

The **North Royalton Planning Commission** met in the City Hall Council Chambers, 14600 State Road, on Wednesday, **December 4, 2019 to conduct a Public Hearing**. The hearing was called to order at 7:00 p.m. by Chair Larry Antoskiewicz and opened with the Pledge of Allegiance.

PRESENT: Planning Commission: Chair Larry Antoskiewicz, Vice Chair Frank Castrovillari, Jessica Fenos, Mayor Stefanik, Gene Baxendale, Secretary Diane Veverka. Administration: Building Commissioner Dan Kulchytsky, City Law Director Thomas Kelly, Director of Community Development Thomas Jordan.

PUBLIC HEARING:

For the benefit of those in the audience the Law Director provided a brief overview of the PC meeting process. The Secretary stated public hearing notices were sent to property owners within 500 feet of the property in question and posted for the required period of time.

- a) **PC19-37:** Jacqueline Canter on behalf of **BlueLine Classics** and current property owner David Liddy is seeking similar use determination in order to operate a classic car reconditioning and restoration business at 11035 State Road also known as PPN:489-19-007 and 489-19-008 in General Business (GB) District zoning. The building is situated on two parcels.

Jacqueline Canter stated BlueLine Classics has operated within the City on York Road for the past six years. They are looking to move their operation to the former Breyley Yamaha building on State Road.

The Secretary read into the record several affidavits:

Vince Presti of Vince's Barber & Hairstyling, 10989 State Road; and Randy and Debbie Stender, 5148 Wallings Road, stated they are in full support of the city's approval of the Similar Use Determination for BlueLine Classics to operate in the proposed location.

Bill Caroniti of Updated Automotive Repair, Inc., 12146 York Road; and Robert Ellis of Best Auto-Boat Interiors, 12905 York Delta Drive, stated they are in favor of the approval. BlueLine classics has been a good business partner and they advocate for local business in North Royalton which brings more business into the city.

David and Mary Tamburro, 5160 Wallings Road, owners of Royalton Park Square, stated they are in support of BlueLine Classics business and PC's approval of application.

Dab Langshaw, Ward 3 Councilman, spoke in favor of PC's approval.

Moved by Mr. Baxendale, seconded by Ms. Fenos to **move this item to the Regular Order** of Business. Roll call: Yeas: Five. Nays: None. Motion carried.

- b) **PC19-38:** Thorson Baker Engineers on behalf of the **North Royalton Board of Education** is proposing to **install a gravity flow mainline sanitary sewer**. The project will start at the location of the new elementary school site located at 16400 State Road also known as PPN: 487-18-041 and extend south to Edgerton Road then extend east along Edgerton Road to the intersection with Waterbridge Drive for a length of 2,450 lineal feet (0.46 miles) within the public right-of-way.

Jim Presot, Assistant Superintendent for North Royalton City Schools, stated they are seeking approval for a gravity flow main sanitary sewer line. Claire Bank of TDA-ThenDesign Architecture stated they have been working with the City and Hammond and Thorson Baker to do feasibility studies and cost analysis on possible routes. We feel the proposed location is the best location for the District and the City; it also works out best for the cost analysis. They said they would like to start construction in spring of 2020. Road work would be done in fall of 2020. The school will not have students in it until fall of 2021. David Myers of Thorson Baker Engineers stated they are designing the new sanitary service for the elementary school. The sanitary sewer lines will connect with an existing sanitary sewer manhole. The route was selected to minimize impacts to residents' driveways, other utility improvements, trees, landscaping, etc. Starting from the school, the first section of line will be on the west side of State Road which is vacant land. It will cross over to the east side of State Road because of the large deciduous trees along that portion on the west side. Due to the large amount of utilities located on the south side, the line will go along the north side of Edgerton Road to Waterbridge Drive.

William and Cecilia Hudak, 5416 Edgerton Road, said his main concern is how the project will be funded and what the cost to the homeowners will be. They asked about drainage of their utility tub which currently drains into the street. Mike Kantor of 16951 State Road asked if the residents affected can opt out and keep their current systems. Lawrence Krempasky of 5250 Edgerton Road expressed his concern with ingress/egress to their drives during construction. He said his sanitary goes into his septic which is located out back. He said this would be a major expense. Heather Orlando of 5220 Edgerton Road expressed concern regarding needing time to plan for the expense. She said her home sits close to the street on a hill; the leach field is in the front yard and expressed concern regarding the existing large trees. David Piper of 5262 Edgerton Road questioned why this plan wasn't brought up at the time the decision was made to build the school.

Moved by Ms. Fenos, seconded by Mr. Baxendale to **move this item to the Regular Order of Business**. Roll call: Yeas: Five. Nays: None. **Motion carried.**

- c) **PC19-39**: DS Architecture LLC on behalf of **Diocese of Cleveland / St. Albert the Great** is seeking approval for a lot consolidation of PPN: 488-01-003, 488-01-013, 488-01-014, 488-01-015, 488-01-029 in Public Facility (PF) District zoning.

Father Edward Estok, who serves as the Pastor of St. Albert the Great, stated these lots were acquired several years ago by the parish. They are looking to consolidate the lots.

Dan Langshaw submitted an affidavit in support of the application.

Moved by Mr. Baxendale, seconded by Mr. Castrovillari to **move this item to the Regular Order of Business**. Roll call: Yeas: Five. Nays: None. **Motion carried.**

- d) **PC19-40**: DS Architecture LLC on behalf of **Diocese of Cleveland / St. Albert the Great** is seeking building and site plan approval for construction of a 25,000 sq. ft. building along with associated site improvements located at 6667 Wallings Road, also known as PPN: 488-01-003, 488-01-013, 488-01-014, 488-01-015, 488-01-029 in Public Facility (PF) District zoning. The project will consist of upgrades for existing campus to address internal safety and traffic flow along with accessibility and a new 25,000 sq. ft. Parish Life Center with gathering spaces and parish offices.

David Potts of DS Architecture LLC presented a slide presentation of the proposed master plan of the site. He said currently there are three entries coming off of Wallings Road; this creates congestion and also a safety issue twice a day for drop-off and pick-up of children. Plans are to eliminate one of the drives coming in off of Wallings to help with the flow issues. They are seeking to make the parish office ADA compliant. The current stormwater management area is not handling the storm water. The proposed plan enlarges the stormwater management system to current regulations. The goals for the project are: traffic flow and safety, accessibility, increased meeting space, welcoming space, improved parish offices, and additional flex space for the school to use. The proposed plan is a three zone structure: church, school and parish life center. In order to separate bus traffic and car traffic, the buses will be coming in off of Royalwood Road. He explained the layout of the proposed 25,000 sq. ft. building and presented a proposed rendering of the building.

