

## STRONGSVILLE PLANNING COMMISSION

### MINUTES OF MEETING

August 18, 2016

The Planning Commission of the City of Strongsville met at the City Council Chambers located at 18688 Royalton Road, on **Thursday, August 18, 2016 at 7:30 p.m.**

Present: Planning Commission Members: Charlene Barth, Chairwoman, Gregory McDonald, Mary Jane Walker, Brian David and Thomas Stehman; Mayor Thomas P. Perciak; City Council Representative, Michael Daymut; Administration: Assistant Law Director, Daniel Kolick, Assistant City Engineer, Lori Daley, and Fire Department Representative, Randy French.

The following was discussed:

**CAMP BOW WOW:** Mrs. Daley stated that this application is for a 3,700 SF addition to the rear of their building and then pushing the kennels back, basically connecting up this parking because right now they have some parallel parking in the back so they will be connecting this up to make up for that parking that they are losing in the back. From the City Planner there were no issues. They did have to go to the BZA because it is an existing non-conforming use in the GI District. BZA gave them the variance and he is good with everything. From Engineering the plans are in approvable form. Mr. French stated that from the Building Department there is no report. He also stated that there was no report from the Fire Department. Mr. Kolick stated that the Commission could act on this matter tonight.

**FOUNDATION SOFTWARE:** Mrs. Daley stated that this application is to construct a 19,200 SF parking lot expansion for Foundation Software which is located on Foltz Parkway. Basically it is going to mirror what they put in a couple of years ago on the west side. From the City Planner there are no setback or other zoning issues associated with this request. Approval is recommended. From Engineering the plans are in approvable form. Mr. French stated that there is no report from Building and there is no report from the Fire Department. Mr. Kolick stated that the Commission could act on this matter.

**HUNTINGTON NATIONAL BANK:** Mrs. Daley stated that this application is to construct a 76 SF remote drive up ATM with canopy and dedicated lane for ATM traffic at the Greens of Strongsville, the Target parking lot. It was actually shown on the original plans for the Greens, it just never went in. This is the drive that comes in off of Royalton, TGI Fridays and Heinens over here so it is going in right in this drive here which is a one way drive. From the City Planner there are no setback or other zoning issues associated with this request. The applicant obtained Architectural Review Board approval and approval is recommended. From Engineering this is just a one way drive and we asked them to put in some additional signage up so that there is no traffic coming in this way, a do not enter, do some pavement markings, arrows, just so that it

is clear that this is just a one way. One thing that they are showing on their plans, there is the existing stop sign here that governs for these three drives right here. They wanted to move it back to before where that ATM is to allow cars but we feel like if they move it back it is just going to create an issue with cars coming out of the Starbucks Plaza and they are not aligned and people are not going to know what to do so we would rather that they just keep the stop sign where it is. Mrs. Barth asked if there was an ATM there now. Mr. Kolick stated that there is not. Mrs. Barth asked what the traffic pattern is now. Are they allowed to go that way? Mrs. Daley stated that they were. Mr. Kolick stated that they could make a right and go in that way. There is no signalization of any type on that drive. Mrs. Daley spent a few minutes showing the Commission the traffic pattern at the site. She also stated that there will need to be additional signage and pavement striping should be installed to allow for safe traffic flow. Mr. French stated that there was no report from Building. The CPTED Report states that there are no issues with Natural Surveillance; As far as Territorial Reinforcement, there should be bollards placed around the ATM to help prevent the ATM from damage by vehicles driving past and may prevent someone driving into it in an attempt to damage or steal from the ATM. As far as Traffic Concerns, there should be pavement markings to indicate traffic pattern changes so as to minimize any wrong way driving issues. From the Fire Department there was no report. Mr. Kolick stated that if any approval was forthcoming it should be made subject to the reports of the Engineering Department, traffic signage and pavement markings and to the CPTED report and approval of the lighting plans.

**SOUTHPARK MALL:** Mrs. Daley stated that this request was to amend the Master Sign Program to permit new signage for Bar Louie that is going in at the front. It is for two wall signs, one projecting sign and one awning sign. From the City Planner there were no issues. From Engineering there is no report. Mr. French stated that there was no report from the Building Department and that there was no report from the Fire Department. Mr. Kolick stated that this changed quite a bit from when they came in before ARB. They had to scale back quite a bit of this and they had writing on all the awnings. ARB then gave it favorable recommendation. You are in a position to act on it and if approved it would need to go to City Council.

