

The Board's Minutes of the East Donegal Township Board of Supervisors  
Held on February 6, 2014

The regular meeting of the Board of Supervisors of East Donegal Township was held on Thursday, February 6, 2014 at 7:30 PM in the East Donegal Township Municipal Building, 190 Rock Point Road, Marietta, PA 17547.

The meeting was called to order by Supervisor Dennis J. Drager.

Supervisor Murphy led with a Prayer and Pledge to the Flag.

Roll call of Supervisors: Present were Dennis J. Drager, Chairman; Allen D. Esbenshade, Vice Chairman; John Murphy, Member and Jeffrey Butler, Township Manager.

Public attendance is attached.

Conditional Use Hearing – Application of CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS

Attorney James Strong, representing the applicant, presented background information regarding the application of Cellco Partnership for the construction of a commercial telecommunications tower on property located at 331 Anderson Ferry Road. The property is owned by Community Bible Church and is located within the Agricultural zoning district. Mr. Strong indicated that the proposed project has been before the Township Zoning Hearing Board for relief from setback requirements from an adjacent property line and an accessory building on the church property.

Mr. Strong presented the Board with the exhibits to be used in the applicant's application presentation. The following applicant witnesses providing testimony were sworn in.

Bruce Stegman  
Claire DiNardo  
Brian Rebuss  
Chris Knarr

Claire DiNardo, Site Acquisition Specialist, provided testimony regarding the how the proposed site was selected. The need for an additional facility was identified based on unreliable coverage for customers in the area. Working with a radio frequency engineer, a general area is identified for investigation of site acquisition. For this project, area extending from River Road, Maytown Road, Rock Point Road, Colebrook Road to Ore Mine Road was investigated. The larger area is reviewed to identify areas meeting elevation requirements and local ordinance requirements. Potential colocation site were identified and reviewed. None of the existing structures met the height needed for the facility.

Ms. DiNardo provided a description of the proposed site plan of the facility. The lease area is 100'X100' with an area of 50'X50' being fenced and landscaped. Within the fence will be the monopole tower, and 11'X16' equipment shelter. The area within the fence will be covered with a stone surface. There will also be a generator that will be used as back-up power. The generator is tested twice a month to ensure operation when needed.

The proposed fence is pressure-treated board-on-board to be a complete visual barrier. It will be 8' in height.

The lease area will be accessed via a stone drive that connects to the church's paved access drive. The construction of the stone access will limit the need for removal of existing trees on the church property.

The facility will be completely automated. There will be, however, the need for personnel to visit the site one or two times a week to observe site conditions. There will be one ancillary uses or business sign on the site. There will be an emergency contact sign on the equipment shelter indicating the name of the site and a contact telephone number.

Ms. DiNardo indicated that expansion to accommodate additional users is possible. Other users are always looking to utilize existing facilities in lieu of building new. She indicated that the infrastructure (tower and shelter) may be shared but not the equipment due to differences in technology used. Additional users may necessitate the expansion of the fenced area of the site.

Ms. DiNardo indicated there would be no noise, glare, dust, odor, vibration, electrical disturbance or objectionable impact beyond the property line. She indicated that the Township and equipment shelter would be removed if no longer used. She indicated that the application complies with the general standards contained in Section 1208.5. of the Township Zoning Ordinance.

Bruce Stegman, Stegman Engineering, provided his educational and work experience related to the design and construction of wireless telecommunication facilities. Mr. Stegman referred to Exhibit A3 to address the design and construction of the proposed monopole tower. He stated that the tower will be constructed to the Telecommunication Industry Association/Electronics Industry Association (TIA/EIA) 222 standards, also known as ANSI-222.

He stated that the tower would be constructed of galvanized steel, weathered to a dark grey color, and will be 190 feet in height. The tower will be designed to flex in the middle should failure occur, and fall within a 95' radius of the base. The monopole to tapered from bottom to top and is constructed by slipping one section over the one below.

