

The Richland Township Zoning Hearing Board met in the Richland Township meeting room, 322 Schoolhouse Road, Johnstown, PA 15904, on December 6, 2022, at 6:30 pm as per the request of Brad Laucher of AT&T Mobility, who was requesting a special exception to install a telecommunications tower at 944 Solomon Run Rd. He was also requesting a tower height variance of 84', a fence height variance of 2' and possible lot setback variances of 14'.

Present:

Bill Patrick

Mark Rychak

PJ McGowan

Pat Wess

Rodney Kniss

Eric Hochfeld

Tiffany Shomo

Mr. Hochfeld began the hearing by listing exhibits. Board Exhibit #1 was the appeal application with attachments. Board Exhibit #2 was the Richland Township Zoning Ordinance, by reference, and Board Exhibit #3 was the posting of the municipal building, the property involved, advertising in the Tribune-Democrat and notification of this hearing to adjoining property owners.

Court stenographer Lori Behe swore in Brad Laucher.

Applicant Exhibit 1: Sheet TS1 (ATT Mobility Project title page) through Sheet N3 (Legends and Abbreviations)

Mr. Brad Laucher of the GPD Group works for AT&T in the Ohio and Pennsylvania areas to find candidates to build their network. They are looking to approve coverage at the Airport and SR219.

He understands that the airport is close so they must follow the FAA regulations. They are trying to build as tall as they can and still comply with FAA. A preliminary airspace study was done for the location and results would allow a tower in that location at a max of 180' tall. The preliminary study was shared with the airport. Once the final study is done, it will have to be filed with the FAA.

Mr. Laucher stated they are proposing a 170' monopole with a 4' lightening rod in the L1 District. Sheet C1 is the area plotted to show the tower will be in the L1 district. The ordinance limits towers to 90'. At 90', the tower would be 33' below the runway. The support buildings at the airport are at a higher ground elevation (roughly 2280') so the tower would be 53' lower if 90' tall.

They are proposing a steel monopole that will have no guidewires. They are leasing a 100' x 100' area. An area of 60' x 60' will be fenced in.

The tower will be designed for future carriers in mind, leaving room available for them on the tower and on the ground. In the compound there will be an 8'x8' building, resembling a walk-in cabinet, and a diesel generator. Sheet C4 depicts the cabinet. The area will be graveled and fenced.

Sheet C11 shows the proposed fence. The ordinance requires the fence to be 6' high with 2' barbed wire. He is proposing an 8' high fence with 1' barbed wire above.

Sheet T1 shows what the site would look like. They still have to complete geotechnical drilling to determine the type of foundation.

AT&T expressed the need in this area. They are trying to maximize where they could cover but are limited by codes and the FAA. Because the tower will be designed for others, they would have to be lower yet on the tower if not higher than the 90'. The ground elevation is 2142' and the airport runway is 2257', a 115' difference, and slopes up towards the airport.

Mr. Laucher stated they will formally submit to the FAA if zoning approval is granted.

The airspace states it does not need lit, but the FAA may determine that top lights are required. As for no, it is planned to be unlit.

As for property setbacks, Mr. Laucher stated the nearest property line is about 355' away. He stated they seem to meet setbacks and believes they do not need to apply for a variance. They would like to keep the leased area at 100' x 100'.

Ms. Behe swore in Bryan Tipton, the landowner.

Mr. Tipton stated that the lease will be 5 years starting with automatic refills and a bump in premium up to 85 years.

Mr. Laucher stated that the road would not have a gate on it, but they have added farm gates before with a padlock on both sides. If necessary, he would like the gate at least 80' in on the property and could certainly comply. He added that the fence compound is gated and locked.

Mr. Laucher stated that the pad site is at least 355' away from any structures.

Mr. Patrick asked how low the tower could be for AT&T to work. Mr. Laucher explained that with topography and structures, it would be hard to say. If it were further from Solomon Run Road, he would gain height from topography but could lose highway coverage. The topography came into play when selecting this site. The area is not flat land, and they will have to grade the site.