**OHIO EXCHANGE FACILITIES NETWORKS:** Mrs. Daley stated that this request is for 3 different locations. These are new, they are calling them utility poles, and essentially they are monopoles. They are steel poles, 40" in diameter at the base; 120' high. Mr. McDonald asked if that was what the typical cell phone pole is. Mrs. Daley stated that they are about 48" at the base and those usually run about 140' high. These are slightly smaller. They are for wireless telecommunications. Mr. Stehman asked how many antennas were going to be on there. Mrs. Daley stated that these are all being proposed in the City right-of-way. It will be right off the back of the curb in all three

locations. The first one is at the corner of Hunt and 130<sup>th</sup> Street; the second is on Webster Road near Surrarer Park and the third is on Rt. 82 right in front of the Mall. From the City Planner he had some issues with these, not only the esthetics of it, being right off the street, also the fall zone, 120' there is a roadway, cars, buildings that are all going to be in that fall zone. He defines this as a monopole which it should follow our Code section, we have a Code section for wireless telecommunications and monopoles and there are requirements in there for setbacks to residential properties that these don't seem to meet the requirements. I will read the complete report verbatim on the floor. He notes that these are located right off the curb, some of them may impact sidewalks because there is not much room there. In summary, he is not recommending that these go in within the right of way. From Engineering there is a lot of items missing on these plans that we can't really make a thorough review. They don't have exact dimensions, location, and footer size. Most likely we are looking at footers that are 48" about 12' deep for these. All three of these have storm sewer, sanitary sewer, water lines that run within the right of way that most likely would be in conflict with them. All three of them we have sight line issues, there are drives out of some of the commercial properties there and then the park over on Webster, and it is directly across from residential homes so it will not meet that 500' setback there. Mrs. Barth asked if this was pointed out to them when they applied. Mr. Knopf introduced himself to the Commission. He stated that Ohio Facilities Network LLC is the State of Ohio Public Utility of Mobility. We are a public utility in all 50 states. The fact that we are a public utility ends up allowing us to be within the right of way and that should be dealt with in the broadband public utility companies in here. I have a couple of quick handouts to give to you to make you better understand what is happening and why we are doing what we are doing. This was an article from 18 months ago, February of 2015. Uber had a deal with Carnegie Mellon about doing a training facility for possible self-driving vehicles. Eighteen months later, today, this article came out. Uber has started in Pennsylvania in the City of Pittsburgh, 100 of their self-driving vehicles, automated vehicles. They do have a driver that is in the passenger seat while it is a trial but this is all self-driving. This is not the future, this is today that is happening. This is going on in Pittsburgh right now as a trial. Columbus, they are looking at doing this fairly soon with a different company. It is going to be nationwide within the next year. If it is nationwide in the next year, it will hit the suburbs soon after that. What they use for this is they have a computer in the cars but the computers have to have data transferred back and forth to it to update it. This data, wireless data is done by our infrastructure, not just ours, we have other companies that also do this, companies like us that perform this. Ford just ended up stating today that or very recently that in 2021 the first car they will have with no pedals, no steering wheel will be in 2021, less than 5 years away. Tesla as you know already has the self-automated driving that they are doing and so on and so forth. Over 25% of the cars that are out now a days have hot spots in the cars that is where you can end up going and having a wireless signal so that you can hook into the

internet from within your car. That needs to be able to gather data and transfer data from someplace. That is why this needs to be in the right-of-way. That is what we do. The poles that we end up doing, the transport poles are 120' because what we use is microwave technology. It had not really been used for this type of work in the United States much, it has mainly been in Asia and Europe because of traveling long distances with that. With the microwave technology though, the problem with it is that a piece of paper like this can block the signal. You end up needing the height advantage so that you will have a direct line of sight to go and transmit from one data source to another data source. The transport poles go to a back pole relay which ends up going and transmitting the data and speeds it up to a cell tower which then goes and puts it off to wherever the telecom providers network is. We are not a telecom provider, we do not deal with any residents, and we have the infrastructure support for the telecom providers who utilize our infrastructure so that they can provide data necessary to provide all this. I am not sure if you have read much about what we are doing at all. They just ended up having, the Public Utilities Commission just had a statement about this over the last year. There are 30 million of these poles coming in in the next 3 years over the United States. It is happening, it has to happen. The data usage that is happening with everyone's cellphones, just the cellphones alone doubles every year. That is why we need to be in the right-of-way because that is where the data is, that is where the network infrastructure is, that is where the Federal Government wants us. Remember back when you didn't have to wear a seatbelt when you drove? You remember this? When it was not State Law? What happened? The insurance companies ended up going to and telling Congress and they ended up passing laws stating that you needed to wear seatbelts, it is a mandatory seatbelt, and they will reduce the premiums in everyone's insurance. Not that I saw a premium change but that is what they told Congress. Congress made it mandatory. Ask your Chief of Police, what is the percentage of distracted driving accidents of your overall percentage. He is going to tell you between 50 to 75%. When this technology ends up being where it is common place and it is tested, we guarantee you that it is going to end up being where this becomes mandatory. Mr. French stated that from the Building Department, I have a lengthy report that I will read on the floor from the Building Commissioner. From the Police Department I have a report from Sgt. Grywalsky which I will also read on the floor. There is no report from the Fire Department. Mr. Kolick stated that as a City we have to weigh the new technology versus what is going to be safe for the community. Right now our Ordinances do not permit this in General Business which is Shopping Center. It doesn't permit it over there on Hunt Road. We have to weigh the height factor, the safety factors and all those items you'll hear in the reports today. I think it was unanimous with all the department heads and you'll hear their reports to deny this this evening. In addition to that we asked them for a lot of other information that they failed to provide to us. We asked for a coverage grid to see what area these things would cover because we do have poles but they are not here right up against the right-

