Public Hearing

Conditional Use
Pegasus Tower Company
June 6, 2011 – 6:00 P.M.

CALL TO ORDER:

The Public Hearing for Pegasus Tower Company Conditional Use was called to order at 6:00 P.M. by Terry Perryman, Chairman.

Supervisors – Terry Perryman, Frank Royer & David Capperella
Township Manager – William MacMath
Zoning Officer - Vaughn Zimmerman
Solicitor - Tracey Benson
Guests - Attendance Sheet attached to original minutes

PEGASUS TOWER PRESENTATION:

Michael Grab – Attorney/Representative for Pegasus Tower – Mr. Grab reported they have submitted an application for Conditional Use for the use to lease a 70 x 70 piece of land for a telecommunications facility which consists of one (1) stealth monopole tower 195’ in height. Mr. Grab presented to the Board the following Exhibits:

1. Copy of notice sent to all residents – Exhibit 1
2. Agreement between Pegasus & Property Owner – Exhibit 2
3. Site Acquisition Report – Exhibit 3
4. FAA Report – Exhibit 4

Mr. Grab reported they have exhausted all other possibilities of other locations. Since the Tower is only 195’ it is not required to be lighted. Mr. Grab called his first witness, Mario Calabretta, who is a professional engineer out of Royersford, PA.

Mario Calabretta, Professional Engineer – Mr. Calabretta displayed a drawing and explained in detail. Mr. Calabretta also reported if approved, the applicant still has to go through Land Development. Open Range proposes to place a tower on the Scott Property and will most likely not see the base. The compound is fenced which is a 66’ x 66’ square. There is enough room for additional carriers if interested as per the ordinance. The Tower is 195’ tall and Open Range will place their equipment at approximately 192’. There will be no offices or any other utilities on-site except for power and phone. This location will not cause any fumes, dust, noise etc. The pole is a tubular structure similar to overhead traffic lights, it is a steel pole, hollow inside. The project is governed by National codes and is built to code for all types of weather conditions and will meet all standards. There will also be a
Geotechnical Test completed and site specific soil conditions will be taken. Pole will be a galvanized steel finish and profile will be very thin.

**Frank Royer, Supervisor** – Mr. Royer questioned if this will have standard shelter? Mr. Calabretta reported Open Range does not use the typical standard shelter, they use concrete pads which are much smaller, with a rack for equipment.

**Terry Perryman, Chairman** – Mr. Perryman questioned if other carriers are interested will there cables run inside the pole also. Mr. Calabretta reported yes, and there is typically 10’ between carriers.

**David Capperella, Vice-Chairman** – Mr. Capperella questioned if there will be two dishes. Mr. Calabretta reported yes, there will be two dishes that will cover 360 degrees. The closest property is 300 ft. away to the South. The project exceeds ordinance requirements.

**Michael Grab, Rep./Pegasus Tower** – Mr. Grab presented a Radio Frequency Map to the Board showing they are trying to provide frequency as much as possible as per their FCC regulations. Mr. Grab reported he has a Radio Frequency Engineer on his way but has not arrived yet that can testify if The Board wishes. Terry Perryman, Chairman, reported he does not feel it is necessary to wait for the witness.

**PUBLIC COMMENTS/TESTIMONY:**

**Edward Fitzgerald** – Mr. Fitzgerald reported he lives at 441 Wiltshire Lane and he is raising opposition to this tower because he feels it will lower property values, and the primary reason is due to health concerns because studies show it increases cancer risks. He does not feel this is needed in “our backyard.” Mr. Fitzgerald commented he is just a citizen but he has a wife and children and is requesting the Supervisors to please vote no.

**Michael Grab** – Mr. Grab reported the FCC excludes anything above 33 feet and they are way above that. The applicant meets all requirements and is well above the legal limits.

**Deb Smith** – Ms. Smith reported she lives at 113 Kathryn Drive and is asking for the legal representative to wait until the public gives their comments before any rebuttal. Mr. Grab remarked he would wait to respond to comments.

**Tim Smith** – Mr. Smith reported he also lives in the Brockerhoff Development and he has three concerns. (1) Health concern (2) View (3) Radio frequency. Mr. Smith reported radio frequency was considered safe back in 1990, however he has read articles that microwave radio frequency is indeed harmful. Questioned what is the benefit to The Township?

