



MIDDLE SMITHFIELD TOWNSHIP
PLANNING COMMISSION MINUTES
February 21, 2019

The regular meeting of the Middle Smithfield Township Planning Commission was held on Thursday, February 21, 2019 at 5:30pm at the Schoonover Municipal Building with Bob Early presiding.

Planning Commission members present: Bob Early, Wayne Bolt, Parin Shah and alternate member, Carrie Wetherbee. Mark Oney arrived after the minutes were approved.

Also in attendance, Planning Commission Solicitor Deborah Huffman, Esq., Township Engineer Christopher McDermott, P.E., Township Secretary Michele L. Clewell and Recording Secretary Holly Freese.

Plan presenters in attendance; Robert Knopf from Mobilitie, LLC.

Members of the public in attendance; James Fahl, Sherry Fahl, Karen Peart, Nathaniel McIntyre, Emmanuel McIntyre.

Pledge of Allegiance

Approval of Minutes

Wayne Bolt made a motion to approve the January 17, 2019 minutes. Carrie Wetherbee seconded the motion. Motion passed 4-0.

Announcements

None

Plan Submittals

None

Plan Reviews and Unfinished Business

Echo Lake; Library/Cultural Center Request for a Modification of Regulations; Parin Shah made a motion to table until the March meeting. Wayne Bolt seconded the motion. Motion passed 5-0.

Dollar General Land Development Plan- Parin Shah made a motion to table until the March meeting. Carrie Wetherbee seconded the motion. The motion passed 5-0.

Mt. Nebo Apartments Preliminary/Final Land Development Plan- Salvatore J. Caiazza, P.E. from Hanover Engineering submitted a waiver to extend the deadline until April 30, 2019 in order to incorporate some comments from the Board of Supervisors, Fire Officials and Engineer reviews.

Parin Shah made a motion to accept the waiver. Wayne Bolt seconded the motion. Motion passed 5-0.

Salvatore J. Caiazzo, P.E. from Hanover Engineering requested that the plan review be tabled until the March meeting. Carrie Wetherbee made a motion to table as per the applicant's request. Parin Shah seconded the motion. Motion passed 5-0.

Christopher McDermott, P.E., said his comments from the plan review can be discussed at the next meeting. RKR Hess and the Monroe County Planning Commission's plan reviews, as well as the township engineer's reviews have been provided and will be looked over and discussed at the next meeting.

Pennsylvania American Water applied to the Public Utilities Commission (PUC) to extend their line across Rte. 209 near Oak Grove.

Other Reviews and/or Recommendations

Mobilitie LLC c/o Robert Knopf 3 Conditional Use Applications- Robert Knopf, registered engineer from Mobilitie, LLC. discussed the plan for a series of small cell sites for Sprint. These sites in particular deal with dropped cellular/data. The proposed small cell antennas will go on already existing utility poles and pinpoint a specific area that can't handle the current amount of usage.

Chris McDermott described the location of the three (3) applications as follows; South of Price Chopper off of Rte. 209, Dunkin' Donuts parking lot off of Rte. 209, and the North West corner of Winona Falls Rd. All proposed installations are the same with a 3 foot antenna on the top of existing poles with cable running to relay equipment lower on the pole. They will be relaying to a macro site and PPL will be providing the pole. Equipment will be eight (8) feet off of the ground and will be high enough that it cannot be reached from the ground but is easily accessible for maintenance.

The applications require a conditional use approval. The conditional use hearing will be held on Thursday, February 28, 2019 at 7 pm. The planning commission reviewed the applications to provide recommendations for the hearing.

Chris McDermott asked how the proposed antennas will communicate with the parent network. Mr. Knopf answered that the antennas will act as a repeater and use radio frequencies within Federal Communications Commission (FCC) guidelines to communicate, making it much less intrusive. Verizon, who is the owner of 2 of the poles, will allow them to put the power meter on the pole and the antenna on top. The pole already has a relay that communicates with one of the macro sites.

Parin Shah asked what radio frequencies are used and if it will interfere with other frequencies, Mr. Knopf didn't have information about which frequency will be used. Chris McDermott said that the frequency should be within Sprint's licensing and there should be no interference.

Chris McDermott asked if a Radio Frequency Engineer will be at the public hearing. Mr. Knopf was unsure.

Wayne Bolt asked about the size of the antenna. Mr. Knopf answered that it will be a little over 3 feet high and the relay is small enough to not be noticeable.

Attorney Deb Huffman stated that part of Chris McDermott's review letter requires the applicant to provide a copy of the FCC license and PUC license from Sprint stating that they are permitted to use their frequencies. Mr. Knopf is unsure as to whether or not he will be able to obtain the licenses from Sprint quickly. Attorney Huffman stated the township needs proof that the antennas will be functioning and Sprint will be using them. Parin Shah stated that he is sure that FCC licenses are public record and could be obtained easily.

Mr. Knopf expressed concern about proposed state legislature on how townships can regulate cell towers. Bob Early stated that the township is currently working on a new zoning ordinance that will address projects such as this specifically and should be passed within the next few months. A conditional use would not be needed if Mr. Knopf chose to wait.

Chris McDermott addressed his review letter and stated that the review is the same for all three (3) sites. He addressed that in the plans the pole south of Oak Grove is supposed to be replaced and that it is unsure if the state or Verizon owns it. Mr. Knopf stated that the pole will be replaced by the owner for structural reasons and should be the same type of pole. Chris McDermott stated that there needs to be clarification at the public hearing about which poles will be replaced and what kind of pole will be used.

Chris McDermott stated that in the review letter, Mr. Knopf will also need to provide a Highway Occupancy Permit (HOP). Mr. Knopf stated that the pole owner has to provide the HOP. Attorney Huffman stated that the applicant would need to provide a HOP before a permit is granted.

Chris McDermott stated the applicant also needs to provide testimony that the installed items will be safe to the public and will abide by FCC guidelines. Testimony will also need to be provided by Verizon or Mobilitie stating that if the equipment stops being used it will be removed. Attorney Huffman stated that this will be required for the conditional use hearing. Mark Oney suggested providing a photo of the equipment for size reference.

Chris McDermott also suggested contacting the zoning officer in case a variance is needed as well.

Attorney Huffman stated the Applicant would need to show that they have permission by the property owner to do the work proposed. The pages of the agreement that were provided are not sufficient. Mr. Knopf stated that the included agreement is all that they can provide. Chris McDermott suggested getting the full agreement and redacting all confidential information.

Attorney Huffman suggested that Mobilite's legal team contact the Township Solicitor to determine what would be sufficient proof for the Township.

Parin Shah made a motion to recommend approval on all three (3) applications based on the engineer's review letter and the solicitor's comments. Carrie Wetherbee seconded the motion. Motion passed 5-0.

New Business

None

Discussion

None

Continuing Education

The second webinar from the Land Use Series by Penn State Extension was held on Wednesday, February 20, 2019. Carrie Wetherbee sent the slides to Planning Commission Members.

Public Comment

Members of the public in attendance were there for Boy Scouts requirements for Citizens in the Community Badge. Planning Commission members explained the role of the planning commission in local municipalities.

Next Meeting

March 21, 2019 at 5:30pm.

Adjournment

Wayne Bolt made a motion to adjourn the meeting at 6:51 PM. Parin Shah seconded the motion, motion passed 5-0.

Respectfully submitted

Holly Freese

Planning Commission Recording Secretary
February 21, 2019