The top of-way. They are blocking sight lines. Mr. Knopf asked what letter Mr. Kolick was speaking about. Mr. Kolick stated that a letter was mailed out July 22<sup>nd</sup> and we never got a reply on it. From our standpoint, I don't think you have any choice, you can't even permit it under that Ordinances. Mr. McDonald stated that the pole is in the zoning that doesn't even permit it. We don't have a choice but to say no to those. Mr. Kolick stated that it is permitted in Public Facility under certain, I think the one lot is zoned Public Facility, the one on Webster and Albion so that is the only one you could even look at it in. Even that one doesn't meet Code because it doesn't meet the 500' distance from a residence. Mr. McDonald stated that by Code we can't say yes to any of them. Mr. Kolick stated that they can't. For now that is what you will need to do, in fact, to give you some idea, it is one thing to talk about 120' pole, Carol bring in the demo. This is what the base of thing would be. Mrs. Daley stated that this is a 40" base. Mr. Kolick stated that that is what would be up against our sidewalk. Mr. McDonald stated that we are talking in the tree lawn, between the sidewalk and the curb which is 9' to start with. Mr. Kolick stated that was correct and this is what they are asking us to put into it. That is the base. To answer your question, you had asked earlier, these towers show just two sets of microwaves, one way up towards the top and another maybe 5 or 10 feet down. They are 120', they are taller than any of the telephone utility or electric utility poles that we have. Mrs. Daley stated that to give it perspective, the Water Tower is 150' feet so it is a little less than the Water Tower.

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

Roll Call:

Members Present:

Mrs. Barth  
Mrs. Walker  
Mr. McDonald  
Mr. Stehman  
Mr. Daymut  
Mr. David  
Mayor Perciak

Also Present:

Mrs. Daley, Asst. Engineer  
Mr. Kolick, Asst. Law Dir.  
Mr. French, Fire Dept. Rep,  
  
Carol Oprea, Recording Secy.

### **APPROVAL OF MINUTES**

Mrs. Barth – You have had a chance to review the minutes of July 28, 2016. If there are no additions or corrections they will stand as submitted.

**NEW APPLICATIONS:**

**CAMP BOW WOW/ Roxanne Jancsik, Agent**

Site Plan approval of a 3,600 SF addition to the existing Camp Bow Wow located at 14411 Foltz Parkway, PPN 393-03-009 zoned General Industrial. *\*BZA Variance Granted 5-11-16. \*ARB Favorable Recommendation 7-12-16.*

Mrs. Barth – Item Number One, Camp Bow Wow, please step forward and state your name and address for the record.

Ms. Jancsik – Roxanne Jancsik, 14411 Foltz Parkway, Strongsville.

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

Mrs. Daley – Thank you Mrs. Chairwoman. From the City Planner, the kennel is an existing non-conforming use in the General Industrial Zoning District, therefore the proposed expansion required a variance which they were granted by the Board of Zoning Appeals. The building and parking expansions comply with all the setback and other zoning requirements and approval is recommended. From Engineering the plans are in approvable form. Thank you.

Mrs. Barth – Mr. French.

Mr. French – Thank you Mrs. Chairwoman. From the Building Department it is in approvable form subject to a plan review in accordance with the Ohio Building Code. Fire Department, there current building has an existing fire alarm system that we would want also extended into this addition. Thank you.

Mrs. Barth – Thank you, Mr. Kolick.

Mr. Kolick – Thank you Mrs. Chairwoman. You are in a position to act on this, if you approve it it should be made subject to the Fire Department report as read here this evening. Thank you.

Mrs. Barth – Are there any questions or comments? Hearing none, I would entertain a motion for Camp Bow Wow.