Some of the concerns express by the residents included: adequate sewers for water runoff from the large parking area flowing toward Royalwood Road, the possibility of increased lighting late into the evening, increased noise from the ball fields being moved closer to their homes, and past promises from the church leaders that the exit going onto Royalwood Road would only be for egress traffic and would not be for school buses. Other concerns included increased traffic and the current problems residents now have trying to exit their driveways during peak times; the two lane street not being able to handle the increased traffic from buses and large events and what the Church will do to control noise from the increased traffic on the exit road for the neighboring properties. The question was brought up regarding installation of a traffic light by the church exit and will the Event Center only be used for church events or rented out for weddings, etc.

Scott Sandvick of 6623 Royalwood Road said the proposed ingress/egress will be directly across from his home with lights shining all night into his living room and bedroom. The additional traffic will be a safety concern. He also is concerned with the flooding issue.

Paul Marnecheck Ward 4 Councilman, stated he received many calls from surrounding residents requesting more information on how their properties will be impacted by the additional non-porous surface, the timetable for the project and the additional light shining onto adjacent properties. He asked the applicant to touch upon these issues.

Jeremy Dietrich Councilman elect for Ward 4 spoke in favor of the application and said the storm water improvements will help with water retention.

Moved by Ms. Fenos, seconded by Mr. Castrovillari to **move this item to the Regular Order** of Business. Roll call: Yeas: Five. Nays: None. Motion carried.

- e) **PC19-41:** PBM Wireless Services LLC on behalf of Verizon Wireless is seeking conditional use approval for a new wireless telecommunications facility located at the North Royalton Sewage Plant (B) located at 11355 Sprague Road, also known as PPN: 481-07-026 in Public Facility (PF) District zoning.

(See combined discussion for PC19-41 and PC19-42).

- f) **PC19-42:** PBM Wireless Services LLC on behalf of Verizon Wireless is seeking preliminary site plan approval for a wireless telecommunications facility located at the North Royalton

Sewage Plant (B) located at 11355 Sprague Road, also known as PPN: 481-07-026 in Public Facility (PF) District zoning.

Nate Meyer, of PBM Wireless Services LLC spoke on behalf of Verizon Wireless. He stated they are working with the landlord to put together a lease agreement for a 50 ft. x 50 ft. lease area. Assuming approval is received on the zoning portion, the proposal is for a monopole style wireless communication facility. It is similar to the monopole between McDonalds and the Post Office. The height will be 100 feet tall, expandable up to 200 feet if another carrier would want to co-locate. If that were the case, that carrier would need to seek proper zoning approval from the City of North Royalton. The base and the foundation will be able to support the taller structure. The leased area will be fenced in with an eight ft. tall fence. The existing gate going into the sewage plant will be shifted approximately 50 ft. to the south so both facilities will have separate secured areas.

Mr. Meyer said this will improve Verizon's coverage and improve e-911 triangulation for any cell phone service.

John Nickell, City Council Ward 1, stated he has been on Council for 12 years. He said this came up 10 years ago and it was overwhelmingly declined for various reasons. He said he has had many calls and emails; the residents do not want this in their area. Concerns included both site pollution and health concerns. As of today, he asked if PBM currently has co-location agreements with another provider to put on more towers. He asked what are the fees and revenues the City will receive from the tower. If the tower is approved where exactly will it be located; can it be located far back on the corner of the property to minimize the visual impact? What will the tower look like from the residents on Wildwood Drive, Edgewood and Applewood? Mr. Nickell asked if the City does receive fees can the revenue go toward their development for a needed street overlay.

Paul Pecuch, 8921 Edgewood Drive, spoke against the proposed tower. He stated in 2008 AT&T proposed a 190 ft. cell tower at the same Sprague Road Water Treatment Plant in the exact same location. It was opposed by the residents for good reasons which stand today. AT&T was told they needed to find another location; the proposal was pulled and AT&T selected an alternate site. In 2009 AT&T built near the Albion Elementary School. He said this tower along with other existing towers is not shown in Verizon's proposal and coverage map provided. He expressed concern as to if the proposed location is in a flood plain. He quoted C.O. No. 1290 which states a minimum of 350 feet to the district lot line is required; the request to build is 46 ft. In addition, he stated, the frontage setback for a Public Utility District is 75 ft.; they want 19 feet.

Mr. Pecuch stated the tower will be in a residential area; he said there are more suitable locations that are available with more elevation and with much less possible residential impact. There are 100 ft. CEI power line towers 1200 feet in front of the plant due north. Currently cell towers from a variety of providers run along the whole length from West 130th Street up to Sprague and beyond to the car wash. He felt the area by Fifth-Third Bank would be a possible location or Verizon could cohabitate on the Albion AT&T site. He stated in the Master Plan it states what homeowners look out on should essentially remain unchanged. He asked the PC to deny the application.

Ken Schultz, 8841 Edgewood Drive, spoke against the application. He expressed his concern regarding the visual effects of the pole and its effect on property values.

Nathan Hill, 8901 Edgewood Drive, spoke against the application. He expressed his concern regarding the current number of towers in our City, health concerns and aesthetics. He said Verizon should consider locations away from residential areas. He asked what benefit adding a tower will bring to increase property values that are currently holding steady. The City and residents will lose if property values decrease long term. If property values decrease, will the revenue benefits from Verizon outweigh those taxes?

Timothy Grayton, 11181 Sprague Road, spoke against the application. He stated the properties along Sprague Road are park like; the lots are 1000 ft. deep. He uses the outdoors for recreation and relaxation. He questioned if the tower would have a flashing light during the night. He feels electrical activity is high in that area.

Stephanie Drozdowski, 9720 Applewood Drive, spoke against the application because of similar reasons expressed earlier. She stated she is a chiropractor and said the health concerns are her biggest problem for her. She said there are 19 towers within two miles of her home. She quoted studies regarding how living close to a cell tower can increase health issues.

Tim Nowalk of 10100 Applewood Drive said it is tough living by the treatment plant. He said a 100 ft. tower is huge. The City can't allow a tower to be approved in a neighborhood.

Terry Schultz of 8841 Edgewood Drive spoke against the application. She stated that working in the health care environment she feels your environment and location have many pockets. She said research has shown that living in an environmental hotspot by a cell tower increases health issues.

Christopher and Kristin Bame of 8800 Edgewood Drive spoke against the application. He said they have invested a large amount in their backyard; this is their sanctuary. They are concerned with the possible health issues. Benefit of revenue is not a good argument.

The Secretary read three affidavits into record.

Laura Gmitro of 8861 Edgewood Drive wrote there are many businesses and empty properties located in North Royalton that would not be affected esthetically by this intrusion. She stated it is a disservice to the residents to put a monstrosity of this size into a quiet family neighborhood. The intrusion would dramatically affect property values.

