations; Mr. Reed stated their point being made was there was no safety requirement for lighting and marking and understood what an ordinance states and if a variance would be needed they would proceed with the Township Zoning Hearing Board; Mr. Reed and Mr. Holmes both stated they understood that issue. There being no questions from the Board of Supervisors at this time, Mr. Reed proceeded with his next witness, Mr. Pete Tsoukard of Dewberry-Goodkind, Inc., telecommunications and structural engineer. Questions/answers/testimony presented at this time included but not limited to: the height of the tower is 150 feet, located in the LI (Light Industrial) zoning district which allows a request for Conditional Use Permit; briefly described the site plan as 45 to almost 46 acre farm; site size approximately 50 x 50 fenced area with proposed landscaping; 150-foot monopole will support 12 antennas; at the bottom of the pole there will be 4 cabinets on a 10x20 concrete pad and necessary buffer zones as required by zoning; all electrical equipment shall be shielded; propose no defective noise, fumes, gas, solid waste, flames, etc—only have backup batteries; only access to cabinets will be technicians visiting site; fence and equipment cabinets will be locked; structures will be covered to National Fire Underwriters specifications; no increase in traffic, only technicians to site; does not exceed lot size requirement; fencing and buffer zones will be installed; facility will be unmanned and only visited for maintenance and repair; proposed facility will conform to all laws of zoning; Applicant is prepared to enter into agreement with Township that if the building would be abandoned within two years, the area would be restored for safety; tower is tubular steel, 150 feet high, secured to concrete, designed to withstand ice and wind speeds according to TIA/EIA-222F; engineer study was done for foundation and design (a copy of this was distributed to Board and others); standards used were TIA/EIA-222F and 2006 National Building Code; soils report was submitted; the surrounding area should not be affected by any falling debris and ice; the Chairman inquired as to the height of the tower from the ground noting that *Exhibit A-10* stated it was 156 feet above ground and Mr. Reed stated there is a 5-foot lightning rod on top of the tower; Mr. Holmes apologized for an error that was found regarding the height of the tower including the extra height for the lightning rod. The Assistant Zoning Officer noted correspondence received from the Franklin County Planning Commission regarding their review and comment(s). Mr. Reed asked the record to show the engineer testified there will be compliance with the marking and lighting criteria. The Township Solicitor noted the project must be in compliance with the requirements when the application for permit is submitted and if any conditions, variances, etc are needed, this Board is not the final say for such compliance. (A member of the audience asked to speak for a point of clarification for the Scouts in attendance at this meeting.) Member Shetter noted the comments from Zeiders & Szajna, Inc. regarding the necessary “seals” and asked the Township Solicitor to verify these comments could be addressed on the Land Development

Plan and the Solicitor stated that was correct. The Assistant Zoning Officer stated the Township Planning Commission had reviewed this request at their regular meeting held January 12, 2009, recommend approval.

Following a lengthy presentation, testimony presented, and discussion, on a motion by Glenn O. Shetter, seconded by Todd E. Burns, and by a vote of 3-0, the Board unanimously voted the Conditional Use Permit request from AT & T Mobility be approved with one condition that all subdivision and land development and zoning requirements be addressed at the land development stage.

There being no further business before the Board regarding this Public Hearing, the Chairman adjourned at approximately 7:35 P. M..

Respectfully submitted,

Secretary