

# STRONGSVILLE PLANNING COMMISSION

## MINUTES OF MEETING

December 16, 2010

The Planning Commission of the City of Strongsville met at the Strongsville City Council Chambers located at 18688 Royalton Road, on **Thursday, December 16, 2010 at 7:30 p.m.**

Present: Planning Commission Members: Jeffery Ice, Chairman, Gregory McDonald, Mary Jane Walker and Thomas Stehman; Thomas P. Perciak, Mayor; Administration: Assistant Law Director, Daniel Kolick, Design Engineer, Lori Daley, Assistant Building Commissioner, Keith Foulkes, and Fire Department Representative, Randy French.

The following was discussed:

Mayor Perciak swore in Greg McDonald for another 4 year term as a member of Planning Commission.

**CLEARWIRE:** Mrs. Daley stated that this proposal is to co-locate 12 antennas on the existing telecommunications tower and a 12 x 20' equipment shelter on the school property. From the City Planner there is no report. From Engineering there is no report on the Conditional Use Permit and the Site Plan is in approvable form. Mr. Foulkes stated that there is no report on the Conditional Use and the Site Plan is in approvable form subject to a plan review in accordance with the Ohio Building Code and the receipt of the required removal bond in the amount of \$25,000.00. Mr. French stated that there was no report from the Fire Department. Mr. Kolick stated, that he needed to get a copy of the Agreement committing the co-locate. That needs to come to us and then we will also need the bond. We can set this for a Public Hearing tonight and we can send the Site Plan over to the ARB.

**COVENANT AND DEED RESTRICTIONS:** Mr. Kolick stated that periodically our Covenant and Deeds form has to be updated. Recently there was a change in the law through the State Legislature that required some updates. Those were the documents that you received last week. I am asking for your approval so that they can be incorporated as part of our Covenant and Deed Restrictions. You can act on it tonight.

The meeting was called to order at 8:00 PM by the Chairman, Mr. Ice.

Roll Call:

Members Present: Mr. Ice  
Mrs. Walker  
Mr. McDonald  
Mr. Stehman  
Mayor Perciak

Also Present:

Mr. Foulkes, Asst Bldg. Com.  
Mrs. Daley, Engineer  
Mr. Kolick, Asst. Law Dir.  
Randy French, Fire Dept

Carol Oprea, Recording Secy.

**MOTION TO EXCUSE:**

Mr. McDonald - Mr. Chairman.

Mr. Ice – Mr. McDonald.

Mr. McDonald - I move to excuse Mrs. Barth and Mr. Haseley for just cause.

Mrs. Walker – Second.

Mr. Ice – Secretary, please call the roll.

Roll Call:

All Ayes

APPROVED

**Approval of Minutes**

Mr. Ice – You have had a chance to review the minutes of December 2, 2010. If there are no additions or corrections they will stand as submitted.

**NEW APPLICATIONS:**

**CLEARWIRE/ John Sindyla, Agent**

a) Conditional Use Permit pursuant to C.O. Section 1273.03 and 1242.07 to co-locate 12 antennas on an existing telecommunications tower and a 12 x 20' equipment shelter within the fenced compound for property located at 20025 Lunn Road, PPN 393-26-003 zoned Public Facility.

b) Site Plan approval for the co-location of 12 antennas on an existing telecommunications tower and a 12 x 20' equipment shelter within the fenced compound for property located at 20025 Lunn Road, PPN 393-26-003 zoned Public Facility.

Mr. Ice – Item Number One, Clearwire, please step forward and state your name and address for the record.

Mr. Sindyla – Robert Sindyla, Sindyla & Associates, 7425 Royalton Road, North Royalton.

Mr. Ice – Thank you, we will now listen to the Administrative Reports, Mrs. Daley.

Mrs. Daley – Thank you Mr. Chairman. From the City Planner, there is no report. From Engineering there is no report on the Conditional Use Permit and the Site Plans are in approvable form. Thank you.

Mr. Ice – Thank you, Mr. Foulkes.

Mr. Foulkes – Thank you Mr. Chairman. From the Building Department, there is no report on the Conditional Use Permit. The Site Plans are in approvable form subject to a plan review in accordance with the Ohio Building Code. Thank you.

Mr. Ice – Mr. French.

Mr. French – Thank you Mr. Chairman. From the Fire Department, there is no report. Thank you.

Mr. Ice – Thank you, Mr. Kolick.

Mr. Kolick – Thank you Mr. Chairman. We will need to receive the Lease Agreement as well as the Removal Bond on Item “a” and this will need to be set for a Public Hearing. Item “b” we can refer over to the ARB. Thank you.

Mr. Ice – Are there any questions or comments? Okay then we will send the Site Plan over to the ARB and set the Conditional Use for a Public Hearing on January 13<sup>th</sup>.

### **COVENANT AND DEED RESTRICTIONS**

Adoption of revisions to required sections for Covenants and Deed Restrictions, Condominium Declarations, and all other similar documents.

Mr. Ice – Item Number Two, Covenants and Deed Restrictions. Mr. Kolick.

Mr. Kolick – Thank you Mr. Chairman. This Item, Mr. Chairman, periodically we review and approve the required language in the Covenants and Deeds. The last time we did it was in August of 2006. The Legislature has recently enacted a new law in this area,

effective September 1. The changes that we have here would bring us into compliance with the new law so I am going to ask that Planning Commission approve these by motion tonight.

Mr. Ice – Thank you, are there any questions from the members? Adoption of revisions to required sections for Covenants and Deed Restrictions, Condominium Declarations, and all other similar documents.

Mr. McDonald – I move to give favorable consideration.

Mrs. Walker – Second.

Mr. Ice – Secretary, please call the roll.

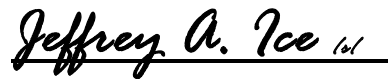
Roll called

All Ayes

APPROVED

Mr. Ice – Mr. Kolick, you have a favorable. Any other business to come before this Commission this evening? Seeing none, we are adjourned.

Hearing no other business to come before the Commission, the Chairman adjourned the meeting at 8:02 p.m.



Jeffrey A. Ice, Chairman



Carol M. Oprea, Recording Secretary

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Approved