

EDGMONT TOWNSHIP PLANNING COMMISSION
REGULAR MEETING MINUTES
August 24, 2009

Joint Work Session – An advertised joint work session of the Board of Supervisors and the Planning Commission was held and began at 5:30 p.m. In attendance were Ronald Gravina, Board of Supervisors Chairman; Wm. “Chip” Mackrides, Board of Supervisors Member; Chip Miller, Planning Commission Chairman; Randy Bates, Planning Commission Member; Robert Bristol, Planning Commission Member; Eleanor Tickner, Planning Commission Member; Kenneth Kynett, Esq., Township Solicitor; David Malman, Esq., Planning Commission Solicitor; Michael Conrad, P.E., Township Engineer; Samantha Reiner, Township Manager; and Christopher Bashore, Assistant to the Township Manager. Joseph Conan, Board of Supervisors Vice-Chairman; Joseph Rapsa, Planning Commission Vice-Chairman; and Edward Theurkauf, Township Land Planner, were absent. There were no guests.

Those in attendance discussed the proposed parking ordinance, stormwater issues in certain developments in the Township, and the new community map. The Manager will assemble a stormwater committee to review regulations. No action was taken.

1. Open Meeting & Pledge of Allegiance: Mr. Miller called the meeting to order at 7:00 p.m. with the Pledge of Allegiance. In attendance was Chip Miller, Chairman; Randy Bates, Member; Robert Bristol, Member; Eleanor Tickner, Member; Michael Conrad, P.E., Township Engineer; David Malman, Esq., Planning Commission Solicitor; Samantha Reiner, Township Manager; and Christopher Bashore, Assistant to the Township Manager. Joseph Rapsa, Vice-Chairman, and Edward Theurkauf, Township Land Planner, were absent. There were 4 guests.
2. Public Comment: There was no public comment at this time.
3. Approve Agenda: Mr. Bates made a motion to approve the agenda for the August 24, 2009 meeting of the Planning Commission. Mr. Bristol seconded the motion. There was no further discussion and the motion approving the agenda passed unanimously.
4. Meeting Minutes: Mr. Bates made a motion to approve the minutes from the July 27, 2009 meeting of the Planning Commission. Mrs. Tickner seconded the motion. Mr. Bristol and Mr. Miller abstained due to their absence from the July 27, 2009 meeting. There was no further discussion and the motion approving the minutes passed with two (2) “Yes” votes and two (2) abstentions.
5. Manager’s Report: Mrs. Reiner summarized her Manager’s Report, noting the \$871,000 H2O PA – Water Supply, Sanitary Sewer, and Storm Water Projects grant the Township recently received and the \$200,000 grant received through the American Recovery and Reinvestment Act of 2009 for the mill and overlay of Valley Road.
6. Old Business:
 - a. 3954 Miller Road, Clear Wire Communications
3rd Meeting
Plans dated May 13, 2009
Last Revised August 5, 2009

Extension to October 2009

Present: Richard Lemanowicz, Esq., Applicant's Council
Mario Calabretta, Applicant's Engineer

Mr. Miller stated that this applicant was before the Planning Commission at the July meeting. The Township received an EMF Compliance Report and Non-Interference Report from the applicant. The Structural Analysis was deemed satisfactory by municipal professionals. The only outstanding items were those outlined in the reviews of Yerkes Associates dated August 19, 2009 and August 21, 2009.

Mr. Lemanowicz stated that the project engineer has visited the site to verify the location of the parking and noted that there did not appear to be any interference with the loading dock area. Mrs. Reiner asked if one parking space was designated in the field. Mr. Lemanowicz stated that it was. Mr. Miller asked how often technicians visit the tower. Mr. Lemanowicz stated that it is approximately once a month per carrier.

Mr. Conrad stated that there appears to be sufficient room on the property for parking, but the parking should not interfere with the loading dock. Mr. Lemanowicz stated two spaces for maintenance personnel and a note indicating non-interference with the loading dock will be added to the plan. Mr. Conrad stated that this would satisfy that comment on his August 19, 2009 review if it was approved by the property owner. Mr. Malman asked if the number of spaces was defined by the land owner in the lease. Mr. Lemanowicz stated that the ground lease designated the required parking for the site. Mr. Conrad noted that a gravel area was installed on the west side of the compound and that the addition of parking spaces is not the intent of the plan. Mr. Lemanowicz stated that no new parking spaces will be added.

