

RECORD OF PROCEEDINGS
Village of Peninsula
PLANNING COMMISSION

Held: November 28, 2016

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CALL TO ORDER: The Village of Peninsula Planning Commission convened from 7:30 p.m. to p.m. 9:51 p.m. in the Peninsula Village Hall. Karen Walters called the meeting to order with the following members and visitors present

ROLL CALL:

Karen Walters	Present
Douglas Mayer, Mayor	Present
Michael Matusz	Absent
Michael Kaplan	Present
Joe Mazur	Present

OTHERS PRESENT

Brad Bryan, Elizabeth Workman, , Dee Holody, Richard Slocum, Kathy Bertsch, Mary Booth, Barb Bauman, Jennie Evan, Dennis Nostor, Jr., Kevin Brecht, Mark Anson, Bill Clifton

CITIZENS PARTICIPATION

Dick Slocum stated that he would like to read the statement that he prepared. It was agreed that he would read it later in the meeting.

MAYOR'S REPORT

Nothing.

PLANNING COMMISSION PARTICIPATION

LONG RANGE PLAN SUB-COMMITTEE REPORT:

Mr. Kaplan reported that the LRP Committee will meet November 30 at 7:00 p.m.

WOODRIDGE INTERMEDIATE SCHOOL SUB-COMMITTEE REPORT:

The Mayor recommend that LRP and WIS Committees hold their 2017 meetings on the 1st or 3rd Monday each month at 7:00 p.m. Mr. Kaplan will discuss which Monday will work best for the LRP Members on November 30th and let the Mayor know. WIS Committee will take the other night.

WASTEWATER ADVISORY COMMITTEE REPORT:

Ms. Walters reported that the Committee held the public meeting at the Library on November 12, 2016, adding that there was a good turn out with good questions. A lengthy discussion followed.

Mr. Kaplan noted a spelling correction on the minutes of October 24, 2016.

MOTION: TO APPROVE THE MINUTES OF THE OCTOBER 24, 2016 MEETING AS AMENDED.

Moved by Mr. Kaplan, seconded by Ms. Walters.

Call for discussion: No response.

Votes were: Douglas Mayer, abstain; Karen Walters, aye; Michael Kaplan, aye; Michael Matusz, absent;

Joe Mazur, aye **Motion passed with 3 votes**

(Motion 30-2016)

OLD BUSINESS

Ms. Walters asked the Committee Chairs to consider a budget for 2017. Mr. Stiegel informed Ms. Walters that

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currently Planning Commission has a budget of \$500, which in her opinion is not enough for 2017. Ms. Walters will go to Ms. Schneider with the requested budget, once she receives the information from the Committee Chairs. The Mayor asked Ms. Holody if she had an idea of the WWAC expenses. Mr. Kaplan recommend that the WWAC should submit expenses for reimbursement. Ms. Holody suggested a budget of \$5,000.

Mobilitie Cell Tower Update: Mr. Kaplan stated that at the October meeting a Sub-committee was formed, which met with Mr. Brecht of Mobilitie. The Solicitor explained that Mobilite applied to the Village to erect a new pole at Akron-Peninsula/Mill Street West location. Mr. Brecht is willing to withdraw the application with the understanding that they are going to submit a second application to collocate their equipment on an existing pole located near 1550 Mill Street East. It is the Solicitors recommendation that the new request be dealt with administratively, if it meets the requirements of the existing law. They have the right to collocate their equipment on an existing pole. Under federal law the Village is required to allow it to be erected unless it is a substantial change to the pole. The definition of substantial change would be:

1. An increase in height of the pole of more than 10% or 10 feet, whichever is greater.
2. Increase of width of the existing equipment by 6 feet or more.
3. And any required additional excavation outside the existing footprint.

It is the Solicitors understanding that what Mobilitie is requesting would not be outside of the footprint. Mobilitie is in the process of putting together construction drawings that will be submitted with the application. The Village would be prohibited by 47.U.S.C.14.55 from denying the request. Solicitor Bran added that Mr. Brecht's Company would affirm that the facilities equipment would be performed in accord with the construction drawings, done by a licensed and insured contractor, in accord with Village code, installed not to impede traffic or any existing utilities or surface features in the location. They will notify the Village of the start and end of construction, there will be a 24-hour hotline that can be called if there are any problems with the equipment, safety or other concerns. Mr. Brecht informed the Solicitor that if Mobilitie collocates on an existing pole, which is shorter than the proposed pole, it would be expected that Mobilitie would ask to collocate another set of equipment on a second pole within the next year or two. The Solicitor stated that he advised Mobilitie that the Village is in the process of drafting an Ordinance that would govern these types of requests in the future. A lengthy discussion followed.

