

MINUTES

ZONING & SUBDIVISION REVIEW COMMITTEE

Tuesday –October 18, 2016 – 7:30 p.m. – MCRPC Offices

MEMBERS PRESENT

James Hughes, Vice-Chairman
Jim Hogan
Ron Faull
Bill Anthony
Dave Beatty
John Sweet
Garth Falkner
Robert McGhee

OTHERS PRESENT

Lisa Holm, Senior Planner – MCRPC
Dale Sorensen, Horizon Construction
Darren Snodgrass, Agent for Tower King
Grant Phillips, Tower King
Ronald Anderso, Universal Dev.
Pete Acker, VPE

Mr. Hughes, Vice-Chairman, called the meeting to order at 7:30 p.m. **A quorum was present.**

APPROVAL OF MINUTES (JULY 26, 2016)

Mr. Hughes, Vice-Chairman noted that the Minutes of the July 26, 2016 meeting were mailed prior to tonight's meeting. A motion was made by Mr. Falkner to approve the Minutes of the July 26, 2016 meeting with no additions, corrections, or deletions. Mr. Sweet seconded. The motion passed.

NEW BUSINESS

1. Major Land Development Plan – Cell Tower – Mill Creek Township – Ms. Holm explained that this proposal is for a 299' single pole cellular tower with guy wires to be located in Mill Creek Township along Urey School Road at Swamp Road southeast of New Lebanon Borough. Ms. Holm distributed a copy of the site plan with the property information to the members. Ms. Holm stated that under the Mercer County Subdivision and Land Development Ordinance, Article V, Section 512 is strictly for communication towers and there are 18 criteria to review and comply with for cell towers:

- 1) The applicant shall have FCC licenses; which is in the process.
- 2) The applicant shall comply with all applicable standards established by the FCC regarding human exposure to electromagnetic radiation; which they have all been tested and are less than 1, which is what is required.
- 3) The tower must comply with FAA and all other applicable airport zoning regulations; it was noted that Franklin Airport is 8 miles away; which will not be impacted by this tower or the height of the tower.
- 4) The applicant shall show that a good faith effort to mount the communications antennas on an existing structure within a ¼ mile does not exist; the applicant was unable to find a suitable existing structure within a ¼ mile radius or the height necessary for service.
- 5) The access and utility easement to the proposed cell tower shall be a minimum of 20 feet in width; the applicant stated that it will be 20 feet in width and the drive is noted to be 10 feet wide in gravel coming off of Urey School Road.
- 6) The tower may be located on a lot occupied by other principal structures and may occupy a leased parcel; which the tower is on a single piece of property along Urey School Road also occupied by a residence across the street.
- 7) The applicant shall show that the proposed height of the cell tower is the minimum height necessary to perform its function; the applicant has provided this in the propagation report.

- 8) The maximum height of any communications tower shall be 250 feet provided that such height may be increased to no more than 300 feet, provided the required setbacks from adjoining property lines are increased by 1 foot for each 1 foot of height in excess of 200 feet; the applicant request is for a 295 foot tower, but exceeds 250 feet allowed. This item will need to be noted on the plan prior to final approval.
- 9) The foundation and base of a cell tower shall be set back from the property line with any residential use at least 100 feet setback; the applicant is showing 200 feet.
- 10) The foundation and base of a cell tower and the communications equipment building shall be landscaped; the applicant has shown this on the plan.
- 11) The communications equipment building is within the fenced area around the base of the tower. This complies with the required yard and height requirements; it was noted that there is no zoning setbacks in Mill Creek Township.
- 12) The applicant shall have a PA registered engineer certify that the structure itself is designed and constructed in accordance with current standards and submit certification; the applicant has noted that a PA engineer has certified this and sealed the plan.
- 13) The applicant shall submit a copy of its current FCC license and emergency contact information for the operator of the cell tower; the applicant will need to update or add the contact information on the plan prior to recording. Also, a Certificate of Insurance showing that the operator of the cell tower and communication antennas, the owner of the property, as well as the Township must be insured; the applicant has noted that they have proper insurance, but will need to have the owner of the property added to be insured.
- 14) All guy wires associated with guyed communication towers shall be clearly marked and visible at all times, and shall be located within a fenced enclosure; the applicant is in the process of making sure that all detailed information is shown on the final plan. Currently, the fenced enclosure shown in the details is not shown on the plan.
- 15) The site of a cell tower shall be secured by a fence with a maximum height of 8 feet to limit access by the general public; the applicant will note height on the plan and refer to details.
- 16) One off-street parking space shall be provided within the fenced area; the applicant has provided one parking space within the fenced area, although it was noted that it would be safer to have one parking space outside of the fenced area.
- 17) No signs or lights shall be mounted on the cell tower, except as required by the FCC or FAA; the applicant has noted this on the plan.
- 18) If a cell tower remains unused for a period of 12 months, the owner or operator shall dismantle and remove the cell tower within 6 months of the expiration of the 12 month period; the applicant must add this information to the plan.

