

ROSS TOWNSHIP ZONING HEARING BOARD
January 8, 2020

The Regular Meeting of the Ross Township Zoning Hearing Board was held on January 8, 2020, at 7:00 p.m. Ms. Schellhaas called the meeting to order.

PRESENT: Beth Schellhaas, Tara Howey, James R. Atzert, Philip Little and Ronald Zangaro

SOLICITOR: Catherine A. Conley, Esq.

DIRECTOR OF COMMUNITY DEVELOPMENT AND BOARD

LIAISON: Dominic J. Rickert

RECORDING SECRETARY: Noreen A. Re

Pledge of Allegiance

APPROVAL OF MINUTES:

December 11, 2019

Motion to approve made by Mr. Little and seconded by Mr. Zangaro.

Motion carries unanimously

RETENTION OF SOLICITOR:

Motion to retain Cathy Conley, Esq., as solicitor made by Mr. Zangaro and seconded by Ms. Howey.

Motion carries unanimously

OLD BUSINESS:

ZHB-33-19 - Fortune Wireless, authorized agent for owners Vertical Bridge, is requesting a special exception to replace and relocate an existing wireless communication tower pursuant to Section 27-906.6.I at property located at 198 Oakglen Road, Parcel ID No. 352-P-45, in an R-1 Zoning District of the 8th Ward.

Mr. Michael Daubenmire, 5511 West 79th Street, Indianapolis, IN 46268, was present on behalf of the applicant via telephone. Mr. Rickert stated the request is to move the location of the tower closer to the McKnight side of the boundary line and to reduce the height. The old tower will be dismantled and a new tower installed. The overall height of the tower will be 199 feet, which will be lower than the old tower. There will be no lighting. It will be a monopole structure, which will allow for any future co-locators and limit the number of towers needed in the general area.

Ms. Kristy Carnahan, 33 Berwyn Road, Pittsburgh, PA 15237, questioned how they could be building something new in a residential zone. She also commented that someone said the KQV towers were grandfathered in, since they were there before the residential properties. Ms. Conley responded as follows:

MS. CONLEY: "Under the ordinance there is permitted uses, and there are uses permitted by something called a special exception. What that means is the ordinance – the commissioners that wrote the ordinance, they wanted to design certain permitted uses. And what they do is give you a list of requirements for that special use. And if those requirements are met, then this Board does not have discretion to deny the special exception request.

"So under this, under Section 906.6.I, the ordinance provides requirements for the installation of a wireless communication antenna and tower. Okay? And so what I've done and so has Mr. Rickert, we've looked at the application and the requirements. And this application satisfies all those requirements.

“So it doesn't matter that it's grandfathered in. Let's say there were no towers there right now. They could ask to have that tower be put there under that provision as a special exception, as long as they meet the elements of the ordinance; and they have. Actually, it's going to be smaller, as he said. It's going from 350 to 199.”

Upon Ms. Carnahan's inquiry if it was going to be a 5G tower, Mr. Daubenmire stated at this time it is just going to be for improved coverage of LTE services, which will guarantee there will be no disruption in communication among emergency services.

Ms. Carnahan spoke in opposition to the request citing health concerns. Mr. Daubenmire stated local government is prohibited from taking into consideration health aspects of wireless towers, because it is the federal government's job. He indicated as long as they adhere to the local requirements, then they would be deemed approved.

Mr. Robert Gaertner, 338 Holly Hill Drive, Pittsburgh, PA 15237, spoke in opposition to the request. He addressed concern regarding the condition of the road and stormwater.

Mr. Kevin Cordero, 135 Oakglen Road, Pittsburgh, PA 15237, inquired about the cost and length of the project. Mr. Daubenmire stated the cost would be approximately \$ 100,000-135,000, The expected time to develop the site, weather permitting, will be approximately 45 days.

The site development was discussed in detail by Mr. Daubenmire. The fencing at the site will be in compliance with federal standards.

Ms. Gretchen Weaver, 131 Berwyn Road, Pittsburgh, PA 15237, questioned the process involved if a developer would purchase the property. Mr. Rickert explained what was involved.

No further public comments for or against

Motion to approve ZHB-33-19 made by Ms. Howey and seconded by Mr. Atzert.

Motion carries unanimously

ZHB-30-19 - Advanced Sign, acting on behalf of Eden Christian Academy, is requesting variances to: Section 27-1603.1.B (2) for a 3% increase over the 25% allotted size for an electronic message board; Section 27-1603.1.B (3) to permit an electronic message board sign in an R-1 Zoning District; Section 27-1606.8 for 5'10" of additional height over the 6' permitted for a freestanding ground sign; Section 27-1607.A (3) to permit an internally illuminated sign in a residential district; and to Section 27-1607.A (3) (a) for an additional 60 square feet of area over the 20 square feet permitted on any one side of any such sign, at property located at 206 Siebert Road, Parcel ID No. 352-D-24, in an R-1 Zoning District of the 2nd Ward.

Mr. Chuck Smullin 4146 Timberlane Drive, Allison Park, PA 15101, was present on behalf of the applicant. Ms. Schellhaas stated a site visit was conducted. Ms. Conley inquired as follows:

MS. CONLEY: "On your drawings, you're doing the peak; and you're going to put your emblem up there?"

MR. SMULLIN: "Yes."

Mr. Atzert requested the board not be placed any further towards Siebert Road than where the paint mark was for the site visit. Mr. Smullin was in agreement.

No public comments for or against

Motion to approve ZHB-30-19 made by Mr. Little and seconded by Mr. Zangaro.

Motion carries unanimously

NEW BUSINESS - None

Motion to pay the bill of the solicitor for \$1,138.25 made by Mr. Little and seconded by Mr. Atzert.

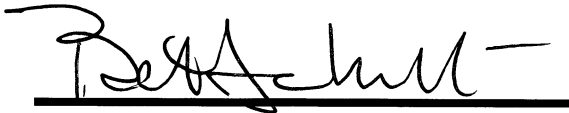
Motion carries unanimously

ADJOURNMENT:

Motion to adjourn made by Mr. Little and seconded by Mr. Zangaro.

Motion carries unanimously

MEETING ADJOURNED AT 7:55 P.M.



Beth Schellhaas
Chairperson

Minutes prepared by Noreen A. Re, Certified Realtime Reporter.