Amanda Hill of 8901 Edgewood Drive wrote she is against the approval of Verizon's application. The tower should be in a location that is away from residents and schools.

Jerome Salko of 8940 Edgewood Drive submitted an eight page letter. The Law Director stated Mr. Salko is strongly opposed for a variety of reasons and all of which he thinks have already been made. The Law Director asked the Secretary to summarize the letter; instead the Law Director stated Mr. Salko's full affidavit will be part of the record and is available for review if there are no objections. The Chair stated no objections. For record purposes Mr. Salko's letter stated he would like the PC to deny the conditional use and disapprove the preliminary site plan. He referenced provisions of City Ordinance Chapter 1274.02, 1262.07, 1290 and 1274.04. He expressed his concern about the required setbacks and being too close to residential. He also was concerned about the accuracy and validity of the needed reason and the coverage maps provided by Verizon. He questioned Verizon's statement regarding collocating on another tower and whether they have contacted other cell operators within 5 miles as required by 1290. He said development and/or construction should be

prohibited in a designated flood plain. Verizon should be required to provide the FEMA and FCC approval required to build in a floodplain. He stated it is imperative that our elected officials protect the residents' property values, adhere to City Ordinances, follow the recommendations set forth in the Master Plan and protect the residents from the adverse effects this tower will have.

Moved by Mr. Baxendale, seconded by Ms. Fenos to **move this item to the Regular Order** of Business. Roll call: Yeas: Five. Nays: None. Motion carried.

ADJOURNMENT OF THE PUBLIC HEARING

Moved by Mr. Castrovillari, seconded by Mr. Baxendale to **adjourn the Public Hearing**. Roll call: Yeas: Five. Nays: None. **Motion carried**. The Public Hearing adjourned at 8:23 p.m.

The Chair moved for a five minute recess.

REGULAR MEETING

The North Royalton Planning Commission met in the City Hall Council Chambers, 14600 State Road, on Thursday, **December 4, 2019 in regular session**. The meeting was called to order at 8:37 p.m. by Chair Larry Antoskiewicz.

PRESENT: Planning Commission: Chair Larry Antoskiewicz, Vice Chair Frank Castrovillari, Jessica Fenos, Mayor Stefanik, Gene Baxendale, Secretary Diane Veverka. Administration: Building Commissioner Dan Kulchytsky, City Law Director Thomas Kelly, Director of Community Development Thomas Jordan.

APPROVAL OF MINUTES:

Moved and seconded to approve the minutes of **November 7, 2019**. Motion carried.

OLD BUSINESS

- g) **PC19-24: Bailey Development** – Christine Bailey of Bailey Development is seeking Preliminary Plan approval for a minor subdivision consisting of (5) five single family lots on 8.25 acre parcels of property. The proposed minor subdivision will be located on PPN: 486-17-013 and PPN: 486-17-012 in Residential (RRZ) District zoning. The proposed minor subdivision will be an extension of Watercrest Drive ending in a cul-de-sac. Request to table on 7-10-19. Tabled. *Applicant to present revised plans.*

Moved and seconded to remove from the table. Motion carried.

Christine Bailey stated before the five lot minor subdivision received sketch plan approval they did not take into consideration the amount of storm water that was affecting the neighborhood. They went back and designed a floodwater retention area for this subdivision. She said the stormwater is a real problem in the existing neighborhood. The plan shows a very large retention area that will be wet, a pond. It reduces the flow of the already existing problem into a 36 inch stormwater drain at the corner of the parcel. This will stop the flow from the proposed houses from going directly into that stormwater area right now. It will retain the water and slow it down. She said she has the calculations to go over.

She stated she has gone through this plan in several different variations with the homeowners adjacent and the HOA. They have agreed to maintain the retention area and we have agreed to be part of the HOA and give them an easement.

Currently this slows the flow down not significantly but it takes away any storm water plus quite a substantial amount that already exists. She said she thinks they have solved the problem seeing that this is not a large subdivision. She continued, there is a tremendous amount of storm water that comes from 5700 acres of upstream property. This plan shows them managing their site and all the water that is coming into the current situation.

The Chair asked if there is anyone in the audience who wishes to speak.

Ray Lahotsky, 5160 Waterbridge Drive, stated he is on the HOA Board. What Ms. Bailey stated about the HOA agreeing to take care of the pond was never brought up; nobody has talked about maintaining the pond. He said he was speaking on behalf of the residence in the audience. He said when this first started Ms. Bailey didn't want to join the HOA because she didn't like the rules and regulations. She has told Council and many others that everyone down here is in favor of having this built because it's going to solve their water problems. He said of the seven or eight home owners present at tonight's meeting they are not in favor of the development. He said they have a major water problem down there as it is. He said a natural water channel runs through the top of the property. The storm sewer cannot handle the current water flow. After a hard rain, their retention basins have ten feet of water. He said there was a river of water 35 ft. wide and 12 ft. deep trying to go into a 36 inch pipe that cuts across into the wetlands across the other side. The 12 inch storm line pumps into a storm sewer that can't handle the current water flow. You can't solve a problem by adding to it. The City needs to fix the existing water problem. The PC should not allow approval of this application to move forward. The residents in the audience applauded.

Norm Pawlowski, 16887 Watercrest Drive, asked should this be approved, who is responsible for additional water problems that may now affect the homes on the east side of the street due to the huge slope.

Brad Williams, 5220 Waterbridge Drive, asked where the water will go while the wet basin is being built.

The Law Director stated we heard Mr. Lahotsky say he serves on the Board of Directors for the HOA and it sounds like this has never been raised to their attention and yet Ms. Bailey said they have given their consent/approval. The Law Director asked for clarification from Ms. Bailey so we would have an understanding. Ms. Bailey responded the last several meetings the homeowners were here and asked me to join the HOA. The Law Director stated the HOA has a Board of Directors. Ms. Bailey continued, she said she met with other homeowners and the President of the HOA and they have all asked her to join the HOA. Part and parcel of being in the HOA. The Law Director questioned if she was representing that the HOA as an entity has given her prior approval for this development. Ms. Bailey responded, no, not in writing but she said she has had several meetings with the President of the HOA. Ms. Bailey stated she is more than happy not to join. The Law Director clarified that she is proposing a five parcel development; our primary concern is not whether she may or may not join. But when she states she already has the HOA approval, the suggestion is that the Board of Directors has given her their consent. Ms. Bailey said John Zelenka was representing the HOA at all these meetings. She said his indication was that

they wanted her to join. He asked her to read and have her attorney read the HOA and accept it. She said she countered to him that she would accept being a part of the HOA with all of the documents and monthly fees. She said he indicated to her at that point that she would have to turn over the common areas to the HOA and pay fees along with everyone else. The homes in this particular section of the HOA would also pay fees and maintenance for the rest of the retention area. She said the only complication that she countered with them was that she didn't want another developer to have a right to her architectural review.

