

**RICHLAND TOWNSHIP
PLANNING COMMISSION MEETING
Tuesday December 21, 2010**

ROLL CALL

Board members present: Pat Keller, Tim Ritter, Mary Sulger, Robert Bonomo, Ray Reichardt and Mike Merkelt

Absent was Scott Guidos

Township staff present: Richard Brittingham, Asst. Township Manager/Zoning Officer, Kevin Kocahnski, Boucher & James, Inc., Lincoln Treadwell Solicitor.

APPROVAL OF MINUTES: September 21, 2010

MOTION: Mike Merkelt made a motion to approve the September 21st Planning Commission minutes. Mary Sulger seconded the motion. All in favor. Motion carried unanimously.

DEVELOPERS:

1. Liberty Towers, LLC (39 East Cherry Road)

Present: Crystal Fisher from Lemanowice, LLP, and Brian Seidel, Seidel Planning & Design

Proposal: the applicant is proposing to lease 10,000 sq ft of the approximately 4.95 + acres site to install a 160 foot monopole communications tower with a four foot tall lighting rod total of 164 feet, nine T-Mobile communications antennas at a height of 155 feet, and associates equipment under the F5 Commercial Communication Towers and Antennas Use. The site is located in the RA (Rural Agricultural District). If this project moves forward they will go to the January 3, 2011 Board of Supervisors meeting. The applicant will submit geotechnical investigation and tower design drawings for review. The applicant will comply with the steep slope issue and remove 40% of the soil.

Public Comment:

Barry Stroble from 55 East Cherry Road had concerns about the location of the tower and its proximity to the houses and weather the soil can support the tower.

Jill Zuck from 49 East Cherry Road voiced concerns about emissions from the tower and how this would affect her children.

Mr. Claude Post 65 East Cherry Road opposes the construction and placement of the tower on this property.

Staff Comments:

Linc Treadwell said the applicant has to deal with the steep slope issue on the property.

Rich Brittingham said the applicant did not apply for a permit to remove the stock pile of soil on the site.

Planning Commission Comments: Tim Ritter questioned the applicant about the total impervious coverage, and removal of the soil on the site.

MOTION: Tim Ritter made a motion recommending the Conditional Use approval for Liberty Towers, LLC subject to the following: Compliance with the Boucher & James, Inc. letter dated November 5, 2010, subject to obtaining the required Land Development Approval, receipt of all permits and approvals from any agencies having jurisdiction over such matters, project receives approvals from all municipal and government agencies having jurisdiction over the project, the applicant complies with all applicable provisions of the Township Zoning Ordinance and the Subdivision and Land

Development Ordinance, subject to obtaining any required relief from the Zoning Hearing Board, compliance with any conditions imposed upon the project by the Zoning Hearing Board in the granting of any relief. Robert Bonomo seconded the motion. Mike Merkelt and Pat Keller opposed. Vote was 4 in favor and 2 opposed. Motion carried unanimously.

2. T-Mobile Northeast, LLC (420 West Paletown Road)

Present: Michael Grab, Nikolaus & Hohenadel, LLP Attorney at Law.

Proposal: the applicant is proposing to co-locate six new antennas at a height of 125 feet on the existing 135 foot tall monopole and install related ground equipment. The property is within the RA (Rural Agricultural District). The applicant will comply with the Boucher & James letter dated December 15, 2010. If the project moves forward the applicant will go to the January 3, 2011 Board of Supervisors meeting. The applicant said the FCC regulates the emissions.

Public Comment:

Gary Messner 411 W. Paletown Road is concerned about the health risk from the communication tower.

Staff Comments: None

Planning Commission Comments: None

MOTION: Mike Merkelt made a motion recommending the Conditional Use approval to the Board of Supervisors for T-Mobile Northeast, LLC (420 West Paletown Road) subject to the following: Compliance with the Boucher & James letter dated December 15,2010, subject to obtaining the required Land Development Approval, receipt of all permits and approvals from any agencies having jurisdiction over such matters, project receives approvals from all municipal and government agencies having jurisdiction over the project, the applicant complies with all applicable provisions of the Township Zoning Ordinance and the Subdivision and Land Development Ordinance, subject to obtaining any required relief from the Zoning Hearing Board, compliance with any conditions imposed upon the project by the Zoning Hearing Board in the granting of any relief. Robert Bonomo seconded the motion. All in favor. Motion carried unanimously.

NEW BUSINESS:

ADJOURNMENT:

MOTION: Robert Bonomo made a motion to adjourn the meeting. Pat Keller seconded the motion. Vote: All in favor. Motion carried unanimously. Meeting adjourned 9:00 p.m.

Respectfully submitted,
Laura Held
Recording Secretary

Note: The next meeting of the Richland Township Planning Commission will be held on Tuesday, January 18, 2010