Mayor Mayer and Mr. Slocum agreed to meet with Mr. Brecht of Mobilitie on 11/29/16 at 4:00p.m. to walk the downtown for the purpose of finding a suitable location for the cell tower. Mr. Brecht stated that he would withdraw the application and resubmit a new application.

Sandstone Update: Ms. Holody reported that she participated in a conference call on November 21, 2016 with ODOT Environmental out of Columbus and the State Historic Preservation Office. ODOT acknowledged that they did a terrible job removing and replacing the sandstone. ODOT removed 21 slabs of sandstone, 18 were destroyed and 3 were given to Diane Seskes. ODOT's resolution was to stain the cement that was installed. The State Preservation Office pointed out that the incline was already there and asked why they took the slabs out, adding ODOT could have put the ADA ramp on top of the stone. Ms. Holody reported that she along with Ms. Booth, Ms. Walters, ad Ms. Gideon made it clear that the Village wants the sandstone replaced with Peninsula sandstone. The group is looking locally for replacement slabs. ODOT's job is to look at the ADA color contrast to see if a silver can be used and the cement will all need to be dyed a Peninsula grey. The next meeting is scheduled for Monday. Ms. Booth stated that she spoke with Mr. Milhoan, who stated that he does have sandstone on his property that would need to be extracted and cut and he is interested in selling it. Ms. Walters stated that she also found a source. Discussion followed.

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MOTION: TO ADJOURN.

Moved by Mr. Kaplan, seconded by Mayor Mayer.

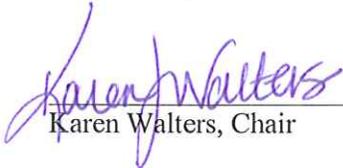
Call for discussion: No response.

Votes were: Douglas Mayer, aye; Karen Walters, aye; Michael Kaplan, aye; Michael Matusz, absent;

Joe Mazur, aye **Motion passed with 4 votes**

(Motion 31-2016)

Respectfully submitted:


Karen Walters, Chair

1.23.17
Date


John D. Stiegel, Fiscal Officer

1/24/17
Date

The Village of Peninsula's next regular meeting of Planning Commission will be held January 23, 2016 at 7:00 pm at the Village Hall 1582 Main Street, Peninsula, Ohio, 44264. (Corner of Akron-Peninsula Road and State Route 303) A copy of recorded meetings may be obtained by emailing your request to admin@villageofpeninsula-oh.gov. There is a \$1.00 fee for each CD requested.

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November 26, 2016

To: Peninsula Planning Commission members

From: Richard Slocum, resident

As a member of the Planning Commission's "cell tower sub-committee" and a resident who lives in the immediate area of the proposed antenna, I am appreciative of Mr. Brecht and Mobilitie's efforts to address the biggest concern of the sub-committee by not installing a new 75' tower. However, the current proposal still leaves the neighbors of the Mill and Locust area with a cell phone antenna in their front yards, actually moving it further into the residential area.

As Mr. Brecht has pointed out many times, the main purpose of this antenna is to provide better Internet data service to the thousands of park visitors who visit our end of the village on a regular basis, overloading the current cell tower capacity.

I feel that siting a cell phone tower or antenna in a residential area is a bad fit. Studies show that cell phone towers and antennas have a negative impact on residential property values, with many survey respondents saying they would never live within a few blocks of a tower or antenna (see last page for reference). You're asking residential property owners to bear another cost of services to park visitors.

The proposed pole is thin, bent in two directions, and will likely need to be replaced in order to place Mobilitie's devices, something briefly mentioned by Mr. Brecht at the sub-committee meeting on November 10. Nothing would stop or constrain Mobilitie from installing a larger pole in its place, so we could easily get more than we agree to with this location.

Just west of the newly proposed site, are at least two other "secondary utility" poles that are in the Mixed Use District, the zoning district explicitly setup to serve park visitors' needs. The closer of these sites is approximately 140 feet west of the originally proposed tower. The second pole is at the curve in West Mill at the train station. Both options are closer to the area and customers that Mobilitie is intending to serve. See pictures below.

