

**MEETING MINUTES**  
**LANCASTER TOWNSHIP**  
**ZONING HEARING BOARD**

**June 24, 2014**

Chairperson John Metzger called the meeting to order at 7:00 P.M. The following members were present: John W. Metzger, Elizabeth W. Bamford, Peggy D. Hall, and alternate member Joseph P. LoCurto. Also in attendance was John Kenneff, Zoning Hearing Board Solicitor, Thomas P. Daniels, Zoning Officer, and Cheryl Hansberry, Court Reporter.

**MINUTES**

On a motion, the minutes from the March 25, 2014 meeting of the Lancaster Township Zoning Hearing Board were unanimously approved as written.

**NEW BUSINESS**

1. Cellco Partnership DBA Verizon Wireless has applied for a Variance pursuant to Sections 402, 1401.1, 1403.1 and 1604.7 for the property located at 203 Second Lock Road to build a communications tower and antennas. The subject property is currently used as a cemetery and is zoned R-1. Mr. Daniels was sworn in and testified that the notice and publication requirements have been met.

Mr. James M. Strong, Esq. of the firm McNees Wallace & Nurick, presented the application on behalf of the Applicant. Four witnesses testified for the Applicant. The property consists of 83 acres with the area south of Bean Hill Road zoned R-1, and the area north of Bean Hill Road zoned Campus Open Space. Verizon wishes to lease a 100 x 100 foot area, on which will be placed a 50 x 50 foot fenced-in compound with a 150 foot tall tower with a 5 foot lightning rod. Landscaping will surround the area. Access will be off of Second Lock Road. Mr. Strong noted that the Lancaster Township Zoning Ordinance only allows cell towers in the Industrial Zone. In 2011, the Zoning Hearing Board permitted a tower to be built near the sewer treatment plant however this tower is not sufficient for the current needs of the Applicant. Verizon requires a tower in this location to address the gap in coverage. Four variances are required: One pursuant to Section 402 to permit the use, and the other three pursuant to Sections 1401.1, 1403.1 and 1604.7, to address landscaping and screening requirements. The Applicant does not want to be required to provide screening around the entire 83 acres.

The first witness, Ms. Deborah Baker, Baker Acquisition LLC, was retained by Verizon as a site consultant in order to locate an appropriate site. There are no existing tall structures in the area and no Industrial Zoned area in the search ring. The 50 x 50 foot compound will include the tower and an 11 x 16.5 foot equipment shelter. The site will be fully automated, requiring a

technician to visit one or two times each month. The Applicant is willing to condition the decision with an agreement to remove the facility and tower within three months if it becomes obsolete. A neighbor, Ms. Barbara Rouf, questioned why the access was off Second Lock Road. Ms. Baker answered that trees would have had to be removed otherwise. Adjacent neighbor, Mr. Robert Wolpert, questioned why it needed to be only 160 feet from the corner of his property.

A second witness, Mr. Jeffrey A. Balon, a registered engineer with Integrated Engineering Solutions, testified about the drawings of the site submitted with the Application. He noted that the utilities (telephone and electric) would be underground. No water or sewer services were necessary. Setback requirements will be met on all sides.

A third witness, Mr. Joe Ruiz, was hired to consult on the site, and addressed why this particular location was chosen. He testified that the tower located at the sewer treatment plant would not meet the Applicant's needs. He also testified that using upper limit assumptions, and even with other carriers using the tower, the cumulative radio-frequency exposure levels would be at least 380 times less than what the FCC allows. The tower does not require any lighting. In response to questions by Mr. George Weaver, Mr. Ruiz stated that the Zoning Ordinance requires the tower to accommodate other uses, including public safety. A final witness, Mr. Bruce Stegman, Stegman Engineering, testified that the facility would meet all industry standards.

In statements by neighboring residents, Mr. George Weaver noted the absence of the Lancaster County Conservancy, although they were notified. He felt that an access off Bean Hill Road would be superior, and questioned the exact location. He suggested that the Applicant consider the aesthetic appeal of the tower. Barbara and Robert Ruof, and Robert Wolpert agreed that it would be more desirable to have the access be off of Bean Hill Road, and were concerned by the proximity of the tower to the residential area. Mr. Jacob Harnish stated that it should be further away. Mr. Jeremy Groff recalled a decision by the Zoning Hearing Board concerning a denial of an application for a cell tower on his property many years ago.

Mr. Strong, noting the neighbors' concerns, requested a continuance until the next meeting to see if any accommodations could be made. Mr. Metzger made a motion to continue the matter until the next regularly scheduled meeting of the Lancaster Township Zoning Hearing Board, which is on July 22, 2014. Ms. Bamford seconded the motion, which carried unanimously. Mr. Daniels will locate the prior decision and provide a copy to the Board.

## **ADJOURNMENT**

Mr. Metzger adjourned the meeting at 8:40 P.M.

Respectfully submitted,



Peggy D. Hall, Secretary