

**KINGWOOD TOWNSHIP
BOARD OF ADJUSTMENT**

**September 10, 2014
MINUTES
7:30 PM**

M.L. Haring, chairperson, called the meeting to order, at 7:30 pm.

PRESENT:

D. Hewitt	L. Frank
M.L.Haring	C. Ostergaard, alt
P. Stepanovsky	J. Laudenbach
B. Wilson, sec	T. Ciacciarelli
C. McBride	T. Decker, eng
D. Pierce, atty	

ABSENT:

In order to ensure full public participation at this meeting, all members of this Board, and members of the public are requested to speak only when recognized by the Chair so that there is no simultaneous discussion or over- talk, and further, all persons are requested to utilize the microphones which are provided for your use by the Township. Your cooperation is appreciated.

The 48 hour requirements of the Sunshine Law have been met. Notice of this hearing has been advertised in the Democrat. Copies of this notice were posted in the Kingwood Township Municipal Building and filed with the Municipal Clerk. The Board of Adjustment proceedings close at 10:30 pm.

MINUTES:

The June 11, 2014 minutes was approved with a motion by D. Hewitt, seconded by J. Laudenbach. On roll call to vote.

**Aye: L. Frank, C. McBride, J. Laudenbach, D. Hewitt, P. Stepanovsky,
T. Ciacciarelli, M. L. Haring**

Abstain: C. Ostergaard

Absent: None

RESOLUTION:

None

NEW BUSINESS:

Hearing:

David Pierce stated that he reviewed the Affidavit of Publication and the Proof of Service; the applicant has satisfied the notice requirements the Board may exercise jurisdiction and open the hearing.

M.L. Haring – the hearing is officially open - will the applicant please step forward.

Bucks County Public Safety Radio Network – BL 14, L 12.01 - co-location

Nathan Fox, from Begley, Carlin & Mandio, LLP, was present and apologized for some of the hiccups with regard to this application.

Mr. Fox submitted an affidavit of ownership from Crown Castle, the tower owner and as a courtesy he had hoped to provide the same for Mr. & Mrs. Pinkerton. Mr. Pinkerton signed an affidavit of ownership but Mrs. Pinkerton wanted to hear tonight that there is no microwave equipment on the tower.

Mr. Fox gave a brief statement that Bucks County 911 is already on the tower and essentially this is for a piece of ice bridging and 4 radio antenna's that will be taken off the tower and replaced with up to date equipment.

The following witnesses were sworn in by David Pierce: A.J. Desantis (Infinigy); Bruce Capecci (Motorola Systems Engineer); John Dougherty (LR Kimbal with County Consultant); Greg Rusciollelli (County of Bucks) and Thomas Olsen (Motorola Solutions).

Greg Rusciollelli informed the Board that he's an assistant technologist with the County of Bucks and has worked with 911 for 29 years. He oversees the construction and some of the technical aspects of this project for the county. This is a 24 site simulcast system each site playing off the other to give coverage because of the way the coverage is, and also, they are already on the site and have a building there. They have equipment there that they will be removing and replacing with new equipment. They are putting new equipment - FCC mandate to change over and become more efficient with the technology. They are authorized to be on this tower and they have submitted a signed lease marked **EXHIBIT A-1**

EXHIBIT A-2 submitted shows the entire property and a map of the County. The green dots on the County Map are all the 24 sites in Pa. and the yellow dots depict the sites in N.J. The T-1 site utilizes a Verizon phone line. It was noted that a very small section of the existing tower is visible from Daniel Bray Hwy.

Thomas Olsen informed the Board that he is the Project Director for Motorola Solutions for 34 years. He has the ownership on behalf of Motorola Solutions to implement and deliver the system to the County of Bucks as contractually agreed to. Everything that Greg Rusciollelli stated was true and correct. This is considered one of the 24 remote RF sites of the system that will provide, receive and transit capability back into Bucks County and will simulcast whatever input comes from police officers or first responders back out to their colleagues in the field throughout the county. There would be a significant gap in communication if this site was not included. There is another site that is owned by American Tower that the N.J. State Police co-locate on. They meet the FCC guidelines. There will be no additional lighting since their antenna's are well below the top of the existing monopole, complies with existing radiation standards and the equipment will be removed if abandoned. All franchises required by law have been obtained for this site. They have a valid FCC license, a valid lease that they can step on the site and they won't do any work until they receive a building permit from the township. The up to date FCC license was submitted and is in the Boards file.