I would urge the Planning Commission to ask Mobilitie to consider both of these sites for the current request. And, I'd ask that when legislation is created to address cell towers and antennas, that they be required to be in either the Mixed Use, Commercial, or possibly

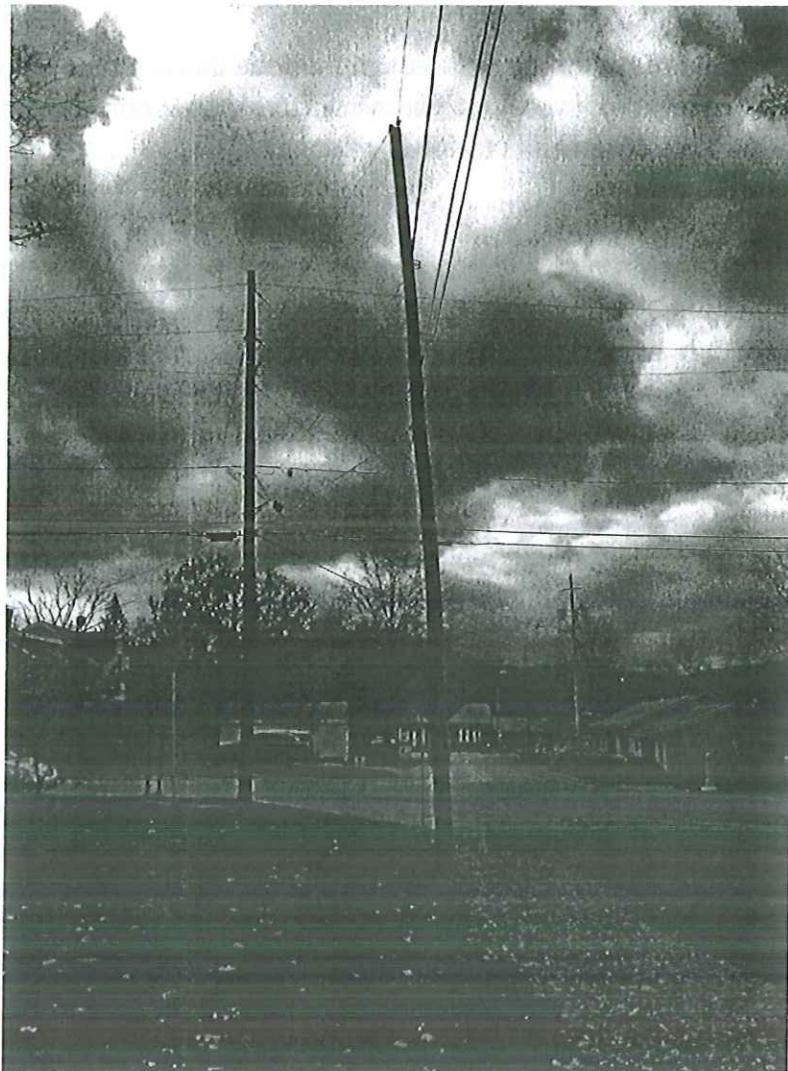
Public/Institutional zones, and not either of the two Residential zones.

Allowing Mobilitie to use this residential location now, before we have the legislation in place, and saying that this one instance will not be a precedent, is incorrect. Whatever gets approved and installed is the precedent.