Mr. McDonald – Mrs. Chairwoman.

Mrs. Barth – Mr. McDonald.

Mr. McDonald – I move to give favorable consideration for Site Plan approval of a 3,600 SF addition to the existing Camp Bow Wow located at 14411 Foltz Parkway, PPN 393-03-009 zoned General Industrial, subject to the Fire Department report as read here this evening.

Mrs. Walker – Second.

Mrs. Barth – Secretary please call the roll.

Roll Called

All Ayes

APPROVED

**FOUNDATION SOFTWARE/ Greg Modic, Agent**

Site Plan approval of a 19,200 SF parking lot expansion for property located at 17999 Foltz Parkway, PPN 394-09-002 zoned General Industrial.

Mrs. Barth – Item Number Two, Foundation Software, please step forward and state your name and address for the record.

Mr. Modic – Greg Modic, 17999 Foltz Parkway, Strongsville. Thank you for your time this evening, I am here on behalf of Foundation Software and an expansion to their parking lot. If there any questions you may have I would be happy to answer them.

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

Mrs. Daley – Thank you Mrs. Chairwoman. From the City Planner, there are no setback or other zoning issues associated with this request. Approval is recommended. From Engineering the plans are in approvable form. Thank you.

Mrs. Barth – Mr. French.

Mr. French – Thank you Mrs. Chairwoman. From the Building Department, there is no report. From the Fire Department, there is no report. Thank you.

Mrs. Barth – Thank you, Mr. Kolick.

Mr. Kolick – Thank you Mrs. Chairwoman. You in a position to act on this one as well this evening. Thank you.

Mrs. Barth – Are there any questions or comments? Hearing none, I would entertain a motion for Foundation Software.

Mr. McDonald – Mrs. Chairwoman.

Mrs. Barth – Mr. McDonald.

Mr. McDonald – I move to give favorable consideration for Site Plan approval of a 19,200 SF parking lot expansion for property located at 17999 Foltz Parkway, PPN 394-09-002 zoned General Industrial.

Mrs. Walker – Second.

Mrs. Barth – Secretary please call the roll.

Roll Called

All Ayes

APPROVED

**HUNTINGTON NATIONAL BANK/Terry Daspit, Agent**

Site Plan approval of a 76 SF remote drive up ATM with canopy and dedicated lane for ATM traffic for property located at 18100-18400 Royalton Road, PPN 396-11-001 zoned General Business. *\*ARB Favorable Recommendation 7-26-16.*

Mrs. Barth – Item Number Three, Huntington National Bank, please step forward and state your name and address for the record.

Mr. Daspit – Terry Daspit, 791 Signs Blvd., Gahanna, Ohio 43230.

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

Mrs. Daley – Thank you Mrs. Chairwoman. From the City Planner, there are no setback or other zoning issues associated with this request. Approval is recommended. From Engineering we ask that some additional signage and pavement markings be installed to allow for safe traffic flow. Also, the stop sign that is located on the main drive should remain in its current location. Thank you.

Mrs. Barth – Mr. French.

Mr. French – Thank you Mrs. Chairwoman. From the Building Department there is no report. The CPTED Report states that regarding Natural Surveillance: I feel that there is plenty of natural surveillance with regard to this ATM from “The Greens of Strongsville’ parking lot areas. The provisions in S.C.O. 814.01 “Surveillance Cameras Required for ATM Machines” should be followed (i.e., surveillance cameras, the proper candle feet of lighting power is provided, refrain from planting any shrubs as to obstruct visibility or provide concealment and provide 911 access within 300 feet of the ATM). I feel with proper lighting, any potential concealment area is mitigated. Regarding Territorial Reinforcement: I feel that the placement of concrete bollard around the ATM



will help prevent the ATM from damage by vehicles driving past and may prevent someone driving into it in an attempt to damage or steal from the ATM. Regarding Access Control: No foreseen issues. Regarding Traffic Concerns: Pavement markings will have to indicate traffic pattern changes so as to minimize any wrong way driving issues. From the Fire Department there is no report. Thank you.

Mrs. Barth – Thank you, Mr. Kolick.

Mr. Kolick – Thank you Mrs. Chairwoman. If this is approved it would need to be made subject to the Engineering report in relation to traffic, signage and traffic markings and the report of our CPTED Officer as read here this evening.

Mayor Perciak – I just have a comment. The bank has been on that corner for as many years as I remember and they are a wonderful part of this community but this traffic situation there is critical and I understand what you are trying to do and we support what you are trying to do but please get that place, make it safe, make sure all the traffic markings, all the arrows, all the signals everything is working, because we will step in and make sure that it doesn't operate if all that is not in place. You have to be there between 3 p.m. and 7 p.m., and the same thing in the morning. It is a very busy spot so please make sure that everything that they are requesting, especially that was read into the minutes happens before you bring that live. Thank you.