**Chris Litten** – Mr. Litten reported he lives at 176 Kathryn Drive and has two issues. (1) Being too close to the Tower and is it only going to be one pole. (2) Safety issues, where is the closest technician
incase of an emergency. Mr. Litten reported he is with the fire company and if they were to be called
due to some sort of an emergency, how long would the fire company have to wait for a technician to
arrive.

**Mike Grab** - Mr. Grab questioned Mario Calabretta what happens in an emergency.

**Mario Calabretta** – Mr. Calabretta reported an alarm would go off, however there is not to
much that can go wrong at this type of site. Each carrier would have their own technician who would be
dispatched and depending upon their location could take up to an hour, but not ever too far away.
Carriers usually have technician’s that live in the area. However, as previously stated, he can not
foresee any issues with emergencies at this type of site.

**Kathy Mitchell** – Ms. Mitchell reported she also shares concerns because she is only 300 feet
from the border of this site. Her concern is noise and health issues.

**Frank Royer, Supervisor** – Mr. Royer reported he has two towers on his camp property for over 30 years and has never had any problems, no noise and never any emergencies.

**Barb Lang** – Ms. Lang questioned if it would affect property values?

**Frank Royer, Supervisor** – Mr. Royer reported he has not had any change in his property value, if anything it may have increased.

**Tom Frank** – Mr. Frank reported he lives at 194 Kathryn Drive and he also shares concerns. Questioned if there is any way after this meeting they can still voice concerns, and how different residents are chosen to receive the letters of notification.

**Michael Grab** – Mr. Grab reported under Section 901.34 of the Ordinance, everyone within 1,500 feet needs to be notified, it’s legal and meets all criteria.

**Tom Frank** – Mr. Frank questioned in what regard will public comments be taken.

**William MacMath, Manager** – Mr. MacMath reported this hearing is the public’s opportunity, but by law The Township must allow for cell towers.

**Tom Frank** – Mr. Frank commented “see, we have no say.”

**David Toohey** – Mr. Toohey questioned what type of power will be at the site.

**James Shelton, Radio Frequency Engineer** – Mr. Shelton arrived after hearing started and presentation by Mr. Grab was given. Mr. Shelton reported 250 and 500 watts will be the power out of the antenna.
David Toohey – Mr. Toohey questioned if this tower will have a light on top. Mr. MacMath, Manager, reported no, it is not required as per regulations and was mentioned earlier in the hearing.

Eddie Fitzgerald – Mr. Fitzgerald asked “Do you guys really want to give me cancer?” (Eddie Fitzgerald is the son of Ed Fitzgerald who was also present)

Deb Smith – Ms. Smith reported she lives at 113 Kathryn Drive and is a Breast Cancer survivor. She has read studies that this does have bad effects and is requesting Pegasus Tower to find another site that does not effect so many people.

Lance Westerhoff, President of Brockerhoff Home Owners Association – Mr. Westerhoff presented Exhibit 1 which was Epidemiological Evidence Report.

Ed Fitzgerald – Mr. Fitzgerald remarked he does agree with all remarks and comments being made, however asked that they look at other options.

David Capperella, Vice-Chairman – Mr. Capperella questioned what other options are there.

Ed Fitzgerald – Mr. Fitzgerald remarked “look at other areas.”

Tracey Benson, Township Solicitor – Mr. Benson reported someone needs to provide evidence stating there actually are other locations.

Deb Smith – Ms. Smith reported that clearly Pegasus have the funds to hire someone to do this research for them. Property owners do not.

George Scott – Mr. Scott reported he is the landowner that has agreed to lease a section of his land to Pegasus Tower Co. He also questioned those in attendance how many had cell phones, microwaves and computers. Mr. Scott reported these items are just as bad if not worse than a cell tower. These items are in your own homes and studies also show these items can also cause cancer. Cancer comes from many sources and feels this will be no more of a risk to residents. He too has cancer in his family. Mr. Scott reported he welcomes anyone who is interested in seeing the location of the tower is more than welcome to stop by. He does not want to upset anyone and is simply trying to put everyone’s mind at ease.

ADJOURN:

With no further discussion the hearing adjourned at 7:09 P.M.

Recording Secretary
Molly Baird