The Law Director stated if Mr. Zelenka is truly the President of the HOA, he should have the authority, approval and consent of the Board of Directors to speak for the Association. He asked her to consider tabling this for another month to have Mr. Zelenka present or give us something from the HOA in a formal way that supports the applicant's proposition. Ms. Bailey responded she has not received HOA approval in a formal way; she said they have been asking her to join and she said she would consent. The Law Director stated that is different than what was represented.

Ms. Bailey asked if she needs that in writing during the preliminary plan phase in order to get an approval. The Law Director responded we need to know for certain there is some formal approval by the Board of Directors.

Ms. Bailey stated she would be more than willing not to join the HOA, form her own HOA and take full responsibility for the maintenance for her five homes. She said that would be preferable for her. She asked what the PC needs from her so she can go forward.

The Building Commissioner asked the applicant does the proposed detention basin cover the entire parcel that is part of the application or does it just cover the area of disturbance of the five homes. Ms. Bailey responded it takes into consideration 53 acres of upland stormwater and it not only manages her site, it also manages the storm water that comes from 53 upland acres. She said she has the calculations.

The City Engineer stated Ms. Bailey's Engineer has sent him some calculations that show the existing flow to the 36 inch culvert located between 5220 and 5230 Waterbridge. He did a critical storm analysis for the flow coming to that storm sewer and how the pond would negate or how it flows into it. It shows a reduction in the peak flows going through. With this development and that pond it shows a reduction in the peak flows in the range of 4.76% to 8.17% from the 1 year to the 100 year storm respectively. It is reducing flows that are currently going through there with the new development by roughly 5 to 8 percent. He stated based on that and what he has heard from the residents there is a lot more water than 5 to 8 percent that they are concerned about. That land drains westerly toward the east branch of the Rocky River. He said he has had discussions with Ms. Bailey about acquiring additional land adjacent and west of the existing stream channel and creating a pseudo flood plain so the flows can be attenuated from that creek into a flood plain and eventually drain down to the East Branch of the Rocky River. She was willing to look at that but she wanted to look at the possibility of adding more lots. He said he isn't sure the plan exactly addresses what the residents want and what he would want to see from a storm drainage concern. It also doesn't exactly address any issues east of the proposed cul-de-sac which the residents on Watercrest and the residents at the east end of Waterbridge are feeling with water that doesn't necessary touch her site but is coming toward her site. She could probably address the issue directly of water coming on her site through drain swales channeled over towards the 36 inch storm sewer. But then again, everything is being bottled up and forced into a 36

inch which seems to be the problem. From what he sees presented, he said he doesn't know if enough has been done to address the storm water concerns of the residents.

He said other than that his original comments from the sketch plan still apply.

The Law Director stated the PC does not negotiate; they have an application for a minor subdivision of five lots before them needs to be addressed, not any other potential plan. They may be required to take a vote on the application before them this evening. Otherwise Ms. Bailey can table it until another meeting so the applicant can propose amendments to the existing plan. He added the PC will be changing personnel on the PC Board. The new Board members have not yet heard all the testimony.

Ms. Bailey stated she has a proposal she would like to make. She would build an upstream retention area. She has learned about a grant that is available for stormwater. She said she would be willing to donate the land and construct the site. She understands the grant is available for only 25% of the cost that the grant is available for. She said she is willing to discuss this if it is going to solve a greater issue.

Ms. Bailey requested to table the application.

Moved by Mayor Stefanik, seconded by Mr. Castrovillari **to put this item back on the table.** Roll call: Yeas: Five (Castrovillari, Mayor Stefanik, Baxendale, Antoskiewicz, Fenos). Nays: None. **Motion carried.**

- h) **PC18-25:** Hugh and Margaret Kerr – Seeking approval to install an 8” diameter sanitary sewer extension to connect to the public sanitary sewer along Akins Road for a length of 229.5 ft. within the public right-of-way to service PP: 483-19-002 located in a Residential (R1-A) zoning District. PC approved on November 8, 2018. Tabled. 180 day extension granted 11-7-19. No action.
- i) **PC19-36: Stay-A-While Cat Shelter, Inc.** – Cynthia Pardee and Philip McPherson on behalf of Stay-A-While Cat Shelter, Inc. are seeking building and site plan approval for construction of a 6,289 sq. ft. building located at 12662 York Delta Drive, also known as PPN: 483-06-013 in General Industrial (GI) District zoning. Tabled on 11-7-19. Applicant to present revised elevation plans.

Moved and seconded to remove from the table. Motion carried.

Philip McPherson stated they are proposing to build a new cat shelter in the Industrial area on York Delta Drive to replace the existing cat shelter at 8800 Akins Road. The current cat shelter is falling apart and needs to be replaced. There is no room on the property to expand because of the septic system. Therefore they are looking at finding a new location.

The Building Commissioner reminded the Board conceptual plan approval was granted at the last PC meeting but there were concerns as to the exterior appearance and whether or not it fits into the character of the General Industrial District. Some of the recommendations discussed were a metal roof and reinforcing or strengthening the appearance of the front entry which includes stone bases. The applicant has submitted additional materials and has done some modifications to the front entry. They have limited the metal roofing to the front entry due to their concerns of cost and the effects on the cats in the building. They have increased the pitch of the roof and strengthened the front entry.

The Secretary read into the record a letter from Dan Langshaw, Ward 3 Councilman. It stated the concerns raised by local Ward 3 business and PC member Frank Castrovillari at the previous PC meeting regarding the proposed building design not fitting in well with the neighboring businesses is valid. He urged PC to ensure those issues are addressed prior to any approval. The roof and exterior colors should complement the other business in this unique part of the Industrial Parkway. It also stated if the Cat Shelter does not have the necessary financing to complete the project that at worst case the building could still be used by another business.

Tom Jordan, Director of Community Development, stated he also has received a number of calls expressing concern that the building should fit into the Industrial Park; that the exterior should be more in line with an Industrial Building. The surrounding businesses are concerned about their investment.

Mr. Castrovillari said their attempt to revise the look of the exterior has fallen short. He disagrees with the concern regarding the metal roofing and cat noise. He feels concerns and comments about the metal roof on the main building are not accurate. He said the high ceilings and the ceiling would make it sound proof enough. According to the submitted 3-D model, the front entrance is still not very impressive; it looks like the 6"x6" or 8"x8" post and the sliver of masonry around it is still out of scale and not beefy enough. He questioned whether the first drawings had a brick masonry base around the whole building; it looks like it was removed in the revised plans.

The Building Commissioner responded originally there was a masonry base around the entire perimeter of the building. As part of this resubmission, a significant portion of that has been removed. He added our ordinance requires masonry to be the predominant material.