Mr. Daspit – I understand.

Mrs. Barth – Are there any questions or comments? Hearing none, I would entertain a motion for Huntington National Bank.

Mr. McDonald – Mrs. Chairwoman.

Mrs. Barth – Mr. McDonald.

Mr. McDonald – I move to give favorable consideration for Site Plan approval of a 76 SF remote drive up ATM with canopy and dedicated lane for ATM traffic for property located at 18100-18400 Royalton Road, PPN 396-11-001 zoned General Business subject to the Engineering report as read this evening specifically relating to the traffic signage and traffic monitoring as well as the CPTED report.

Mrs. Walker – Second.

Mrs. Barth – Secretary please call the roll.

Roll Called

All Ayes

APPROVED

**SOUTHPARK MALL/ Steven Greenberger, Agent**

Revision to the Master Sign Program to add three (3) signs indicated at locations M40, M41 and M58 on the Master Sign Program signage grid for Bar Louie property located at 10 South Park Center, PPN 396-22-001 zoned Shopping Center. *\*ARB Favorable Recommendation of tenant signage 8-16-16.*

Mrs. Barth – Item Number Four, Southpark Mall, please step forward and state your name and address for the record.

Mr. Gerolowitz – Ed Gerolowitz, 500 Southpark Center, Strongsville.

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

Mrs. Daley – Thank you Mrs. Chairwoman. From the City Planner, the proposed signs include 2 wall signs, 1 projecting sign and 1 awning sign. It is recommended that Planning Commission approve the amendments to the Master Sign Program for Southpark Mall as recommended by the Architectural Review Board. From Engineering there is no report. Thank you.

Mrs. Barth – Mr. French.

Mr. French – Thank you Mrs. Chairwoman. From the Building Department there is no report. From the Fire Department, there is no report. Thank you.

Mrs. Barth – Thank you, Mr. Kolick.

Mr. Kolick – Thank you Mrs. Chairwoman. You are in a position to act on this and if approved it would need to be confirmed by City Council. Thank you.

Mrs. Barth – Are there any questions or comments? Hearing none, I would entertain a motion for Southpark Mall.

Mr. McDonald – Mrs. Chairwoman.

Mrs. Barth – Mr. McDonald.

Mr. McDonald – I move to give favorable consideration for Revision to the Master Sign Program to add three (3) signs indicated at locations M40, M41 and M58 on the Master Sign Program signage grid for Bar Louie property located at 10 South Park Center, PPN 396-22-001 zoned Shopping Center.

Mrs. Walker – Second.

Mrs. Barth – Secretary please call the roll.

Roll Called

All Ayes

APPROVED

**OHIO EXCHANGE FACILITIES NETWORKS, LLC/ Joseph Oliver, Agent**

- a. Site Plan approval for a 120' monopole to be placed in the right-of-way located on Hunt Road near 399-33-005 zoned General Business.
- b. Site Plan approval for a 120' monopole to be placed in the right-of-way located on Webster Road near 398-07-001 zoned Public Facility.
- c. Site Plan approval for a 120' monopole to be placed in the right-of-way located on Royalton Road near 396-20-005 zoned Shopping Center.

Mrs. Barth – Item Number Five, Ohio Exchange Facilities Networks, LLC, please step forward and state your name and address for the record.

Mr. Knopf – Robert Knopf, 2501 Center Road, Avon, Ohio.

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

Mrs. Daley – Thank you Mrs. Chairwoman. From the City Planner, the applicant claims to be a public utility certified by the Public Utilities Commission of Ohio (PUCO), however, most of the cellular phone service providers are registered with the PUCO. The applicant asserts that the proposed installations are “utility poles” and is requesting permission to place them in the identified street rights-of-way. The proposed facilities are not, however, standard utility poles. The applicant is proposing to erect monopoles that are 120 feet in height and have a base diameter of 40 inches. The concrete foundations required to support these monopoles are 4 feet in diameter. The definitions contained in Section 1273.02 clearly apply to the proposed installations. The proposed facilities are certainly “antennas” as defined and the support structures meet the definition of a “monopole.” Regardless of what the applicant chooses to call their facilities, they are “wireless telecommunications facilities” as defined by the Zoning Code and as such are required to comply with Chapter 1273 as well as Section 1242.07. There are several issues associated with the proposed placement of the three monopoles. First, they will represent significant lateral hazards for motorists travelling on the City’s streets. Given the mass and design, they are not breakaway type facilities. Second, there is no safe “fall zone” for the support structure at the proposed locations. Should one of these towers fall, it could cause significant damage to adjacent properties and to motorists on the City streets. Third, located between the sidewalk and the back of curb and being almost 4 feet in width, they will present significant visual impairments

