

WARRINGTON TOWNSHIP  
Minutes of the Zoning Hearing Board  
Held, pursuant to due notice, in the Municipal Building  
3345 Rosstown Road, Wellsville, PA 17365  
Tuesday, October 18, 2016, 7:00 PM

Presiding: Mr. Allan Winey, Chairman  
Members Present: Mr. Kenneth Eshleman, Jr.  
Mr. Alvin Hayes  
Ms. Jacqueline Van Pelt  
Mr. Jason Weaver

Staff Present: Mr. Michael Gasswint, Zoning Officer  
Attorney Stacey MacNeal, Solicitor  
Tammy Rinehart, Court Reporter

The meeting was opened with the Pledge to the Flag.

Minutes. Motion was made by Mr. Hayes and seconded by Mr. Eshleman to approve the minutes of the September 20, 2016 meeting. Motion carried unanimously.

ZONING HEARING CASES

Case 2016-02 - Cellco Partnership-Verizon Wireless on the property of Perry and Caroline Witmer at 1340 S. York Road, Dillsburg, intends to construct and operate a telecommunications tower and antenna facility on this property. The facility will include a 155 foot tall tower and 5 foot lightning rod for a total of 160 feet in height. Verizon Wireless is proposing an equipment platform, canopy for cabinets, chain link fence and gate. The hearing is to request a Special Exception to Section 303.c)5 to permit the proposed construction in the Conservation Zone; Variance to Section 711.16 to permit the tower to be located less than 250 feet from the property lines and 500 feet from any dwelling on an adjoining property; and Section 603 and 604 to allow an extension of time to obtain the Zoning Permit.

The audience was sworn in by Attorney MacNeal.

Testimony

Attorney James Strong with the firm of McNees Wallace & Nurick, LLC. Attorney Strong presented Exhibits A1 through A15 to the Zoning Board for consideration. A condition of approval from the Warrington Township Planning Commission is that the applicant must submit a land development plan for the project. Attorney Strong described the nature of the project. The project is allowed by Special Exception from the Zoning Hearing Board in the Conservation Zone according to Section 303.c)5 of the Township Zoning Ordinance. Cellco is also requesting a Variance to Section 711.16 to permit the tower to be located less than 250 feet from the property lines and 500 feet from any dwelling on an adjoining property and a Variance to Sections 603 and 604 to allow an extension of time of two years for plan preparation and approval.

Carl Humenik - Humenik Acquisitions, Site Acquisition Specialists. Humenik Acquisitions is the company that located the property owned by Mr. and Mrs. Witmer on which the tower is

proposed to be constructed. The proposed tower will be monopole with antennae located at the top of the tower. Rettew Associates prepared the Zoning Plan. Cellco can meet all requirements of the Zoning Ordinance with the exception of Section 711.16. The plan is to construct a 155 foot monopole and a 50 x 50 foot compound with equipment to be stored within the compound. Antennae will be located at the top of the tower. The unmanned facility will be visited periodically for maintenance purposes. A technician will maintain the site.

Eric Brinser, Rettew Associates, Director of Land Development. Rettew Associates prepared both the original Zoning plan and the revised plan. He described the features depicted on the plan he submitted for exhibit. Rettew Associates will prepare the land development plan that was a recommendation of the Township Planning Commission, if it is required by the Zoning Board. The plan depicts three different finishes on the pole.

Andrew Peterson, Radio Frequency Design Engineer. Mr. Peterson prepared the design analysis for this site to comply with technology that is requested by the client. Cellco requested a design analysis due to customer complaints of dropped calls in the area in order to provide better service. He prepared an electromagnetic exposure analysis that concludes there are no studies showing evidence of adverse health effects at the suggested exposure limits. He prepared an interference analysis for the area around 1340 South York Road that suggests no more than 12 antennas to prevent interference. He performed an independent screening analysis of the facility proposed at 1340 South York Road to verify compliance with the FAA's guidelines for notice. Upon completion of a screening analysis conducted by the PA Bureau of Aviation it was found that the Bureau has no objection to this proposed tower.

Mr. Bruce Stegman, Structural Engineer – Stegman Engineering. The monopole was described as a tubular pole made of galvanized high strength steel. The pole will be 36 to 48 inches in diameter at the base and taper to 12 to 18 inches at the top. The tower will be designed for extreme wind conditions.

Len Kotz, Warrington Township Planning Commission. Mr. Kotz notified the Zoning Board that a Land Development Plan is required per the Zoning Ordinance. Attorney MacNeal verified that the Zoning Board may condition approval of the application. The tower itself does not require a plan but the building would require a Land Development Plan.

Philip Weigel, 1215 S York Road. He is a custom home builder and thinks Cellco should have a better design. He said he was never notified of the hearing. He said there are 6 towers between South York Road and Dillsburg. He would like studies on animals in relation to tower installation.

Aaron Eichelberger, 1370 S York Road. He asked if there were environmental studies done regarding wetlands, core borings, and groundwater. He was told that studies will be done at the land development stage and they are not required per the Zoning Ordinance. He is concerned with the value of his property and investment. He has health concerns also. Mr. Hayes said his testimony was basically speculation.

Ervin Trayer, 1370 S York Road. He spoke concerning the wetlands study. He said there are wetlands and ironstone everywhere. He wants to know why it is necessary for another tower since there are no complaints that he knows of. He rents property and is not an owner.

Benjamin Lance, 1240 S York Road. Mr. Lance asked if the driveway will be gated. He had questions concerning signal strength and why this site was chosen over other sites.

Gema Weigel, 1215 S York Road. Mrs. Weigel has concerns that the tower will be visible from her property. She also has concerns with possible health issues and property values. Mr. Hayes asked if Mrs. Weigel is a licensed appraiser. She said she is not. He said her statement is an opinion.

Nicholas Trayer, 1370 S York Road. Mr. Trayer had concerns with why the tower shows multiple colors and electromagnetic transmissions. He does not think there is a cell phone deficiency in that area.

Attorney Strong said that they chose the site to provide cell phone coverage in an area that has a gap in coverage. The use is permitted in the Conservation Zone. They chose a tower that would be less aesthetically objectionable to the neighborhood. The FCC sets standards for emissions nationwide and Verizon will comply with that standard as shown in the analysis they exhibited.

Motion was made by Ms. Van Pelt to enter all fifteen exhibits and to close testimony. Mr. Hayes seconded. Motion carried unanimously.

Motion was made by Mr. Hayes to grant a dimensional Variance to Section 711.16 of the Warrington Township Zoning Ordinance to allow construction of a telecommunications facility within 50 feet of a property line and within 285 feet of an existing dwelling. Mr. Weaver seconded. Motion carried with Ms. Van Pelt opposing.

Motion was made by Mr. Hayes to approve a Special Exception to allow a telecommunications tower to be constructed in the Conservation Zone with the condition that a Land Development Plan is completed. Mr. Eshleman seconded. Motion carried with Ms. Van Pelt opposing.

Motion was made by Ms. Van Pelt to grant a one year time extension to obtain the zoning permit, Use Certificate or file a Land Development Plan required in Sections 604.a) and 603.a). Mr. Hayes seconded. Motion carried unanimously.

### ADJOURNMENT

Motion was made by Mr. Eshleman to adjourn the meeting. Mr. Weaver seconded. Motion carried unanimously.

The meeting was adjourned at 10:15 PM.

Rebecca Bradshaw  
Township Secretary