Mr. Castrovillari said at the previous meeting he made a comment that the building should be taller; he was hoping it would be useable space and not roof area. He said his biggest issue now is the huge roof on a small squat little sliver of living area. Mr. Castrovillari said this revised drawing is a step backward from the previous submission. He said we need more brick, more stone, put the base back and raise it up higher.

Brad Sader with Moody-Nolan Architects asked the Law Director if at the last meeting a statement was made that there are no architectural requirements or direction in the Industrial District and the architectural design is not a reason for voting down the building.

The Law Director stated there are very broad architectural applications that can be approved. The PC has broad authority and discretion to approve or disapprove. Mayor Stefanik asked the Building Commissioner to give his opinion/guidance on this application.

The Building Commissioner stated he understands the necessity to keep the project within budget by not extending the metal roof over the entire structure. He made the following recommendations: The front entry columns look weak and need to be more substantial approximately 1 ft. 8 in. x 1 ft. 8 in. masonry bases with a 12 in. x 12 in. or more column supporting the roof; the trusses also need more beef and weight. The masonry base should be at least on the front and the sides and can terminate at the rear cat porch and also reductions of the roof pitch line.

The applicant responded yes they agree to the Building Commissioner's recommendations.

Moved by Mayor Stefanik, seconded by Mr. Baxendale to **approve the site plan with the Building Commissioner's recommendations**. Roll call: Yeas: Four (Mayor Stefanik, Baxendale, Antoskiewicz, Fenos). Nays: One (Frank Castrovillari). **Motion carried.**

NEW BUSINESS

- a) **PC19-37**: Jacqueline Canter on behalf of **BlueLine Classics** and current property owner David Liddy is seeking similar use determination in order to operate a classic car reconditioning and restoration business at 11035 State Road also known as PPN:489-19-007 and 489-19-008 in General Business (GB) District zoning. The building is situated on two parcels.

The Building Commissioner stated the applicant has been before the PC two times previously. The first time for a similar use determination at their original location and then followed with an expansion of that facility. He asked the PC to put the same requirements which were previously applied to this business be applied to their current proposed location. The requirements are as follows:

1. All sales are indoor only.
2. No storage of automobiles, trucks, machinery, equipment, tools, etc. outside of the facility.
3. The outdoor parking is for employees and visitors only. No incidental storage of vehicles.
4. Minor repairs and detailing work will be permitted for the similar use. Major repairs would require a separate application and will need approval by the PC.

The applicant stated they will not be doing major repairs at the proposed location.

The Law Director stated prior to the meeting The Building Commissioner, the City Engineer and himself had a short discussion. They would like the approval be conditioned upon the actual lot consolidation. This would be done at an administrative level with the City Engineering Department. The applicant stated their intention is to do a lot split and consolidation. She asked if they are able to operate while waiting for the recorded document. The Law Director stated yes we just need to have the lot split/consolidation plat recorded. He said we are not trying to impose a restriction on their ability to function.

Mr. Castrovillari asked is the applicant planning on doing anything to the appearance of the building. Ms. Canter responded they have made \$40,000-\$50,000 worth of improvements. She said in the spring they fully intend on making improvements to the outside of the building.

Moved by Ms. Fenos, seconded by Mr. Castrovillari to **approve a similar use determination with the four requirements and with the condition that a lot consolidation is recorded within six months**. Roll call: Yeas: Five (Frank Castrovillari, Mayor Stefanik, Baxendale, Antoskiewicz, Fenos). Nays: None. **Motion carried.**

- b) **PC19-38**: Thorson Baker Engineers on behalf of the **North Royalton Board of Education** is proposing to **install a gravity flow mainline sanitary sewer**. The project will start at the location of the new elementary school site located at 16400 State Road also known as PPN:

487-18-041 and extend south to Edgerton Road then extend east along Edgerton Road to the intersection with Waterbridge Drive for a length of 2,450 lineal feet (0.46 miles) within the public right-of-way.

The City Engineer stated he has the basic comments about the EPA permit. The proposed sewer will be in the public right of way unless an easement is needed; that would have to be secured prior to the Engineering Department approval. He addressed some of the questions asked earlier. He said typically for any public improvement project, such as a sanitary sewer and waterline project where one currently does not exist, that project is done by the City of North Royalton; those costs are accessed to the property owners along that route. The fortunate part of this project is North Royalton School District is picking up the entire cost of the construction which is estimated at approximately \$460,000 which equates to roughly \$20,000 a resident which does not have to be paid by the resident. The sewer will be built and a clean out will be placed on their property. Once the sewer is built there will be a cost to the homeowner. The resident will need to make a connection from their home to the new sanitary sewer. Based on average costs for a conversion, cost to the homeowner could be anywhere from \$8,000 to \$10,000 to connect from their home to the new sanitary sewer. That cost would include permit fees, a tap-in fee paid to the City of North Royalton and an abandonment fee charge by the Cuyahoga County Board of Health to abandon their septic system. Everyone in the City of North Royalton receives the same sewer rates for sewer bills. All residents pay a bill for sewage even if they are on septic; it is based on water usage.

He spoke about the illegal connection for the homeowner who had a utility tub that drains out to the storm sewer; he said that is an illegal connection and is not permitted in North Royalton. Our inspectors will ensure that any cross connections or illegal connections that exist, that may have been allowed years ago prior to the new EPA rules, will need to be corrected prior to connecting to the sanitary sewer.

The City Engineer stated the location of the proposed sewer is based on where the current utilities are located such as the water main. According to EPA regulations, the water main has to have at least a minimum of 10 ft. separation between the water main and any sanitary or storm sewer. For that reason the sewer will be on the north side of the road where there is no utility conflict. He asked the applicant to look at possible options during construction for large treed areas, possibly not to open cut the area but instead to open a pit, bore the sewer line through the area to get past the trees in those areas. Everything will be located in the public right of way. Regarding leach beds, the center line of the road 30 feet on either side is where the tree lawn or right-of-way is considered. The pavement is roughly 30 feet wide; an area approximately 19 to 20 feet from the edge of pavement into the yard is where the right-of-way is located and where work can be done. When we design sewers we design it to be the most minimally invasive to whom it is serving. The proposed sewer does not serve the people who live in Pinestream; it serves the residents on Edgerton.

The City Engineer stated a preconstruction DVD is done to video every bit of the area before any work begins. They will restore all those areas as a condition of the contract to previous condition or better. For accesses during construction, it is a condition on the contract that the contractors will work with every homeowner; they will get to know them. The resident will have access for ingress and egress. They will only be cut off of driveway access for a

maximum of one to two hours while they physically dig through your driveway to get the pipe in, backfill it and then install a temporary drivable surface.

We have been working with the School District on different options. The gravity sanitary sewer seemed like the best option. Current regulations from The Board of Health, which regulates septic systems in Cuyahoga County, and the Ohio EPA mandate that once the sewer becomes available the residents will have to tie into that sewer.