for vehicles entering and exiting the street from driveways. Fourth, given their massive size, they will create significant visual impacts for the surrounding properties. These potential aesthetic impacts, particularly for residential properties, are part of the reason the Code has special review procedures for towers located in residential areas. Finally, the location of such massive facilities within the tree lawn area will create issues with the facilities normally located in the right-of-way. The proposed Webster Road location will clearly have aesthetic impacts on the surrounding residential neighborhood that will impair property values, and therefore cannot meet the requirement of Section 1242.07(b)(1)(D). The other two proposed locations will not be harmonious with the adjacent business districts as required by Section 1242.07(b)(2)(D). In summary, regardless of what the applicant wishes to call its proposed facilities, they are clearly wireless telecommunications facilities as defined in Chapter 1273 of the Zoning Code. No other public utility operating within the City of Strongsville has been authorized to locate a monopole within the public right-of-way of a City street. Therefore, denial of these requests will not treat the applicant differently than any other utility or place it at any competitive disadvantage to other providers. In summary, the requested locations are not appropriate for the type of facilities proposed and have the potential to create undue and unnecessary impacts on public safety, adjacent private properties, community aesthetics, and adjacent property values. If the applicant wishes to proceed under the terms of Chapter 1273 a Conditional Use Permit and a public hearing would be required, however it is my professional opinion that the proposed installations will not meet the required standards to permit the Commission to grant such a permit. Otherwise, the applications do not comply with the Zoning Code and denial of all three applications is recommended. From Engineering these comments are related to all locations: 1. Dimensioned plans need to be submitted including, but not limited to, the exact location of the poles, and all existing utilities within the work zone and foundation design. 2. Per the Ohio Department of Transportation Location and Design Manual Vol. 1, Section 600.2.2 and 600.2.3, the minimum offset to fixed objects is 1.5 feet from the face of curb. It is unclear from the plans submitted to determine if this criteria is being met. Site specific comments: a) Pole to be located on Hunt Road near PPN 399-33-005, zoned General Business. Chapter 1273 of Strongsville Codified Ordinances states that wireless telecommunication facilities must be setback not less than 500' from any single-family or two-family property line. It is unclear from the plans submitted to determine if this criteria is being met. Conflicts may occur with the existing water line, storm sewer and/or sidewalk. Applicant to submit detailed plans. The location of the pole may obstruct sight lines from the exit drive of Boston Square II. Applicant to submit dimensioned site plan. b) Pole to be located on Webster Road near PPN 398-07-001, zoned Public Facility. Tower will be located closer than 500' from a single family property line. Exact distance unable to be determined. Applicant to submit dimensioned site plan. Conflicts may occur with the existing water line and/or sanitary sewer. Applicant to submit detailed plans. The

location of the pole may obstruct sight lines from the park drive. Applicant to submit dimensioned plans. c) Pole to be located on Royalton Road near PPN 396-20-005, zoned Shopping Center. Tower may be closer than 500' from a single-family property line. It is unclear from the plans submitted to determine if this criteria is being met. Conflicts may occur with the existing storm sewer and/or sidewalk. Applicant to submit detailed plans. The location of the pole may obstruct sight lines from the mall drive. Applicant to submit dimensioned plans. Thank you.

Mrs. Barth – Thank you, Mr. French.

