

**AGENDA  
PLANNING COMMISSION**

**September 24, 2014**

**MEMBERS PRESENT:** Mark Weaver, Ron Rehm, Wanda Christopher-Finn, Heather Kobilarcsik and Jean Boen

**MEMBERS ABSENT:** Gil Ning, Jackie Middleton and Fred Seling

**STAFF PRESENT:** Andrew Dutton

**I. MINUTES**

Approval of the August 27, 2014 meeting minutes.

Mark Weaver moved, Ron Rehm seconded, to approve the Minutes of August 27, 2014 as received. Motion carried.

**II. CONDITIONAL USES (PUBLIC HEARINGS)**

**Application #CU-374. Lynn Snyder of Engineering Associates Inc., representing the Wayne County Historical Society,** is requesting approval to expand an existing approved conditional use (Cultural Institution) at 546 East Bowman Street in an R-2 (Single-Family Residential) District.

David Broehl, Past President of the Historical Society and Co-Chair of the Parking Lot Committee, was present.

Mr. Weaver stated one of the criteria the Commission needed to address was whether the proposal would be harmonious and appropriate with the general neighborhood. Mr. Broehl stated the Society had been at the present location since 1954. Mr. Broehl stated the Society was given the property by the College of Wooster and, since that time, the Society had done its best to be harmonious neighbors with the surrounding area. Currently, Drug Mart let the Society use its parking lot for its functions, and adding the parking lot would be the “icing on the cake” with the campus atmosphere noting that additional landscaping would also be added. Mr. Broehl stated new signage was also planned at the entrance to the property, and he felt the changes would enhance the property.

Mr. Rehm questioned where the detention basin was located. Mr. Broehl stated the detention basin was placed in the southeast portion of the property (very edge of the front lawn along Bowman Street). Mr. Broehl stated the Society had not experienced drainage problems since the runoff issue had been addressed. Mr. Broehl noted that the detention area was not very visible from the street.

Ms. Kobilarcsik questioned the hours of operation. Mr. Broehl stated tours were available on Friday’s and Saturday’s but that special events were also held at the campus at various times throughout the year. Mr. Broehl stated the Society closed the property from the first of November until the end of February because of weather and because it got dark early.

Ms. Christopher-Finn questioned how busing was accommodated. Mr. Broehl stated the new parking area would accommodate one bus. Ms. Christopher-Finn questioned how that was handled currently. Mr. Broehl stated the buses came in off of Spink Street and turned around to face back out; with the new plan, there would be an entrance/exit. Mr. Broehl stated the Society hoped to eliminate the parking lot which was currently located next to the Beall House and return that area back to grass. Mr. Broehl stated the parking lot would then be pulled a little closer to the Spink Street area which would help to make for a more residential looking environment.

Ms. Kobilarcsik stated Staff noted that the landscaping and screening needed to be added and that lighting fixtures would need to be full cut-off fixtures. Mr. Broehl stated the engineer would be overseeing the bidding and implementation for the project. Mr. Broehl stated a person from the ATI had prepared a landscape plan for the Society and that students from the Career Center would be installing the landscaping at no charge.

Ms. Boen closed the public hearing.

Mark Weaver moved to approve Application #CU-374 for exterior alterations to expand an existing conditional use (Cultural Institution) for the Wayne County Historical Society at 546 East Bowman Street.

Ron Rehm seconded the motion.

Mr. Weaver stated he believed the request met all of the criteria for approval.

Mr. Weaver voted yes.

Ron Rehm voted yes.

Heather Kobilarcsik voted yes.

Wanda Christopher-Finn voted yes.

Jean Boen voted yes.

Motion carried by a 5-0 vote.

**Application #CU-375. Skyway Tower, LLC, representing New Par (dba Verizon Wireless),** is requesting conditional use approval for a wireless telecommunication facility at 3873 Cleveland Road in a C-5 (General Commercial) District.

Mike Hennon, on behalf of Verizon Wireless/Skyway Tower, stated a wireless telecommunication facility was proposed at the Wayne Insurance property on Cleveland Road. He indicated Verizon Wireless was getting a lot of traffic on its existing systems which was causing dropped calls. Mr. Hennon indicated sites were chosen based on their being suitable from an engineering perspective and would also tie into the existing network to provide coverage. He indicated the Code provided for opportunities to go onto existing municipal-owned properties in addition to M-2, M-4 and C-5 areas. C-5 zoned areas, unlike M-2 and M-4 locations, required conditional use approval. Mr. Hennon indicated the current location was found to be suitable in size and met the criteria from the engineering