The first step which would happen, should this move forward, is the City of North Royalton needs to change the sewage 208 water plan. An application is being submitted seeking a favorable vote by NOACA in March of 2020. The application would show this area to be sewerred within the next 20 years. The Ohio EPA will look at the application only after that has been done to issue a permit for a sanitary sewer. Construction could possibly start in May; the finish construction on sewer and then pump station would be the end of 2020. The sewer would not be available until spring of 2021. The Board of Health would then give approximately 7 months to connect, approximately the end of 2021. Timewise it will be approximately 1½ years for the resident to tie-in.

The City Engineer stated our noise ordinance in the City of North Royalton allows construction to happen Monday through Friday 8:00 a.m. to 8:00 p.m., Saturday 8:00 a.m. to 5:00 p.m. and no work will be performed on Sundays.

Mr. Presot stated we were looking at various alternatives and proposals to find the one that was best for not only the School District but the City and the residents involved. This is the plan that was chosen.

Mayor Stefanik said there is a representative here from the Cuyahoga County Board of Health. Immediately after the vote, she can meet with the residents down in the meeting room to talk more about what will take place if and when you have to tie in.

Mr. Baxendale asked if Administration is aware of any programs available through the County or the State to help residents finance the sewers. The City Engineer responded the Board of Health has provided information of a program through the Cuyahoga County Department of Development "HELP Program – Housing Enhancement Loan Program" where they provide low interest home improvement loans that are typically three percentage points below the normal bank rates for a number of years. He said other programs also are available through various agencies; most are income based. He said he has information on these programs.

The Law Director responded to Mr. Piper's question regarding if the citizens have any say as to the School Board's decision on the location of the sewer. The Law Director said the residents elect people to be their representatives. The Board of Education, whose sewer this is, is an arm of the sovereign which means they are their own chartered independent entity. They come before the PC to cooperate with us but they really do not need much approval from the PC. Their elected representatives have determined this is the best decision to provide sewers to the elementary school.

Moved by Mr. Baxendale, seconded by Mayor Stefanik to **approve and recommend to Council approval of the installation of a gravity flow mainline sanitary sewer.** Roll call:

Yeas: Five (Mayor Stefanik, Castrovillari, Baxendale, Antoskiewicz, Fenos). Nays: None.
Motion carried.

- c) **PC19-39:** DS Architecture LLC on behalf of **Diocese of Cleveland / St. Albert the Great** is seeking approval for a lot consolidation of PPN: 488-01-003, 488-01-013, 488-01-014, 488-01-015, 488-01-029 in Public Facility (PF) District zoning.

The Law Director stated on behalf of the Law Department they recommend the approval of the lot consolidation. The City Engineer stated the Engineering Department has no issues with the proposed lot consolidation. He added if and after the PC approves the lot consolidation the owner/applicant shall ensure that the sealed, signed, and dated legal descriptions and Lot Consolidation Plat, in its final version, is submitted to the Engineering Department for its full technical review and recording.

Moved by Ms. Fenos, seconded by Mr. Baxendale to **approve the lot consolidation**. Roll call: Yeas: Five (Mayor Stefanik, Castrovillari, Baxendale, Antoskiewicz, Fenos). Nays: None. **Motion carried.**

- d) **PC19-40:** DS Architecture LLC on behalf of Diocese of Cleveland / St. Albert the Great is seeking building and site plan approval for construction of a 25,000 sq. ft. building along with associated site improvements located at 6667 Wallings Road, also known as PPN: 488-01-003, 488-01-013, 488-01-014, 488-01-015, 488-01-029 in Public Facility (PF) District zoning. The project will consist of upgrades for existing campus to address internal safety and traffic flow along with accessibility and a new 25,000 sq. ft. Parish Life Center with gathering spaces and parish offices.

Jeremy Ousley of Environmental Design Group stated the existing stormwater pond is undersized for current standards. In the proposed site design they moved the location of the retention pond and enlarge it to meet current standards. The pond will have a mounding berm along the east property line that would direct all water into their site and not allow any water to run off the site. With the proposed improvements, new inlets will be added to pick up the stormwater and take it to the pond. If the retention pond were ever to overtop, the emergency overflow would be directly onto Royalwood and not directed toward any neighboring properties.

The City Engineer clarified topographically the site drains from the corner of Ridge and Wallings southeast. Mounding on the east side of the stormwater management will keep the water from continuing to flood easterly. The emergency overflow towards the new aligned driveway is appropriate so the water flows onto the public roadway and not onto private property. He stated storm sewers are designed to meet a 10 year storm design. During their analysis, the City will make sure if there is any chance for upsizing a sewer we will make sure that happens. The applicant stated they are looking at the overall drainage of the site to make sure there is a path for water to go if it would happen to surcharge that sewer. The water would then drain overland toward the pond and not on to any adjacent property. The proposed site will have curbing where appropriate along adjacent properties to make sure water is maintained into a storm system into that management pond.

Mr. Ousley stated the new site lighting being proposed will have cutoffs and not have light pollution onto the neighboring properties. The current lighting on the site, if a nuisance, can

be reviewed. The Building Commissioner asked the applicant to submit a photometric to the Building Department as part of their submittal. The applicant agreed.

Mr. Ousley stated the current traffic pattern for school children is a safety issue. The proposed layout addresses a lot of the concerns. The idea of the proposed layout is to allow for queuing and drop off of children on to a curb and into the building. Bus traffic moves to the back site where drop off of buses come in off of Royalwood, around in that back drop off area; kids will enter the school that way. This eliminates the need for children being dropped off by buses in the upper lot and walking across a lane of traffic that is dropping off kids on the wrong side of the street. The proposed plan will improve the level of service on Wallings Road and will not impact the level of service on Royalwood. Bus traffic will be added down Royalwood Road but will eliminate car drop-off traffic in the morning and evenings. The traffic will enter in on Royalwood and go around a round-about and exit onto Wallings. He clarified when cars are picking up and dropping off they will not be allowed to exit onto Royalwood. Car traffic will be free-flow out Royalwood at other times. He explained how in the mornings and afternoons when the cars and parents are coming to pick up and drop off their children to and from school they will be coming in Wallings, they will queue-up and then exit on Wallings Road. A bus rider will come in Royalwood Road, queue-up, drop off their kids, pull around and exit onto Wallings. The exit to Royalwood Road will be blocked off so cars and parent cannot exit that way. He said a traffic light is not being proposed there.

Peter Kristensen, 6590 Royalwood Road, stated he was concerned with the noise from the school buses turning around at the parking lot which is at the back corner of his property. He said he was concerned about how the bus traffic will be affected when the bus picks up the special needs child on Royalwood across from the school road.