Mr. French – Thank you Mrs. Chairwoman. From the Building Department, The proposal is to construct (3) 120' high, 40" diameter monopoles constructed within the right of way in three different locations: 1. Pole located on Hunt Road near PPN 399-33-005, zoned General Business District. 2. Pole located on Webster Road near PPN 398-07-001, zoned Public Facilities. 3. Pole located on Royalton Road near PPN 396-20-005, zoned Shopping Center District. cursory review of all three proposals: Detailed site plans, building, electrical or mechanical plans have not been submitted. It would appear the proposed monopole proposals should fall under the requirements of SCO Chapter 1273. CHAPTER 1273 Wireless Telecommunications Facilities 1273.01 PURPOSE. The purpose of this chapter is to establish regulations for wireless telecommunications facilities. The goals of this chapter are: (a) To protect residential areas and lands by minimizing adverse impacts of towers; (b) To encourage the location of towers in non-residential zoning districts; (c) To minimize the total number of towers in the community; (d) To encourage the joint use of new and existing tower locations; (e) To ensure that towers are located in areas that minimize adverse impacts; (f) To ensure towers and antennas are configured in a way that minimizes adverse visual impacts by careful design, appropriate siting, landscape screening, and innovative camouflaging techniques; (g) To enhance the ability to provide telecommunications services to the community quickly, effectively and efficiently; (h) To consider public health and safety of telecommunications facilities; (i) To avoid damage to adjacent properties from tower failure through careful engineering and locating of tower structures; (j) To encourage the attachment of antennas to existing structures; (k) To facilitate the provision of telecommunications services throughout the City; and (l) To allow the location of antennas near certain interstate highways in residential districts. 1273.02 DEFINITIONS. (d) "Monopole" means a support structure constructed of a single, self-supporting hollow metal tube securely anchored to a foundation. ADDITIONAL CONCERNS WITH THE LOCATION WITHIN THE RIGHT OF WAY. The proposal is for the installation of poles approximately 120' feet in height. Nearly 3 time the height of typical utility poles located within the Right-Of-Way. The proposed concrete support base will be approximately 50" IN DIAMETER x (various depths) but estimated at between 12' and 20' in depth below grade. Visual obstructions for vehicular and pedestrian traffic. Responsibility for removal of poles and

foundations if technology becomes obsolete. Structures located within the fall zone of these poles. There have been a number of reported failures of monopoles due to deterioration of the pole at the base plate. Given the proposed location of these poles, continuous use of salt and deicing chemicals in this specific area, the potential for deterioration of welded joints, foundation bolts and structural steel of the monopole itself is of great concern. Potential for severe injuries due to vehicular or pedestrian accidents involving structures this size in the right of way. Disruption of traffic when service of equipment is required. The size of the equipment required to reach a height of 120' to service equipment is significant. Disruption of traffic and services is unavoidable. Compounds the placement of other utilities needing to be located in existing easements within the right of way. The right of way and size of easements are limited in width. Cost of acquiring additional right of way for location of other utilities and City road widening due to the size of these poles and required foundations. Potential for future wireless communication providers wanting to install their OWN poles in the right of way. There are NO PUCO or utility provider standards in place limiting the size of what they define as a "Utility Pole". This would potentially open the door for taller and wider poles wanting to locate within the right of way. Existing monopole locations require fencing to be placed around the existing facilities limiting access to the facilities. There is a potential for these metal monopoles to become energized increasing the risk for electrical shock. Given the height of these poles and the fact they are metal there is the potential for frequent lightning strikes. Since these are not located within a fenced enclosure, the public would be at greater risk of electrical shock resulting in serious injury or death. Revision G of the ANSI/TIA 222 specifies 10 OHMS maximum resistance to ground. This section of ANSI/TIA 222 requires six grounding electrodes symmetrically installed 20 ft. minimum spacing 10ft. deep. This would cause disruption of roadway areas and property beyond the R.O.W. I am also in possession of the CPTED Report from Sgt. Grywalsky which states. Chief Kobak and I had the opportunity to review in person all three proposed sites and have formulated our position on these towers. We looked at variables, such as Traffic safety, Line of sight, proximity to roadway, pedestrian safety, and of quality of life i.e. aesthetics. Here are the results. S.R. 82 near the western drive to the mall; the only issue was the proximity to the roadway. With Rt. 82 having so much traffic, any mishap on the roadway such as a MVA or bad road conditions could result in a serious issue with a vehicle striking such a large object. None of the other issues came into play. Webster road at Surrarrer park; All of the variables for this location were non concerning, except for the aesthetics of being right across from two residences. Hunt Rd. near w 130<sup>TH</sup>; the issue here was proximity to the roadway. This site sits at the end of a curve where any vehicle leaving the roadway coming out of the curve (i.e. bad weather or road conditions) put this tower right in their path. Again striking such a large object could be disastrous. All of the other poles and signage in the area and along that road, were well off the roadway and

most being beyond the normal tree lawn area. These are our concerns for these sites. From the Fire Department there is no report. Thank you.

Mrs. Barth – Do we have a report from our Safety Director?

Mr. Goss – Very briefly Madam Chairwoman, although not noted in Sgt. Grywalsky's report, I did discuss this matter with Chief Kobak and there could be additional concerns. For example at the Webster Road location, there are designated bicycle paths on both sides of the roadway that would be in close proximity to the pole. Also we have a high degree of motor vehicle accidents in that area that leave the roadway. There is a lot of deer/vehicle crashes in that roadway and sight lines could be an issue both for motorists, pedestrians and bicyclists at all three locations. Thank you.

Mrs. Barth – Thank you, Mr. Kolick.