side and would also work to solve existing network issues. The site was located in an open area with a stand of an existing forest of trees which were 85 – 100' in height where approximately 2/3 of the tower could be screened. He indicated there were no existing co-location opportunities. Mr. Hennon indicated that, with regard to the overhead power lines about ¼ mile to the north, they were too low (80') and did not have the height to get above the trees to make the necessary connections. He indicated whenever they had located on them, the expense of power outages due to regular maintenance for emergencies, it was a matter of safety and the need to schedule the outages. Mr. Hennon indicated the Code required the site be engineered for multi-carriers, and a statement from the owner had been provided which would permit that. The site would be engineered to accommodate Verizon and three other carriers. He indicated the tower had to be 2x the height from residential dwellings, and the placement of the tower did not meet the 2x height requirement in three directions. Mr. Hennon indicated they would be seeking a variance as to the height of the tower. To meet the 2x tower setback, it would have to be moved 50-60', and he indicated he did not feel that by moving the tower, it would benefit anyone as trees would have to be removed to meet the requirement. He indicated they would also be seeking a variance for the lighting as the FAA had jurisdiction over that. Mr. Hennon indicated the FAA study showed no artificial lighting would be required. He indicated they agreed to the conditions of trespassing and indicated no barbed wire would be used on the security fence. With the existing trees, there was no need for additional landscaping as it would not be seen. He indicated the Planning Department recommended plantings on the south side which they would be adding. A crushed stone access drive would be added, and noted the City required it to be paved. He indicated the facility would be unmanned with very little traffic to it. He indicated they would be asking for a variance of that requirement as well (stone drive versus a paved drive).

Ms. Boen questioned the height of the tower. Mr. Hennon indicated the tower would be 150' in height. Given the height of the tower, they would need 300' to the nearest residence (2x the height), and that requirement would not be met given the placement of the proposed tower.

Ms. Boen questioned the number of towers which currently existed in the area. Mr. Hennon indicated he had included in his submittal an FCC database printout of all of the surrounding towers. Ms. Boen noted there were 8 towers in the regional area.

Ms. Kobilarcsik questioned the requirement for the tower being placed 2x from a residential structure. Mr. Dutton stated 2x was the standard requirement for cell towers and believed it to be for aesthetics. Ms. Kobilarcsik questioned how many residents it affected. Mr. Hennon indicated there were three (one to the north, one to the east and one to the south).

Ms. Kobilarcsik stated the City had talked about placing a cell tower on the Layton School property. Mr. Hennon indicated that because of the distance, it would not help Verizon and noted that the area was already covered with the location that existed on the water tower at the hospital. Ms. Boen questioned how the location was chosen. Mr. Hennon indicated placement of towers was "need driven" and was based on coverage and capacity. Looking at Wooster as a whole, it appeared that most of the carriers had been able to provide coverage on the outskirts of the City and then "shoot in", but because of increased demand with data plans, smart phones, tablets, and email capability/usage, the tower was needed.

Larry Oxenrider, 1717 Oxenrider Lane, stated he was opposed to the construction of the tower. Mr. Oxenrider stated within a 4-mile radius of his home, there were 41 towers. Mr. Oxenrider stated he was not convinced there would not be another location that would be better suited for the tower. Mr. Oxenrider stated he felt an alternate site analysis should be done. Mr. Oxenrider stated the construction of the tower would have an adverse effect on his property. Mr. Oxenrider stated based on an analysis of 4,200 homes in four suburbs, the study showed that homes in close proximity to a cell tower reduced the price of homes by 21% and 22%. Mr. Oxenrider stated there were 5 homes within 600' of the property, and all were opposed to the proposed tower.

Rita Palmer, 3819 Cleveland Road, stated she was opposed to the tower. She noted she was the closest person to the proposed tower and noted her home was 62' from the property line. Ms. Palmer questioned if Wayne Insurance would continue to rent out the home that was on their property or if it would be demolished. Ms. Palmer stated there were over 260 antennas alone in Wooster and the areas surrounding Wooster. Ms. Palmer stated having the tower nearby would not help their property values. Ms. Palmer stated she lived in a quiet, woodsy area, and she did not feel the tower could be placed on the property in question without removing trees. Ms. Palmer stated she did not know how the cell tower could be placed on the property and meet all of the necessary criteria. Ms. Palmer stated her primary concerns were aesthetics and property values. She also indicated she was concerned with their need to work on the tower and the time of day that would occur.

Jean Boen closed the public hearing.

Ms. Kobilarcsik stated Section 1173.05 (a) of the Zoning Code stated, "The applicant shall demonstrate that a technically suitable location in an area identified in Section 1173.03 is not available". Ms. Kobilarcsik questioned if Staff had received documentation on that. Mr. Hennon indicated they had gone through a checklist of sites, and there were no existing towers to co-locate on. Ms. Kobilarcsik stated it was her understanding there was another property but that there were screening issues. Mr. Hennon indicated there was a property to the south on Cleveland Road, but there would be no way to screen it. Ms. Kobilarcsik questioned if the 2x height requirement to a residence would have been met at that location. Mr. Hennon indicated he recalled that there was no natural screening at that location but could not recall if the 2x height requirement was an issue. Mr. Hennon stated there was a need and a demand for the tower in the proposed location, and with the existing stand of trees, it would not be very visible.