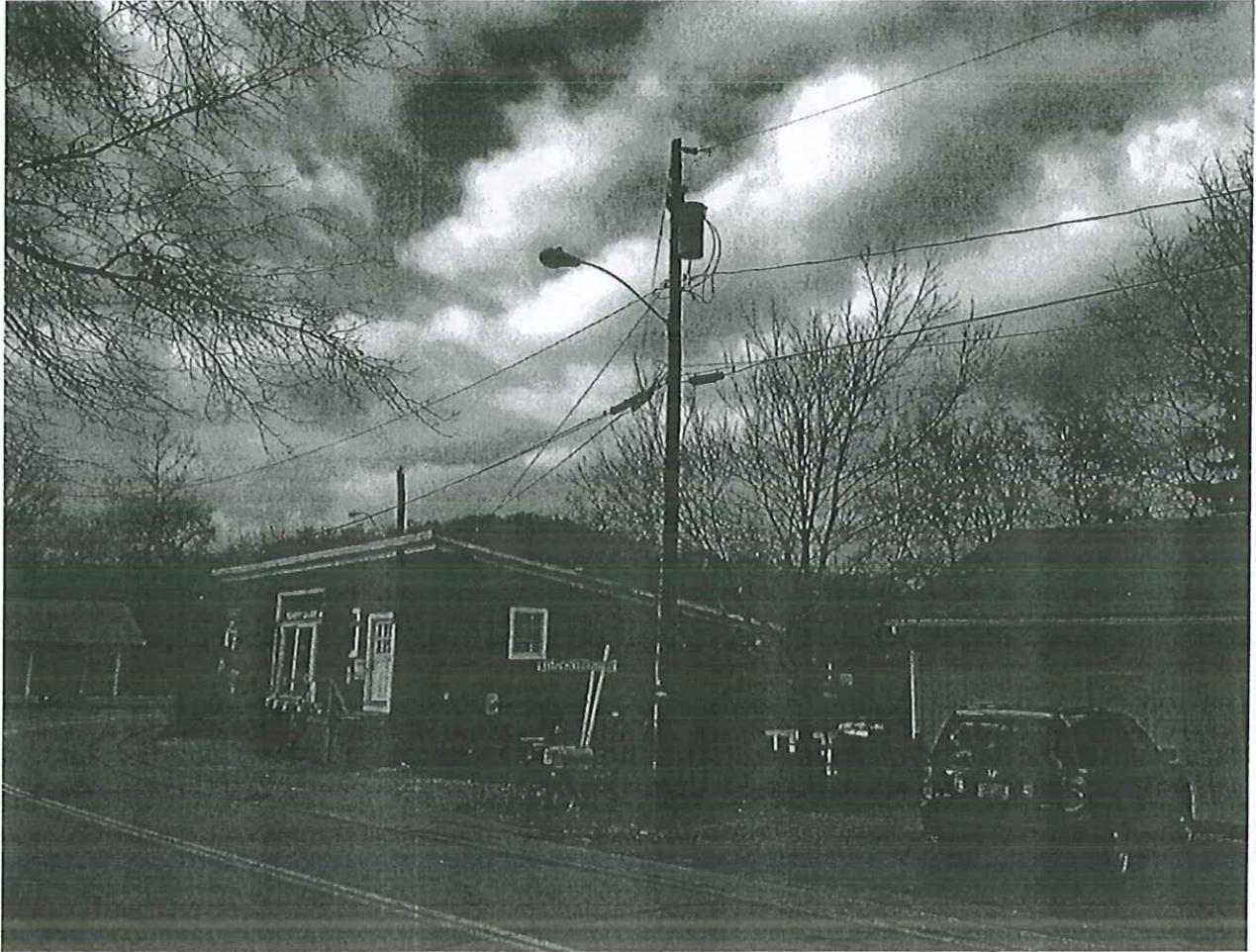
Thank you for your consideration,

Richard

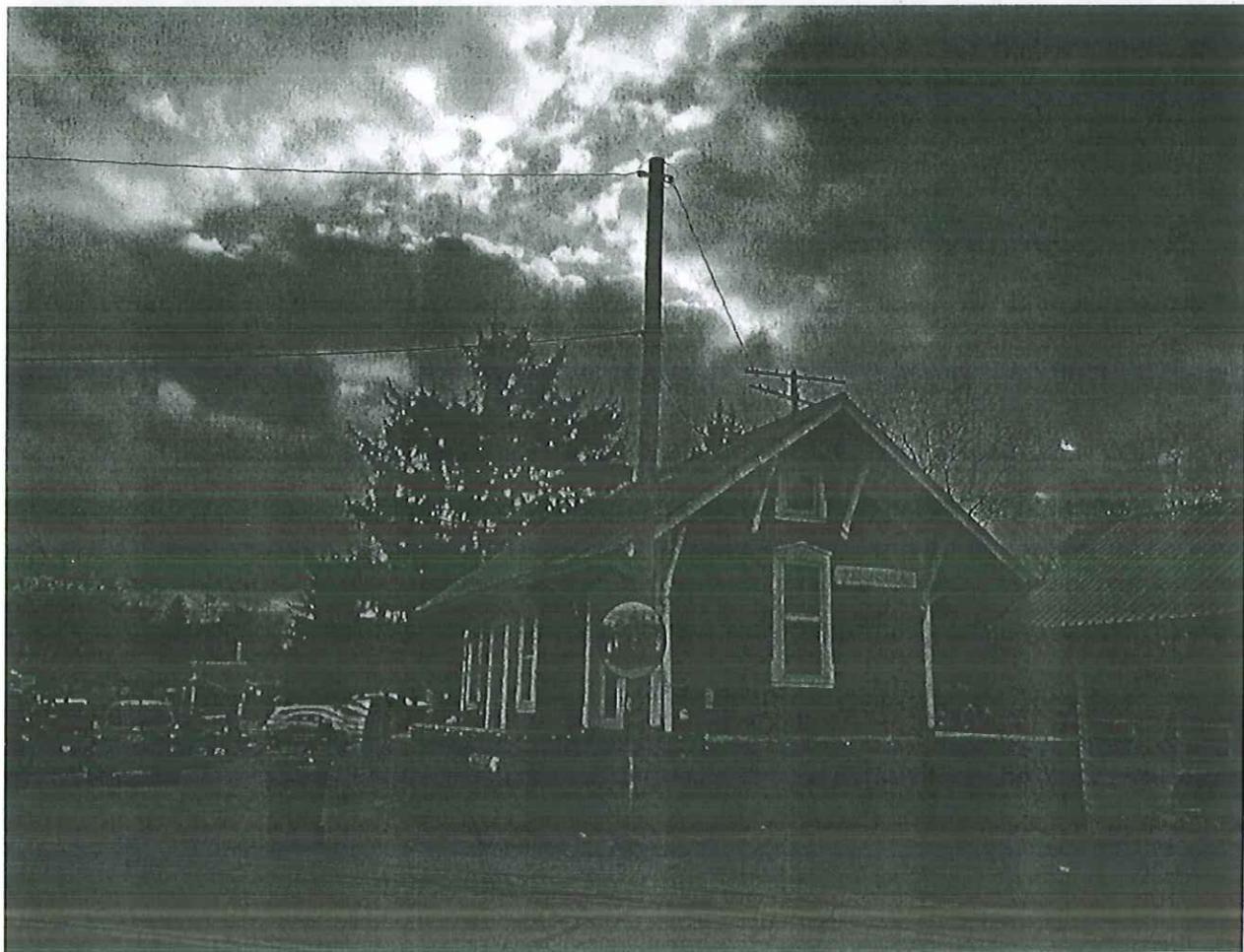
Currently proposed thin, bent pole on SE corner of Mill and Locust:



Ohio Edison pole # B0152 on West Mill about 140' west of original pole location.



Alltel pole 2001 003 at NE corner of train station.



Cell Towers/antennas problematic for buyers - Nat'l Assn of Realtors Magazine: <http://realtormag.realtor.org/daily-news/2014/07/25/cell-towers-antennas-problematic-for-buyers>

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Cell Towers, Antennas Problematic for Buyers

DAILY REAL ESTATE NEWS | THURSDAY, JULY 24, 2014

An overwhelming 94 percent of home buyers and renters surveyed by the National Institute for Science, Law & Public Policy (NISLAPP) say they are less interested and would pay less for a property located near a cell tower or antenna.

What's more, of the 1,000 survey respondents, 79 percent said that under no circumstances would they ever purchase or rent a property within a few blocks of a cell tower or antennas, and almost 90 percent said they were concerned about the increasing number of cell towers and antennas in their residential neighborhood.

The survey, "Neighborhood Cell Towers & Antennas—Do They Impact a Property's Desirability?" also found that properties where a cell tower or group of antennas are placed on top of or attached to a building (condominium high-rise, for instance) is problematic for buyers.

"A study of real estate sales prices would be beneficial at this time in the United States to determine what discounts home buyers are currently placing on properties near cell towers and antennas," says Jim Turner, chair of NISLAPP.

Trouble Spots for Buyers:

- Home Owners Object to Cell Tower Installations
- Field Guide to Cell Phone Towers
- 6 Ways a Home May Turn Off Buyers
- 6 Ways to Turn Off Buyers at Open Houses

The NISLAPP survey echoes the findings of a study by Sandy Bond of the New Zealand Property Institute and past president of the Pacific Rim Real Estate Society (PRRES). "The Impact of Cell Phone Towers on House Prices in Residential Neighborhoods," which was published in *The Appraisal Journal* in 2006, found that buyers would pay as much as 20 percent less for a property near a cell tower or antenna.

Source: "Neighborhood Cell Towers & Antennas—Do They Impact a Property's Desirability?" National Institute for Science, Law & Public Policy (June 2014)