Mrs. Reiner asked about the financial security to demolish the tower. Mr. Lemanowicz stated that his client is open to the method that the Township has used in the past. Mr. Conrad stated that the existing agreement with American Tower should be updated at this time to reflect the addition of the carrier.

Mr. Conrad made reference to sheet A-1 and the dimensions of the fence. The fence line on the plan shows a distance of 137' 9" from the west side and 145' 9" from the north side. Mr. Lemanowicz stated that this item will be corrected.

Discussion returned to the issue of parking spaces near the loading dock. Mr. Calabretta stated that he visited the site and confirmed that there will be no interference with the loading dock. Pictures showing the location of the parking spaces in conjunction with the loading dock were provided to the Commission. Mr. Miller suggested that a note on the plan showing the location should still be added. Mr. Lemanowicz stated that the note will be added.

Mr. Bristol made a motion to recommend approval of the plans for Clear Wire Communication, prepared by American Tower Structural Engineering dated May 13, 2009, last revised August 5, 2009, and consisting of sheets T-1, A-1 through A-4, E-1 through E-3, and EG-1 through EG-3. The plans depict the installation of Clear Wire antennas at 105' and ground equipment to be installed in the lease compound.

Approval is recommended on the following conditions:

- Complete compliance with the review of Yerkes Associates dated August 19, 2009.
- Complete compliance with the Delaware County Planning Department review dated June 18, 2009

Conditioned on American Tower entering into an agreement with the land owner to provide for annual inspections of the tower, pursuant to the letter of Yerkes Associates dated August 21, 2009. The inspections shall ensure that the tower and its appurtenances remain in good, undamaged, un-corroded condition. An original, executed copy of the agreement shall be provided to the Township prior to the recording of the final approved plan and all annual reports will also be provided to the Township.

Mr. Bates seconded the motion. Mrs. Reiner stated the motion should be amended to include the addition of a note on the plan showing that parking for the tower will not interfere with the loading dock. Mr. Bristol amended his motion to include that Clear Wire add a note on the plan stating that parking for the tower will not interfere with the loading dock for the warehouse. Mr. Bates seconded the motion. There was no further discussion and the motion recommending approval for the co-location of Clear Wire on the tower located at 3954 Miller Road passed unanimously.

b. 1010 Gradyville Road, Clear Wire Communications

3rd Meeting
Plans dated April 30, 2009
Last Revised August 5, 2009
Extension to October 2009

Present: Richard Lemanowicz, Esq., Applicant's Council
Mario Calabretta, Applicant's Engineer

Mr. Lemanowicz requested that this matter be tabled to the September meeting of the Planning Commission in order to have more time to address the structural questions outlined in the Yerkes Associates review dated August 21, 2009. This matter will be discussed at the September meeting. No action was taken.

7. New Business: There were no New Business items to be discussed at this time.

8. Miscellaneous Discussion:

- a. Delaware County Public History Feasibility Study and Implementation Plan: Mr. Bashore stated that the Township received information about the Delaware County Public History Feasibility and Implementation Plan from the Delaware County Planning Department. Mr. Miller requested a copy of the information received and noted that a copy should be forwarded to the Okehocking Historical Society.

9. Announcements:

- a. The Board of Supervisors will meet on Wednesday, September 16, 2009 at 7:30 p.m. for their regular meeting, with a work session at 6:30 p.m.

- b. The Planning Commission will meet on Monday, September 28, 2009 at 7:00 p.m. for their regular meeting, with a work session at 6:30 p.m.
 - c. The Zoning Hearing Board will not be meeting in August. If any applications are received, the Zoning Hearing Board will meet on Tuesday, September 22, 2009 at 7:00 p.m.
 - d. Mrs. Reiner announced the annual DCATO convention, which will be held November 12, 2009 at 6:00 p.m. at the Concord Country Club and asked members of the Commission to save the date. Formal invitations will be forthcoming.
10. Adjournment: At 7:25 p.m., Mr. Bristol made a motion to adjourn the meeting. Mr. Bates seconded the motion. There was no further discussion and the motion adjourning the meeting passed unanimously.

Respectfully submitted,

Samantha Reiner, Recording Secretary
Township Manager

Chip Miller, Chairman
Planning Commission