Chris Knarr, Rettew Associates, provided testimony regarding the compliance of the site development plan to Township requirements. Two parking spaces will be provided within the fenced area of the site. With the relief granted by the Township Zoning Hearing Board, the tower meets the setback requirements. The proposed screening meets the requirements of the ordinance. Without the need for guy wires, nothing proposed extends outside the proposed fenced area.

Brian Rebus, dBm Engineering, provided his educational and work experience related to siting telecommunication facilities.

Mr. Rebus explained the findings of applicant's Exhibit A4 regarding the proposed tower's ability to meet the need of providing improved service for Verizon customers in this area of the Township. Mr. Rebus presented maps indicating existing telecommunication towers in a larger 3-mile area and areas of unreliable service, before and after the construction of the proposed tower. He stated that the height of the proposed tower is appropriate for the coverage and overlap needed to improve service.

Mr. Rebus discussed applicant Exhibit A5. He indicated that the FCC license is not site specific but represents a geographic area.

Mr. Rebus presented the findings of applicant Exhibit A6. The electromagnetic emissions, under the worst case scenario, would be 450 times less than the emissions limit of the FCC.

Mr. Rebus discussed applicant Exhibit A8. He stated that the FAA has determined that the tower does not create an obstruction for aircraft and that lighting at the top of the tower is not needed. In discussing applicant Exhibit A9, Mr. Rebus indicated that the FAA Bureau of Aviation had a similar finding. However, the applicant will be providing lighting. The lighting was a condition imposed by the Township Zoning Hearing Board. The strobe light proposed is dictated by the FAA in instances where voluntary lighting is provided.

Mr. Strong requested that all the applicant exhibits be entered into the record. He also stated that it's the applicant's position that the testimony and supporting information provided indicates compliance with the Township's requirements and that the conditional use application should be granted approval.

Mr. Drager opened the hearing to questions from the audience. None were heard.

Mr. Murphy inquired about the removal of the tower should it be no longer used. It was indicated that the property owner is responsible for its removal.

A motion of Mr. Esbenshade to close the hearing was seconded by Mr. Murphy. Vote: Mr. Esbenshade, yes; Mr. Murphy, yes; Mr. Drager, yes. Motion passed.

A motion of Mr. Murphy to accept the applicant's exhibits and grant the conditional use requested by Cellco Partnership subject to compliance with the application and testimony was seconded by Mr. Esbenshade. . Vote: Mr. Esbenshade, yes; Mr. Murphy, yes; Mr. Drager, yes. Motion passed.

The Board approved the minutes for January 6, 2014 by a motion made by Mr. Esbenshade and seconded by Mr. Murphy. Discussion: None. Vote: Mr. Murphy; yes, Mr. Esbenshade; yes, Mr. Drager; yes. Motion carried.

A motion was made by Mr. Esbenshade and seconded by Mr. Murphy to approve the Treasurer's Reports for the Township and Maytown East Donegal Township Fire Department and approve the payment of all bills. Discussion none. Vote: Mr. Murphy, yes;; Mr. Esbenshade, yes; and Mr. Drager; yes.

Consent Calendar:

Chairman Drager called for comments on items on the Consent Calendar.

A motion was made by Mr. Murphy, and seconded by Mr. Esbenshade, to approve the following Consent Calendar items, "A" through "I". Vote: Mr. Murphy; yes, Mr. Esbenshade; yes and Mr. Drager; yes. Motion carried.

- A. Authorized payment of fees from the East Donegal Township Non-Uniform Plan funds to the R.J. Hall Company, Inc. for Actuarial and Support Services for the year 2014. Fees include Actuarial Services provided by Beyer-Barber Company and Support Services provided by R.J. Hall Company, Inc. Fee schedule is effective January 1, 2014 through December 31, 2014, paid quarterly at a rate of \$1,250.00 per quarter.
- B. Approved the request of The Susquehanna Valley Chamber of Commerce for use of Riverfront Park and the East Donegal Township portion of the Northwest Lancaster County River Trail for the 4<sup>th</sup> Chiques Challenge (a running and kayaking event) to take place on Saturday, August 9, 2014. The time of the event is 7:00 AM to 11:00 AM. The actual time spent using the trail is approximately 8:30 AM to 9:45 AM.
- C. Approved the annual contribution of \$7,755.00 to the Lancaster County Drug Enforcement Task Force. The amount of the contribution represents \$1.00 per Township resident. The Board noted the recent Lancaster Newspaper article highlighting those communities in Lancaster County that financial support the County Drug Enforcement Task Force, and express pride in being one of those communities supporting the work of the Task Force.