The utilities will run from Solomon Run Road. They will install underground utilities (power and fiber).

Mr. Laucher stated the pad site will be visible eastbound but not westbound. The tower will be visible. If aesthetics are a concern, they can consider arbor vitae.

He reiterated that there will be lighting only if the FAA requires it but the preliminary study says it shouldn't be required.

There will be no employees on site though technicians may go once every month or so to check on the site.

From the ground to the highest point of the tower, including the lightening rod, will be 174'. Mr. Laucher stated he was unsure the average tower height in the region, but usually in rural areas they install 250'-255' self-support towers.

Mr. Laucher added that with the limited tower heights allowed in the ordinance, more towers would be required in general.

Mr. Laucher showed the board propagation maps that showed current unreliable coverage to the reliable coverage the new tower would bring.

Applicant Exhibit 2: Propagation Maps (2 pages)

Mr. Laucher explained the maps show the scenario with existing coverage versus proposed coverage after tower completion. The nearest antennas are 2.1 and 2.8 miles to the southwest and over 4.3 miles in the north, which is a fairly large gap.

Mr. Patrick asked if AT&T is currently able to provide service to the airport. Mr. Laucher explained that per the map it is unreliable.

Applicant Exhibit 2: Propagation Maps (2 pages) was not admitted.

As for environmental concerns, all wildlife and NAPA regulations would be followed.

The generator that would be within the compound would be self-contained, diesel, have emergency backup power, and a safety collection dike around.

Ms. Behe swore in George Bodenschatz of 1002 Solomon Run Road.

Mr. Bodenschatz stated that if tower goes through, it is a plus for everyone. There is no service in the area. He can't use his phone in certain parts of his house. He feels the approval wouldn't hinder anything.

The height variance on the application requested 80', but total height is 4' higher due to the lightening rod. Mr. Laucher amended his application to 84'.

Mr. Tipton stated that Verizon no longer supports a landline, so they have to have cellphone amplifiers in their homes for phone coverage. He is worried about safety in a hardship situation and is unsure if 911 would work.

The board took a recess.

There was no additional testimony

Attorney Hochfeld explained to Mr. Laucher that the required leasehold subdivision for the part being leased to AT&T establishes the property lines.

Attorney Hochfeld also told Mr. Laucher that Solomon Run Road is a state highway, and a highway occupancy permit would be required for the driveway.

Mr. Wess motioned to grant a special exception for the installation of the cell tower contingent upon FAA approval and that it complies with setback requirements for telecommunication towers. Seconded by Mr. Rychak. All in favor.

Mr. Wess motioned to grant an 84' variance as requested for the tower height. Seconded by Mr. Kniss. All in favor.

Mr. Wess motioned to grant a variance of a 1' height reduction of the barbed wire portion of the surrounding fence. Seconded by Mr. Kniss. All in favor.

Mr. Laucher asked about the leasehold subdivision. He stated that the tower location won't change from the drawings submitted. Attorney Hochfeld said the drawings show approximately but can't determine exactly where it is. Mr. Rychak explained if the tower falls, it must be within the lease lines. Mr. Laucher stated that they may have to increase the lease area. In his experience, they have always measured from the property lines. Attorney Hochfeld explained that Richland Township regulations are based off of the leased area. Mr. Laucher stated he will have to work with the landowner to obtain more lease area.

Mr. Laucher asked if he could get a letter from an engineer stating the tower would not fall if they could remain at the 100' x 100' lease area. Attorney Hochfeld stated that he would have to come request a setback variance if he cannot meet the Township setback regulations.

Mr. Kniss motioned to adjourn the hearing at 7:45 PM. Seconded by Mr. Wess. All in favor.

Respectfully submitted,

T. Shomo

Tiffany Shomo
Zoning/Codes Secretary