

**FRANKLIN TOWNSHIP  
BOARD OF SUPERVISORS  
CONDITIONAL USE HEARING  
AND SPECIAL MEETING  
January 16, 2014**

**ROLL CALL**

Present were Supervisors, Donald Lerew, John Shambaugh, David Sprigg, John Holder, and Naomi Decker. Also present were Solicitor Bret Shaffer, Engineer William Hill, and Secretary Nancy Zentmeyer. The meeting was held at the Franklin Township Municipal Building, 150 Century Lane, Dillsburg, York County, PA. Guests and visitors are on the attached sign-in sheet. The meeting was called to order at 7:00 p.m.

**1. CONDITIONAL USE HEARING – VERIZON WIRELESS**

Verizon Wireless has applied for a Conditional Use Hearing in order to construct a cell tower at the property located at 192 Glenwood Road. This is a permitted use in the Open Space zoning district with the approval of a Conditional Use.

The following were sworn-in to give testimony:

1. Wanda and Ben Mummert, 141 Old Cabin Hollow Road
2. Andrew Petersohn, Verizon
3. James Rogers, Verizon
4. Kenneth Farrall, Verizon

Mr. James Strong, attorney for Verizon gave an overview of the proposed facility. The property consists of 45.85 acres. The cell tower will be a total height of 199' and would be situated at the southern portion of the property with a 20' access easement with the improved drive being a 12' gravel drive. There will be an equipment shelter with a fence surrounding it and evergreen plantings.

At this time Mr. Strong submitted the following applicant's exhibits into evidence:

- A1 – Notice of the Meeting
- A2 – Lease Agreement
- A3 – Zoning Plan
- A4 – Emergency Contract Information
- A5 – Certificate of Insurance
- A6 – Structural Letter
- A7 – Radio Frequency Design Letter
- A8 – FCC Licenses
- A9 – Electron Management Emissions Analysis
- A10 – Interference Analysis
- A11 – FAA Letter
- A12 – PA Bureau of Aviation Letter

Mr. Rogers testified that he is a consultant for Verizon and reviewed exhibits A2 – A5.

Mr. Farrall testified next noting that he is a civil engineer, professional land surveyor and land planner. The equipment shelter within a 60' x 60' fence compound and landscaped with 4' evergreen plantings on the outside of the fence. There will be no guy wires associated with this tower. A narrative describing the various sections of the zoning ordinance was reviewed. A copy of the narrative is attached as part of the minutes.

Mr. Petersohn testified next noting that he is a professional engineer with DPM Engineering as a frequency design engineer. There was discussion regarding existing coverage vs. no coverage. Operating at low power was discussed and it was noted that the FCC sets the standards and this tower will be well below the maximum. No lights are being proposed although there could be, but it would be only if required by the FAA.

Mr. Strong asked that exhibits A1 – A12 be made part of the record.

Questions from the Supervisors were asked.

Supervisor Decker – are there other facilities that could be leased to other users. The tower is designed to support other antennas and the base of the tower is large enough for Verizon to accommodate other users. The number of megahertz was questioned and it was noted that there are no health affects from the radio frequency as numerous studies have been done.

Supervisor Sprigg – questioned the area. The leased area is 60' x 60' with the shelter being 11.5' x 16' and will be screened and maintained by the tower owner.

Chairman Lerew – how long will the tower be in use. A lease is usually 30 years. It was questioned about using the water tower in Franklinton Borough. Any tall structures have to be identified within ¼ mile and the water tower is further than ¼ mile.

Vice Chairman Shambaugh – what type of evergreens will be planted. White pines are being proposed.

Supervisor Decker – how will the township be able to tell if the tower is not in use for 12 months? There would be no antennas on the tower and the meter bank would not be running.

Supervisor Sprigg – commented on the tower being 199' and the setbacks. Are there any homes within that area.

Chairman Lerew – the electromagnetic radiation is a concern. It was noted that a person would have to be no more than 5' in front of the antenna to get any affects.

Vice Chairman Shambaugh – the coverage exhibits are they computer generated. Yes. Were there tests done for coverage for a tower at 100' or 150' – No. This information was provided by Verizon.

Supervisor Sprigg – questioned the underground utilities with a monopole.

Questions from the Audience were asked.

Allison Mayhew – needs to see the location of the tower and where the road goes into the property. This was shown on the plan. The applicant would like to start the project in mid to late summer.

Wanda Mummert – what about strong winds. There are design standards for wind speeds. What about lighting strikes. A lighting rod will be placed at the top of the tower. Will there be light on the compound. Only above the door and it will be shielded down.

Ben Mummert – questioned the foundation. There is no subgrade profile but would need to bore down to test the type of soil. What about a subdivision of the property in the future. Mr. Mummert noted that a plan, site location or map should have been included with the notice.

Jim Adams (Franklinton Borough Mayor) – is there a back-up generator. Yes. There are 3 area airports that have aircrafts that fly under 200'. It was questioned if these are private airstrips, but it was noted that there are ultralights that are flying.

Jo Ellen Sprigg – what about noise coming from the tower. There will be none except for the air conditioning units which are no louder than standard household units. Has Verizon ever abandoned a tower. Only once.

Wanda Mummert – why not sublease from other towers. It is the location, the service and an overlap of sites.

Bill Hill, Township Engineer – in regards to exhibit A6 what is the breakpoint for ice and high winds. It was noted that the base is overdesigned but breakpoint would be the top 1/3. The lease agreement would specify how the tower would be abandoned but should also match the zoning requirements.

Chairman Lerew – what is the upkeep of the monopole. It is made of galvanized steel.

**Motion:** Vice Chairman Shambaugh made a motion to accept the exhibits. **Seconded** by Chairman Lerew. The motion carried.

It was noted that the Supervisors have 45-days to make a written decision. Vice Chairman Shambaugh noted that it was not documented that it could work at 150'. There was a brief discussion regarding Sections 419.K/J with regards to the setback with a height higher than 150'.

**Motion:** Supervisor Sprigg made a motion to continue the Conditional Use hearing for Verizon at the Board of Supervisors meeting of February 12, 2014 beginning at 6:30 p.m. **Seconded** by Vice Chairman Shambaugh. The motion carried.

## **2. AUTHORIZE ADVERTISEMENT OF REVISED BUDGET FOR ADOPTION**

Supervisor Decker stated that she would like a workshop meeting for the budget. It was decided to hold the workshop meeting on January 22, 2014 beginning at 7:00 p.m. No authorization for the advertisement of the revised budget was made.

## **3. APPOINTMENT OF ZONING OFFICER**

**Motion:** Vice Chairman Shambaugh made a motion to appoint Carol Myers as the Zoning Officer for 2014. **Seconded** by Chairman Lerew. The motion carried.

Mike Ryan made a comment about the last zoning officer not doing well. Supervisor Decker noted that this is on the job learning experience and there are classes available. Ms. Myer's pay rate will be set at the workshop meeting.

**4. EXECUTIVE SESSION**

It was noted that there will be no motions made, just litigation updates.

**5. OTHER BUSINESS**

**Ron Miller, Capitol Hill Road**

Mr. Miller commented on the fatal accident that happen on Twin Hills Road. Mr. Miller stated that he does ice control and snow removal. Capitol Hill Road had ice on the road and he wanted to know what time the Township was dispatched to salt the roads. It was also questioned what is the percentage of the mixture of salt and cinders.

**EXECUTIVE SESSION**

The Board of Supervisors went into executive session at 9:40 p.m. with no action to be taken.

Respectfully submitted,

Nancy Zentmeyer  
Township Secretary