L. Frank – it's only going to benefit 911 responders, cell phones?

Thomas Olsen - no cell phones, only for Bucks County, Police, Fire and EMS, not for public use.

M.L. Haring – any other questions.

A.J. Desantis informed the Board that he is the Vice President with Infinigy for over 10 years. He's familiar with the site and has visited the site. The site consists of an existing communication site, an existing monopole that Bucks County currently has it's equipment building there with some communication antennae installed. The parcel is generally a residential farm area with the site located on the northern portion of the parcel with significant vegetation surrounding it. This is an existing tower and they would not have the ability to move the tower. The Ordinance – Section 132-49 G (2)(h) – Aesthetics. Wireless communications towers and antennae shall meet the following aesthetic requirements.

[1] To preserve the rural character of the Township, all new wireless communication towers shall be constructed as a concrete silo tower unless the applicant demonstrates that the use of a concrete silo tower would be aesthetically detrimental. ***Does not apply - existing tower.***

[2] Wireless communication towers which are not concrete silo towers shall either maintain a galvanized steel finish or, subject to any applicable standards of the FAA or the Township, be painted a neutral color so as to reduce visual obtrusiveness. *Currently a galvanized finish.*

[3] At a wireless communications tower site, the design of the buildings and related structures shall, to the extent possible, use materials, colors, textures, screening and landscaping that will blend them into the natural setting and surrounding buildings and shall be located out of public view (visible from a public street, public land and public buildings) behind existing structures, buildings or terrain features which will shield the buildings and related structure from a view without blocking the transmission signals. *Referred to Site Plan, 2nd Sheet, page S1- localized survey that was done on the parcel which picks up the existing fence (8' tall approx.), monopole, associated outbuildings and existing evergreen shrubbery significantly taller than the fence (approx. 15' to 20')*

EXHIBIT A-3 – Picture taken directly in front of the communication site looking toward the fenced compound.

A.J. Desantis – this application is in compliance with district development regulations and setbacks. A passing structural analysis was completed on June 18, 2012. No signage is proposed and the landscape consists of 25 to 27 trees surrounding the compound which exceeds the 10' requirement. The security fencing is 8 ft. without barbed wire. The Site Plan Sheet C-3 - Elevation - shows that the tower is 125' tall. Bucks County is installed below. The tower is nestled within the existing landscape and is well hidden from the existing line of sight. The Bucks County equipment antennae will, if at all, protrude over the canopy very minimally. There will be some antennae installed at 48' and 70'.

T. Ciacciarelli asked about the frequency they are transmitting and was told that they would refer that to the systems engineer. And bring Motorola back.

Bruce Capecci, senior staff engineer but he's the project engineer for this and he's been with Motorola going on 26 years. The transmission frequency is between 790 and 800 MegaHertz. There is a paging transmitter at the site- 155.55 MegaHertz. No microwave equipment is being installed. They are using Verizon T-1's. The transmitters are 100 watts.

Tom Decker asked if any generators are being proposed on this site and was told that the site has no generator and if for some reason they lost power they would bring in a trailer mounted generator that has the quiet package on it, you could talk right next to it.

M.L. Haring – Any questions from the Board?

M.L. Haring – Any questions from property owners ?

Nate Fox – again County Bucks is currently located on this tower, a necessary site for the entire 911 radio network in Bucks County. Due to a FCC mandate they are required to change their equipment between a mix of approximately 24 sites. He asks that the Board grant them the relief they requested so that the County of Bucks can commence construction.

M.L. Haring- if there are no further questions she'll close the hearing.

No questions from the Board.

C. McBride moved to accept the application as written, seconded by T. Ciacciarelli. On roll call to vote.

**Aye: L. Frank, C. McBride, J. Laudenschlager, D. Hewitt, P. Stepanovsky,
T. Ciacciarelli, M. L. Haring**

Absent: None
Abstain: None

OPEN TO PUBLIC:

COMMUNICATIONS/REPORTS:

Kingwood Township Minutes for May 1, 2014.
Rutgers Fall 2014 Schedule

ADJOURNMENT:

L. Frank moved to adjourn, seconded by T. Ciacciarelli. All in favor. Meeting adjourned at 7:56 PM.

Barbara Wilson
Secretary
Board of Adjustment
Kingwood Township