- D. Directed the Township Roadmaster to advertise to receive bids for the various roadway materials and roadway improvement projects. Its anticipated that contract would be awarded at the March 2014 meeting.
- E. Approved the Final Subdivision Plan for The Reserve at Union School, Phase 3, prepared by David Miller/Associates, Inc., dated November 11, 2013.

The approval of the Final Subdivision and Land Development Plan was granted subject to the following conditions (all references are to the Code of Ordinances of East Donegal Township, unless noted otherwise):

- Compliance with the review comments outline in the Plan Review Report dated January 28, 2014.
- The Applicant's written acceptance of the conditions within thirty (30) days from receipt of written notice of plan approval by the Township Board of Supervisors, on a form provided by the Township.

If the conditions are not accepted, the approval by the Board of Supervisors will be revoked, and the application will be denied for the reasons listed as conditions of approval of the Plan and ordinance modifications.

- F. Approved the request of Keystone Custom Homes and Woodmill, LLC to replace existing letters of credit for Castleton Final Plan Phase 1, Castleton Final Plan Phase 2/3 and Castleton Open Space Improvements with a Subdivision Bond in the amount of \$1,575,085.58, subject to the condition that the Township receive the properly executed Subdivision Bond prior to the return of the Letters of Credit currently in place.
- G. Approved the Township Manager's attendance of the Annual Managers Conference of the Association for Pennsylvania Municipal Management to be held May 20-22, 2014.
- H. Approved the Improvement Guarantee release for Spectra Energy Stormwater Management Plan. Current Account Balance is \$5,000.00. The amount of the reduction recommended by the Township Engineer is \$5,000.00. The new account balance would be \$0.00.
- I. Approved contracting Knaper's Stop & Go for the provision of Portable Toilets as follows: Two (2) located at the Maytown-East Donegal Township Fire House for Fuhrman Park, two (2) at Riverfront Park, one (1) at Legion Park, and one (1) at R&J Field. The service will be provided at the following rate:
  - Regular Unit w/Hand Sanitizer/Paper, 1x/Week Service - \$62.00 per month
  - Handicap Unit w/Hand Sanitizer/Paper, 1x/Week Service - \$85.00 per month

## Liaison Assignment Reports

- A. Administration/Personnel - Supervisor Esbenshade - None
- B. Finance - Supervisor Murphy - None.
- C. Parks and Recreation - Supervisor Esbenshade - None.
- D. Planning and Development - Supervisor Drager - None
- E. Public Safety - Supervisor Murphy reported that the Susquehanna Regional Police may be experiencing an increase in overtime due to the deployment of one of its officers, injuries and illness to other officers. The increased overtime may have an impact on the Department's budget.
- F. Public Works – The entire Board commended the Public Works crew on the excellent job done during the winter weather we have experienced. The Board expressed its appreciation for the long hours logged by the crew to meet the needs of the community.

## Reports

Zoning Officer's report: For the month of January 2014, Permit #Z-014001 through Permit #Z-014008 was issued for a total value of \$559,456.00. Total Zoning Fees collected equaled \$9,652.00.

Roadmaster's Report: The January 2014 Report was received.

Northwest Emergency Medical Services Report: For January 2014 Northwest EMS responded to 55 calls in East Donegal Township. For the calendar year 2014, Northwest EMS has responded to a total of 55 calls in East Donegal Township.

The next meeting of the Board of Supervisors will be held on Thursday, March 6, 2014 at 7:30 PM.

Adjourn: A motion was made by Mr. Esbenshade and seconded by Mr. Murphy to adjourn at 9:03 PM.

Respectfully Submitted,  
Jeffrey L. Butler, Township Secretary