Mr. Weaver stated Staff noted that, "The applicant shall demonstrate that the high tension power line easement located approximately ¼ mile northeast of the proposed site was not feasible". Mr. Dutton stated the power line was only 85' in height and did not think it would be an effective range for coverage.

Ron Rehm moved to grant approval to application #CU-375 Skyway Tower LLC, representing New Par (dba Verizon Wireless) for conditional use approval for a wireless telecommunication facility at 3873 Cleveland Road in a C-5 (General Commercial) District contingent upon the applicant demonstrating to the Staff's satisfaction that the high tension power line easement located approximately ¼ mile northeast of the proposed site was not feasible for the location of the facility and that the applicant shall receive a variance from the Board of Zoning Appeals for the tower being taller than twice its distance to the nearest residential dwelling requirement.

Mark Weaver seconded the motion.

Mark Weaver voted yes.

Ron Rehm voted yes.

Heather Kobilarcsik voted yes.

Wanda Christopher-Finn voted yes.

Jean Boen voted yes.

Motion carried by a 5-0 vote.

### III. **FINAL DEVELOPMENT PLANS**

**Application #SP-576. Lynn Snyder of Engineering Associates Inc., representing the Wayne County Historical Society,** is requesting final development plan approval to construct 25 parking spaces at 546 East Bowman Street in an R-2 (Single-Family Residential) District.

Mark Weaver moved to approve Application #SP-576 for Lynn Snyder of Engineering Associates, Inc., representing the Wayne County Historical Society, for final development plan approval to construct 25 parking spaces at 546 East Bowman Street in an R-2 (Single-Family Residential) District subject to the condition that the additional landscaping and screening shall be added per Section 1141.13(g) and Chapter 1165, and that lighting fixtures shall be indicated with a full cut-off fixture.

Wanda Christopher-Finn seconded the motion.

Mark Weaver voted yes.

Ron Rehm voted yes.

Heather Kobilarcsik voted yes.

Wanda Christopher-Finn voted yes.

Jean Boen voted yes.

Motion carried by a 5-0 vote.

**Application #SP-577. Skyway Tower, LLC, representing New Par (dba Verizon Wireless),** is requesting final development plan approval for a wireless telecommunication facility at 3873 Cleveland Road in a C-5 (General Commercial) District.

Ms. Christopher-Finn questioned if Staff had given consideration to placement of towers in the City parks, specifically Freedlander Park, which she felt would be less offensive than in the middle of neighborhoods. Mr. Dutton stated there was currently a provision in the

Zoning Code which did exempt the City from the requirements, and towers could be placed on any City-owned properties.

Ron Rehm moved to grant approval to Application #SP-577 of Skyway Tower LLC, representing New Par (dba Verizon Wireless) for final development plan approval for a wireless telecommunication facility at 3873 Cleveland Road in a C-5 (General Commercial) District, contingent upon: (1) That the tower being no taller than twice its distance from the nearest residential dwelling or the applicant obtain a variance from Section 1173.04(a); (2) That all new drives shall be bituminous, concrete or similar surface approved by the City Engineer or the applicant obtain a variance from the Board of Zoning Appeals from Section 1169.15(b); (3) That barbed wire shall be removed from the proposed fencing or the applicant shall obtain a variance from the Board of Zoning Appeals from Section 1141.09(b)(2)(B); (4) That a row of coniferous trees shall be indicated on the south side of the facility pursuant to the requirements of Section 1173.06(g); (5) That lighting of the tower shall be provided or the applicant shall obtain a variance from the Board of Zoning Appeals from Section 1173.06(j); and (6) Signage shall be posted per the requirements of Section 1173.06(k).

Mark Weaver seconded the motion.

Mark Weaver voted yes.

Ron Rehm voted yes.

Heather Kobilarcsik voted yes.

Wanda Christopher-Finn voted yes.

Jean Boen voted yes.

Motion carried by a 5-0 vote.

#### **IV. COMPREHENSIVE PLAN**

**Application #CP-5.** The City of Wooster is proposing a replacement of the existing Comprehensive Plan, approved in 2002.

A special meeting of the Planning Commission will be held regarding the Comprehensive Plan on September 30<sup>th</sup> at 5:30 pm at City Hall.

Meeting adjourned at 6:40 p.m.

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**Jean Boen, Vice Chairman**

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**Laurie Hart, Administrative Assistant**