Mr. Ousley responded the pond is designed to overflow and discharge onto Royalwood Road. He added the proposed design is for a 100 year storm. He said they have not done a noise study from the bus turnaround to the back of the home. He said there is a big distance approximately 300 feet to the back of the home and the plan is to install a fairly large mound with landscaping in that back corner area to help buffer it. Mr. Kristensen asked that they plant the same buffering trees as previously planted by St. Alberts when the drive was installed.

Scott Sandvick, 6623 Royalwood, stated he is the resident directly across from the ingress/egress and asked if the contractor will work with him regarding buffering the increased traffic car head lights shining into his windows from cars exiting the site. Mr. Ousley responded they will look at the location of the drive but they feel anywhere they put the drive would not eliminate that issue which is currently on site now. The Chair stated it they can possibly add trees on his property to help deflect the headlights. Mayor Stefanik asked them to consider adding 10-12 ft. pine trees to block the headlights. He asked Mr. Ousley to give a commitment to work with Mr. Sandvick. Mr. Ousley said he would be willing to reach out to Mr. Sandvick.

Mr. Ousley stated it is a big project; once they receive approvals they are looking to start construction in the spring of 2020 and wrap up toward the end of 2021. He responded to a question regarding the use of the Gathering Hall; he said it would be used for multiple functions. He said there are no preconceived notions; it is designed to be broken down into smaller meeting spaces but it has not been determined exactly what all it will be used for. Ms. Fenos expressed concern regarding the light that may affect the resident by the fields

and asked additional trees to be installed in the gap area of the trees. Mr. Ousley said there are existing trees that buffer along the field area; at this time they are not proposing to add additional trees but would be open to doing so if needed.

The Law Director stated the legal opinion given by his predecessor Mr. O'Donnell years ago, regarding the controversy over the question whether or not the restrictions that had previously been applied and for which some commitment was given, can be enforced. Mr. O'Donnell, did an excellent job; it states the PC is not in a position to place restrictions on the usage of St. Albert's property for purposes of ingress/egress and the kinds of concerns that have been addressed previously. While the applicant has explained to the PC their plan and intentions, Mr. O'Donnell's opinion states they are free of any restrictions in terms of their ability to make use of their property under Public Facility Zoning. It has to do with St. Alberts having been there as public facility since 1959 which predates the zoning restrictions. In addition to the fact that Congress in 2000 passed a measure called the Religious Land Use and Institutionalized Persons Act which provides protection for land use as a religious exercise. We can vote up or down but we cannot restrict them.

Moved by Mayor Stefanik, seconded by Ms. Fenos to **approve the site plan**. Roll call: Yeas: Five (Mayor Stefanik, Castrovillari, Baxendale, Antoskiewicz, Fenos). Nays: None. **Motion carried.**

- e) **PC19-41:** PBM Wireless Services LLC on behalf of Verizon Wireless is seeking conditional use approval for a new wireless telecommunications facility located at the North Royalton Sewage Plant (B) located at 11355 Sprague Road, also known as PPN: 481-07-026 in Public Facility (PF) District zoning.

(See combined discussion for PC19-41 and PC19-42).

- f) **PC19-42:** PBM Wireless Services LLC on behalf of Verizon Wireless is seeking preliminary site plan approval for a wireless telecommunications facility located at the North Royalton Sewage Plant (B) located at 11355 Sprague Road, also known as PPN: 481-07-026 in Public Facility (PF) District zoning.

Nate Meyer, of PBM Wireless Services LLC spoke on behalf of Verizon Wireless. He said Verizon follows the FCC guidelines. He responded to questions raised earlier in the meeting. He stated PBM Wireless represents Verizon for the zoning of this matter. He said Verizon will own the tower; the City is the landlord and they will address any concerns of the City. He said their proposal is for a 105 ft. tower which is to the top of the lighting rod. The only reason the proposed plans states it can be extended to 200 ft. is because the City of North Royalton's zoning ordinance requires the tower to be extendable for the purpose of colocation. He stated Verizon does not need anything taller than the 100 ft. tower for their purposes. If you wish to make it so it cannot be a co-locatable structure, Verizon is fine with that. Typically cities like to see that these structures are co-locatable so that someone else does not come along down the road and there is not an existing structure for them to use. He stated if the tower is not 200 ft. or taller, the FAA does not require it to be lit for aviation purposes. He said he would follow-up with the documentation on FAA requirements. He stated the Telecommunications Act of 1996 was established stating there is no known health risk associated with sites like this when they are operated in accordance with the FAA guidelines which Verizon does. There is no known cause for health concern from the Federal Government's perspective.

The Law Director stated there is a Federal preemption on the subject. The City is effectively banned from making a determination on the basis of alleged health issues or concerns.

The Law Director spoke to the topic of the roll out of the 5G small cells experience which includes multiple poles, big refrigerator boxes and space capsules, etc. The City has responded to the State's preemption on our ability to control that by enacting certain legislation that does what we can do to force the 5G experience outside of the developments that have underground utilities in areas where residents did not want wires and poles. Is the anticipation that this tower will provide Verizon with service that will negate any need on the part of Verizon to go through and put up the 5G poles at every other house. Mr. Meyer stated he does not know what Verizon's plan is for this area. He said he would have to get an RF Engineer from Verizon to explain the plan. He said this tower is called a macrosite. It provides coverage of the area. But you also need small cells to work in conjunction with the macrosite; you need both. Having this tower does not mean there will not be any small cells needed in the area that this covers. He said the small cells are normally located in malls, stadiums, outdoor shopping centers, schools, places where people gather such as parks and in higher density residential areas more than what is around here, but it is possible.

The Law Director stated the PC would be interested in knowing whether or not if the PC approves the tower will they still end up with 5G poles in their neighborhoods and on their front lawns. Mr. Meyer stated he can find that out.

Mr. Antoskiewicz stated why aren't the other towers that are close by viable to be used in this situation versus putting up another tower. Mr. Meyer stated he would bring back information on the number of towers in the vicinity. He wasn't aware of the tower located by Albion or other towers in the close vicinity.

Mayor Stefanik stated the tower at Sprague and York, at the German Central, was also not on the map provided. Mr. Antoskiewicz asked Mr. Meyer to include on the map towers in areas bordering of the City of North Royalton. Mr. Meyer said he would provide a better map.

Mr. Kulchytsky asked if the map which was submitted only shows the sites where they have some type of element on it. If Verizon doesn't have an antenna up there, that map does not show it. Mr. Meyer stated that is correct. Mr. Kulchytsky stated we can provide Mr. Meyer with a map of all the towers in North Royalton. He asked if it is possible to co-locate other services on a 100 ft. tower. He said the PC would like a definitive answer on that. Mr. Meyer stated you have to be above the tree line. When leaves have water in them, water blocks RF signal. The typical trees in the area get 70 to 80 ft. at maturity. It may be possible to co-locate at 90 ft. possibly 80 ft. depending height of the trees.

