



BEAR CREEK TOWNSHIP

PLANNING BOARD

Chairman

Ronald J. Knorr

Vice Chairman

Joseph Yenchik

Board Members

Anthony Ciliberto

Richard Kresge, Jr.

Michael Parri

June, 2005 Planning Board Meeting Minutes

The meeting began at 7:00 pm and all Board Members were present.

Due to the resignation of Ron Knorr a reorganization of the Board was necessary. Mike Parri nominated Rich Kresge for Vice Chairman and the Board approved his nomination. In addition, Ed Benkoski was appointed at the last Supervisors meeting to fill the vacancy on the Planning Board.

➤ **Agenda Item:** Keen Subdivision

➤ **Karen & Daren Keen** were in attendance to speak to this agenda item.

Bill Vinsko addressed the subdivision as a follow up from the May meeting. He indicated he originally reviewed the ordinance quickly and noticed a conflict of the ordinance and normally a conflict in the ordinance would favor in the residents behalf. However, after fully reviewing the BCT ordinance it states that if the property does not have a public sewer it must be 2 acres. With that, Bill Visko does not see a conflict in the ordinance and therefore agrees the 2-acre minimum must stand.

Due to the different copies of the BCT ordinance certain older copies may have been referenced in the residents review. The Keen's feel there is a conflict in the ordinance (on many levels). There intent is to split up the property to avoid quarrels between their children in the future.

Joe Yenchik added that you must have 2-acres minimum to build a house.

The Keen's requested they be grand fathered in since they were not aware of this ordinance. However, Joe Yenchik & Tony Ciliberto explained to the Keen's that they are asking the Board to make an exception for something that never existed.

Bill Vinsko would like to redraft the BCT Planning & Zoning Code and will address this with the Supervisors.

Tony Ciliberto read the ordinance one last time to the Keen's to further detail the reason for their decision.

Joe Yenchik made a motion to decline the Keen subdivision due to the 2-acre minimum not being met. All Board members were in agreement.

➤ **Agenda Item:** Cingular Wireless – Harlow Pond/Meadow Run Road Site

James Mitchell, Marco Paredes, Mario Calabretta & Brock Riffel were in attendance representing Cingular Wireless.

Jim Mitchell, attorney for Cingular Wireless, indicated they are seeking approval for both sites, as their company requires higher structures to provide their customers optimal service.

Marco indicated that this is a real estate acquisition to fill gaps in their network. After discussing this project with the PA State Game Commission they were directed to two sites on Game Commission land. One being on Meadow Run Road and the other being the Harlow Pond site. The Game Commission requires Cingular to build their structure strong enough for other service providers to use.

Mario explained that the waves coming from the tower are cellular and PC waves (they are unlike microwaves). They will be 8-10 inches wide. Their agreement with the Game Commission included Cingular not disturbing previously undisturbed land and that they can only use area designated by the Game Commission.

Ed Benkoski questioned the representatives as to why they cannot utilize the existing towers in the area for this project. Jim Mitchell responded by saying that the PA State Game Commission did not offer existing towers and that they did not specifically speak about existing towers.

Joe Yenchik asked Cingular if they could provide a map of all of the towers in the area.

Marco indicated that the existing tower may not work for Cingular and that is highly unusual for one of these towers to fall.

Mike Parri questioned how they would address protection of the tower from gunfire since the Meadow Run Road site is very close to a shooting range.

Mario stated that the Harlow Pond has an existing road to the site with a gate for security. The towers are not lit and there will be 12 antennas on top. Cable run inside of the tower. The Board would like the electrical wires to be underground but that is ultimately up to PP&L.

Mario mentioned that the closes property line to either site is 185 ft. away. No home are nearby.

Rich Kresge asked if Cingular could bold the contours on the map. In addition, if the project encompasses more than 5,000 square feet a sedimentation and control plan is required. There will be no waiver given by the Board.

Rich Kresge also requested to have a legal description of the property.

Ed Benkoski requested a letter from the PA State Game Commission denying access to existing towers on their property.