After reviewing the plan with Committee members, Ms. Holm stated that the proposed cell tower would be ready for approval contingent to final plan information to be added as discussed; the height of the tower requirements, insurance information and contact information put on the plan. Mr. Hughes questioned who the owner of the property was. It was noted that Tower King owns the facility on the property of Charles Keene.

After brief discussion, a motion was made by Mr. Beatty to **recommend approval for the height of the cell tower with the recommendation that the height and setback requirements be noted on the plan.** Mr. Anthony seconded. The motion passed.

Next, a motion was made by Mr. Hughes **to recommend approval for this major land development plan upon final plan information additions.** Mr. Falkner seconded. The motion passed.

2. City of Hermitage Zoning Ordinance – Map Amendment – Mr. Hughes explained that the City is proposing to rezone part of R-1-100 and CC-1, northeast of Snyder Road, to R-2-75 which is the same as adjacent to Hermitage Hills Apartments. The area is compatible with and extends an adjacent permitted land use.

Ms. Holm reviewed the five zoning amendment review criteria with Committee members: 1) this amendment is consistent with community objectives since the Comprehensive Plan for the County shows this area as an area where potential growth should be supported; 2) the permitted uses would be compatible with surrounding land uses with minimal impacts because the area consists of available land that is located between three zoning districts with the potential to develop along any of the permitted uses depending upon which has the potential to happen first. This allows multi-family residential, which is the proposed land use and is actually an extension of the adjacent development; 3) all necessary infrastructures are available for extension to serve the permitted uses; 4) adequate, already-zoned sites may be similarly zoned elsewhere, but this allows for expansion of a successful multi-family development on the adjacent site; and 5) local area conditions shows this area is located between zoning districts so the most needed extension of any of these could encourage appropriate development.

Committee members discussed this zoning map amendment in regards to the specific area being rezoned. A motion was made by Mr. McGhee to **recommend approval of this zoning map amendment to add this area to the R-2-75 Zoning District**. Mr. Anthony seconded. The motion passed.

OTHER BUSINESS

1. City of Farrell Zoning Ordinance – Map Amendment - Mr. Hughes informed the Committee that the City and the Redevelopment Authority are proposing to rezone part of M-C, along the 400, 500 and 600 blocks of Spearman Avenue, to R-2 Multi-Family. Ms. Holm explained that the request came in after the meeting notice however the City is processing the request as quickly as possible in order to acquire funding which has a requirement that the appropriate zoning for the intended use be in place at application.

Ms. Holm reviewed the five zoning amendment review criteria with Committee members: 1) this amendment is consistent with community objectives since the Comprehensive Plan for the County shows this area as an area where potential growth should be supported; 2) the permitted uses would be compatible with surrounding land uses with minimal impacts because this area consists of vacant properties adjacent to housing projects immediately adjacent. Multi-family residential is the proposed land use and is actually an extension of the adjacent development with necessary funding already available; 3) all necessary infrastructures are available to serve the permitted uses; 4) adequate, already-zoned sites may be similarly zoned elsewhere, but this is an expansion of the subsidized multi-family development nearby; and 5) local area conditions show the nearby area is already developing along the lines of the permitted use, multi-family, so with changes in funding requirements and availability, this has necessitated the proposed map change.

Committee members discussed this zoning map amendment in regards to the specific area being rezoned and the need to make comments if necessary as part of the zoning process. A motion was made by Mr. Falkner to **recommend approval of this zoning map amendment to add this area to the R-2 Zoning District**. Mr. Sweet seconded. The motion passed.

ADJOURNMENT

There being no further business to conduct, the meeting adjourned at 8:15 p.m.

Respectfully submitted,

Lisa Holm,
Senior Planner

LH/ew