Mr. Kolick – Thank you Mrs. Chairwoman. We had looked at these applications in relation to our Code and there is a lot of information we requested that we haven't received. Section 1273.04(a) we requested that they give us any information they had on checking on co-locations. We received nothing in that regard. Under 1273.04(d) we asked them to check other sites as required under the Code and we received nothing. Our site plans require that all buildings be shown within 300 feet and we don't have that. They are required to show us a written contact with any other tower owners, we haven't received that. They are required to show us a landscape plan, we haven't received that. They are required to show us coverage grids, we haven't received any of those. They are required to post a removal bond, we haven't received any removal bonds on this. In addition to that the pole at Hunt is in General Business and this type of pole is not permitted in the General Business District. The pole at the Shopping Center is in the Shopping Center District and it is not permitted in the Shopping Center District. The only place that it is permitted that they gave an application for is in Public Facility on Webster however, in order to be permitted there, it has to be outside of 500' of any residence and they are well within that 500' area. Basically they don't comply with any of those Code provisions. In addition to that we had written a letter to them over a month ago requesting this additional information and we haven't received any of these items from them. I had a discussion with Mr. Knopf right before the meeting and he acknowledges it is his boss who would have received this letter. He wasn't aware of it. We got the application from Mr. Oliver in Chicago, Illinois so that is where the letter went to.

Mr. Knopf – Correct and that is something that I need to look into because I never received that and that is something that I have to go and see what happened to insure that we go that.

Mr. Kolick – I guess in light of that Mr. Knopf, do you want to go forward with this application?

Mr. Knopf – I have a couple of comments before we end up saying anything. First of all, I am kind of disappointed in the fact that when I first dropped off these applications and subsequent e-mails to various staff members requesting a meeting, a face to face meeting, I was never responded to. This is one of the reasons I wanted to go over a couple of different items. Any of the Engineering items I understand with safety. The one thing and we are going to have to have prior discussions with the Law Director at some point, is that trying to deny us based on zoning code goes and ends up making Strongsville repudiate ORC 4939.04. That is something that is going to have to be discussed at some point because in 2010 the State of Ohio ended up going and stating that the non-switch rapid frequency transport service, which is what we are considered under PUCO and certified under them, was essentially a utility under the State of Ohio which means that we have the exact same rights as every other utility. So therefore, any fall zone codes that you end up going and placing on us needs to also be enforced with every other pole that is within the right-of-way within the City. That is how it is written within the State Code. In 2015 they ended up going and going through and redoing this through various court cases and they ended up going and showing that the zoning codes, most of them, were considered discretionary, which means that they weren't going and treating all the public utilities and same. This is one of the things that I wanted to bring up in the meeting that I wanted to have, a face to face meeting with the staff people, so we can go over this. The exact locations can end up being tweaked as necessary so I have no problem looking at certain locations, especially when it comes to residential. Our company is very sensitive when it does come to residential areas, we understand that a person who ends up having their life savings placed in their house does not want to have something like this in the front of their house. We are willing to go and look at a modification of the various locations on this. It is something that we do need to have a face to face to discuss these matters. Like I said, from the information that I handed out to you today, this is not going away, if anything it is going to get more and more and more, because it has to. The Federal Government allowed us to become a public utility for a reason. That was because they deemed it necessary. We have to be within the right-of-way because that is where we have to be. In terms of what I would like to have for tonight, I am assuming that just tabling it, is that one of the options? Or what are my options at this point?

Mr. Kolick – I don't know if you can table it because we have time periods as you know under the Revised Code, if applicable. I think you can withdraw these applications for now. You can always refile again at a later date. If you come down, change your locations, get together with the City. The proper thing would be to either withdraw the applications or we need to act on them. It is that same section you referred to.



Mr. Knopf – I understand, in most cities by tabling it that is me going and saying that I am allowing it at the next meeting.

Mr. Kolick – You need to either withdraw it or we will act on it.

Mr. Knopf – Ok at that point then I would like to withdraw.

Mr. Kolick – That is all three of them?

Mr. Knopf – Yes, please.

Mr. Kolick – Ok, thank you. We won't need to act on them. You can feel free to contact the City and we will be happy to sit down with you.

Mr. Knopf – Who do I need to contact because whoever I was previously contacting was not responding.

Mr. Kolick – To our Secretary here, she has to get all the people together.

Mr. Knopf – I understand, thank you.

Mrs. Barth - Any other business to come before this Commission this evening? Seeing none, we are adjourned.

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Charlene Barth, Chairwoman

*Carol M. Oprea* ✓  
Carol M. Oprea, Recording Secretary

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Approved