Joe Yenchik requested that Cingular place something on the map to show a relationship and an understanding as to exactly where this is located. Joe Yenchik also requested that meets and bounds be displayed on the revised map.

Mike Parri asked if the adjoining property owners have been notified. Jim Mitchell indicated that if this is not in the ordinance than it has not been done. In addition, the FAA paperwork has been provided to Bill Vinsko.

Brock, the radio engineer for Cingular Wireless, described in detail the methodology behind why the tower locations are so important to this project. The height of the towers will be no more than 150 feet

and with the setback at residential sites being 100 feet and that of non-residential being 50 feet. Cingular is beyond those setbacks on both sites.

Jim Mitchell indicated that the base would be landscaped on the Meadow Run Road site only. The towers will be set up for a maximum wind speed of 70 miles per hour. There will be no guide wires and both sites will have an 8-foot fence surrounding the tower.

Rose Andrews (resident) questions the representatives as to what the distance is from the existing MCI tower in that area. In addition, she would like (as a good faith effort) to see an informational letter go to Parker Davis who will have the Harlow Pond tower next to his property.

In addition, the Board has requested the following items must be addressed prior to consideration of approval for the cellular towers sites proposed:

1. A surveyor's seal must be displayed on the map (both locations).
2. Since the area in question is greater than 5,000 square feet, an Erosion & Sedimentation Plan must be provided (both locations).
3. Provide a legal description of the easement and right of way for this site (both locations).
4. Provide a copy of the lease agreement with the PA State Game Commission (both locations).
5. Provide (in map form) proof that this tower site exceeds a one-mile radius of any other tower (both locations).
6. Provide documentation that you have exhausted all alternative locations prior to using this site (Meadow Run Road site).
7. Notify surrounding land owner(s) (i.e. Parker Davis property) of this proposed project.
8. The maps for both locations should be updated to reflect any wetlands.

Please keep in mind that the completion of above items in no way constitutes an approved plan. In addition, the Board may have additional questions or requests after the above items are completed.

A motion was made to approve the Harlow Pond site and not to vote on the Meadow Run Road site. All Board members were in agreement. The Harlow Pond site was approved and the Meadow Run Road site still requires further discussion. In both instances, the above items must be addressed.

➤ **Agenda Item: Mangan Subdivision**

Greg Schumacher was in attendance representing this agenda item.

The map provided is too difficult to read and must be clarified. Also, a Highway Occupancy Permit and perk test must be a stipulation on the map if they do not want to get them at this time.

➤ **Agenda Item: Gruver Subdivision**

Brent Steele and Jim Nolan (Sullivan Estates) were in attendance for this agenda item.

Jim Nolan indicated that the purpose of this subdivision is to break up the residential lots of the Sullivan Estates project.

The property that is proposed to be subdivided does not have a highway occupancy permit that must be obtained prior to this being considered.

Bill Vinsko informed Mr. Nolan that he could give a permanent easement to allow the Gruver's to use the property. An easement of up to 50 feet would eliminate the need to purchase more land from the Gruver's.

Joe Yenchik questioned why the calls on the deed changed – Did the locations of the pins change?

A discussion began over the setup and content of the map. The dimensions of the map are off significantly, which should be a concern for the buyer and seller of this project.

Bonnie Wasilewski questioned if Sullivan Estates has never been granted any approval. To date, the Board indicated that they have not.

No vote was taken on this agenda item. The Gruver's will need to get this back before the Board addressing:

1. Highway Occupancy Permit
2. 50 Foot Right of Way
3. Notes on Sewers
4. Change of Scale
5. Pipe shown on map

Miscellaneous Items

Rose Andrews questioned whether there was a response to the Planning Boards recommendation letter resulting from the last meeting. Bill Vinsko indicated he is still working on this and should have it ready for the July meeting.

Joe Yenchik requested that a formal letter be sent to Ron Knorr thanking him for his service on the Board.

All Board members approved the minutes of the May 21, 2005 meeting.

The meeting closed at 10:17 pm.