

**MINUTES OF THE PLANNING COMMISSION
UPPER POTTS GROVE TOWNSHIP**

March 14, 2011

The regular meeting of the Upper Pottsgrove Planning Commission was held on Monday, March 14, 2011, at the Upper Pottsgrove Administrative Office, 1409 Farmington Avenue, with Elwood Taylor, Herb Miller, John Bealer, John Ungerman and Donald Nice present. Also present were Township Manager Jack Layne and Recording Secretary Michelle Reddick. The meeting was called to order by Chairman Taylor at 6:05 p.m. There were 4 people in the audience.

APPROVAL OF MINUTES – A motion by Miller, seconded by Bealer, to approve the minutes of January 10, 2011, as amended. All aye votes.

LIBERTY TOWERS, LLC – The Planning Commission reviewed a request from Liberty Towers, LLC for a waiver from land development for the cellular tower to be located at 96 Pineford Road. Engineer Bryan Seidel explained that they do intend to comply with all ordinance requirements pertaining to telecommunications facilities and all other conditions of previous conditional use and Zoning Hearing Board approvals. In response to a question from Mr. Miller, Mr. Seidel advised that they currently do not have any signed lease agreements with any cellular carriers. Mr. Seidel noted that they would not build the cellular tower until they have a signed lease with a carrier as previously agreed. In response to a question from Mr. Nice, Mr. Taylor explained that the color of the tower is not a concern since it is a windmill. In response to another question from Mr. Nice, Mr. Seidel noted that the proposed landscaping is shown on the plan. In response to another question from Mr. Nice, Mr. Taylor indicated that the Township is not interested in the applicant replacing trees being removed. In response to a question from **Donald Young, 46 Harding Street**, Mr. Seidel advised that the existing trees are lower than the tower so the trees will not interfere with the signal. **Diana Updegrove, 1404 Farmington Avenue**, expressed concern regarding testing of the tower for radioactive release and questioned how often the tower gets tested for radioactive release. Mr. Seidel explained that when the carrier applies to the Federal Communications Commission, they must comply with the FCC's regulations for exposure to electromagnetic radiation. In response to further concern expressed by **Diana Updegrove, 1404 Farmington Avenue**, concerning the lack of required testing, Attorney Crystal Fisher noted that the FCC regulates this issue and there is no requirement for annual testing. Mr. Taylor noted that there is testing of the components initially to make sure they meet the requirements of the FCC. In response to a question from Mr. Nice, Mr. Taylor explained that the Planning Commission would make a recommendation to the Board of Commissioners regarding the request for waiver from land development. However, the Board of Commissioners would make the final decision. Mr. Taylor advised that the Township Solicitor indicated that even if the Township would waive the land development process, it would not mean that the Township would not enforce all of the requirements under its ordinance, and such requirements would be enforced through a building permit review by the Township's Code Enforcement Officer. Mr. Taylor further noted that the Township Engineer recommended approval of the request for waiver from land development. A motion by Ungerman, seconded by Nice, to recommend to the Board of Commissioners approval of the waiver from land development. All aye votes.

In response to a question from Mr. Ungerman, Mr. Taylor advised that the information on the sign for Hopewell Community Church was provided as information only, and there is no action required by the Planning Commission.

Diana Updegrove, 1404 Farmington Avenue, noted that construction signs need the Pennsylvania state number listed on them and expressed concern that a lot of construction signs in the Township are illegal.

In response to a question from **Donald Young, 46 Harding Street**, Mr. Taylor advised that the Commerce Corner land development project is a dead issue at this time.

ADJOURNMENT – A motion by Ungerman, seconded by Bealer, to adjourn the meeting at 6:40 p.m. All aye votes.

Respectfully submitted,

Michelle L. Reddick
Recording Secretary