Mr. Kulchytsky stated the applicant has in their proposal a number of items they are requesting the PC to review. The PC has broad discretion as to whether or not they approve these various items that are within our code that are being omitted in this particular application. He asked the Law Director if this is an appropriate time to cover those or is it something that should be tabled to the next meeting.

The Law Director asked Mr. Meyer if he would want to consider requesting a table of this application and an opportunity to return after he has gotten more information.

Mr. Baxendale asked the applicant in his follow-up review to address the following issues: Our Code states a 350 ft. lot line setback is required; the report submitted to PC by the applicant indicates 350 ft. from structures not lot lines. He also asked to site a definitive study that says there is no health issues involved. The applicant stated he would submit what the FCC guidelines are as well if Verizon has any studies. Mr. Baxendale referenced towers designed to look like trees and asked if that is something Verizon would consider using here in North Royalton. Mr. Meyer responded Verizon built a site like that, designed to look like a pine tree, near Toledo. He said he would bring pictures of the site; some feel it sticks out more. Mr. Baxendale stated one-half mile away from their proposed site, the Board of Education has a huge piece of property that is not being used; has that site been considered? Mr. Meyer stated they did not. He added this is the only site in the area where they needed to be that is not zoned Residential. He said the 350 ft. setbacks may have been an issue for that site as well as it is in a Residential zoned area. Mr. Baxendale asked if any variances are needed. Mr. Meyer stated yes he is aware of only one variance; however the PC may have the ability to grant the needed variances. The location on the proposed site was determined because of underground piping from the sewer plant and maintenance area for grass cutting. He said there is no residential home within 350 ft. The tower has a zero fall radius; it is designed to bend like a bendy straw at the top and stay connected to itself; it does not fall over like a tree. Mr. Baxendale asked if the applicant can also do research or provide a study regarding and if there is any impact on property values. Mr. Meyer stated he has seen studies and will provide the studies to the PC which will be helpful.

Ms. Fenos questioned if an adjacent property owner wants to put an addition onto their home or put a structure near their property line how will that affect the required 350 ft. distance to a structure. Mr. Kulchytsky responded that would only be an accessory structure; it would not be a critical residence.

Mr. Castrovillari stated within five miles, there are four heliports in this area; it is a helicopter traffic area. The Law Director stated he researched lighting on towers and has found that according to the FAA, you can have a tower up to 199 feet with no lighting. He added 200 ft. is where the FAA mandates the towers be lit. Mr. Castrovillari asked what the diameter of the base is. Mr. Meyer responded the size varies; if it were to be built capable of being 200 ft. the base will be approximately 6 ft. in diameter. A 100 ft. tower would be approximately 3 to 4 ft. in diameter.

The Law Director responded to a question from Ms. Fenos regarding other options for the location of the tower. He said it will be up to the applicant to decide whether they wanted to continue to pursue it or not. He stated we have our own consultant who we have used in the past. We may call upon him to find out if in his view, the other sites in the area would suffice. Mr. Meyer said their plans now are to only build on the proposed site; however, he said he will show using maps the different scenarios of how coverage will be affected depending on tower location and why it would or would not work.

Tammy Nowak, 10100 Applewood, asked if the residents on Sprague Road in Parma were notified. The Clerk responded approximately 15 Sprague Road residents on the Parma side were notified. Mrs. Nowak asked what the tower will look like from her yard, York Road, Sprague Road and the surrounding neighborhood. Tim Nowak stated the existing towers in

North Royalton are by a commercial area. He said it's like Verizon picked the easiest site where power is available and won't cost a lot of money. He said Verizon can be put the tower in a location where it is hidden as they have done in high class areas. He asked why they can't expand the 50 ft. towers on Sprague Road or Fifth Third on the Parma side. The City of North Royalton should not take the rent income for this tower; we are paying enough in taxes. We need to say no; not in residential areas.

Mayor Stefanik stated our job in the PC is to gather the facts. The applicant has the right to present his application. He added we have a professional consultant who is a lawyer who represents the City when it comes to cellphone towers. He can determine for us whether this is an appropriate placement or whether Verizon can collocate within another reasonable distance on an existing tower without having to place it on the proposed site. He said the proposed lease is only \$18,000 a year. He added the rent is not driving the City's decision. The PC denied AT&T's application in the past.

The Chair stated at the beginning of the meeting we expressed our concern that the State has the autonomy over the 5G; the City of North Royalton does not. We asked the applicant to research what plans are in place by Verizon as to if they will be putting up 5G towers, which are unsightly. The City passed legislation earlier this year to protect developments, especially those who have underground utilities, so poles will not be installed in the right-of-ways throughout their development. The Law Director reiterated the application before us is for a 105 ft. tower.

Nathan Hill, 8901 Edgewood, asked for clarification; the coverage map on the website is different than what is being presented here tonight. He also questioned the risk of decrease cost of property values and Verizon agreeing to pay what that difference is.

Paul Pecuch of 8921 Edgewood Drive said he has done cell site surveying with AT&T in the 80's. He addressed the maps; the antennas they are using can be focused and adjusted to cover areas. He said because of the high elevation by Fifth Third it can be adjusted to cover that gap sweeping down toward the west – southwest. The cohabitation can be accomplished on the AT&T tower at Albion or with a new tower on the future assisted living facility building. He said there are new designs for microcells. The Law Director responded the State Legislator has preempted us so no matter what we say we want, the telecommunications companies have already decided what we are going to get. Trying to suggest the carriers use an appropriate 5G tower that is not offensive is going nowhere.

Mr. Meyer requested to table the application until the February meeting in order to obtain more in-depth answers.

Mayor Stefanik stated residents will be re-notified.

Moved by Mayor Stefanik, seconded by Mr. Castrovillari **to table PC19-41**. Roll call: Yeas: Five (Castrovillari, Mayor Stefanik, Baxendale, Antoskiewicz, Fenos). Nays: None. **Motion to table carried.**

Moved by Mayor Stefanik, seconded by Mr. Castrovillari **to table PC19-42**. Roll call: Yeas: Five (Castrovillari, Mayor Stefanik, Baxendale, Antoskiewicz, Fenos). Nays: None. **Motion to table carried.**

MISCELLANEOUS

The next scheduled meeting is Wednesday, January 8, 2020.

ADJOURNMENT

Moved by Ms. Fenos, seconded by Mr. Castrovillari to adjourn the December 4, 2019 PC meeting. Yeas: Five. Nays: None. Motion carried. Meeting adjourned at 11:08 p.m.

APPROVED: /s/ Larry Antoskiewicz
Chair

DATE APPROVED: February 5, 2020

ATTEST: /s/ Diane Veverka
Planning Commission Secretary