

Cuyahoga Falls City Council
Minutes of the Planning & Zoning Committee Meeting
May 15, 2006

Members: Kathy Hummel, Chair
Tim Gorbach
Ken Barnhart

Mrs. Hummel called the meeting to order at 6:20 p.m.

The minutes of the March 20, 2006 meeting were approved as submitted.

Legislation Considered:

Temp. Ord. A-57

Discussion:

Temp. Ord. A-57

An ordinance authorizing and approving the conditional zoning certificate for a Sprint Telecommunications tower at 2300 4th Street and declaring an emergency.

Mrs. Hummel read A-57 (second reading). Mr. Guerra said this ordinance is a request to construct a 150 ft. tall monopole transmission tower that is expandable to 198 ft. with an equipment shelter near the Cuy. Falls High School concession building and tennis court. The property is zoned R-4 residential and allows for the construction of the tower which will replace a 71 ft. pole already existing on the site.

Mrs. Hummel inquired about the safety of the tower. Consultant Rick Patterson said there are no known adverse health effects of the electromagnetic energy emanated by the tower.

Mr. Barnhart asked if the school would collect a fee from Sprint for use of the site, and what happens if the tower is no longer used. Mr. Guerra said Sprint would be responsible for removing the tower. Jerry Warsaw (Sprint representative) said an amount was negotiated between Sprint and the school board. There is a possibility that five carriers could use the same tower, and each carrier would negotiate a separate fee with the school board.

Mr. Flinn asked if different carriers would require separate buildings. Mr. Warsaw said each carrier would have their own lease area on the ground and may require separate structures. Mr. Flinn asked if advertising is allowed on the buildings. Mr. Guerra said that would be up to the school board. Mr. Warsaw said they generally don't put advertising on the buildings for security reasons.

Edwin Holland, Superintendent of Cuy. Falls City Schools, said the fee negotiated with Sprint is \$800 per month for the next 5 years, with an option to extend for another 5 years at a higher rate. If Sprint decides that the tower isn't needed, it will be removed at Sprint's expense, and the light pole will be replaced.

Mark Wilkerson (2467-6th St., Cuy. Falls) said that the electromagnetic energy emitted by the tower is a potential health hazard to the children attending the high school, and he questions its long-term effects (like x-ray). He referred to a California law which prohibits towers from being placed on or near school property, suggesting that the cemetery would be a better location.

Angela Price (Cuy. Falls resident) asked what happens in the case of a lightning strike, and what other locations turned Sprint down.

Mr. Patterson said that if lightning strikes the tower, it would be conducted to the ground without damaging the structure or equipment. Carriers have designed towers with the best lightning protection available. Mr. Warsaw said that this site was considered to be the best for their purpose.

Mr. Patterson said that radio frequency energy literature indicates there is no adverse effect to health and safety, and the FCC has applied stringent limitations on the amount of radiation that can emanate from an antenna. Even if the tower were fully loaded with five carriers, it would not pose a health threat. An x-ray is ionizing radiation; a tower emits non-ionizing radiation. The Telecommunications Act of 1996 prevents the City from declining an application based on safety concerns related to radiation.

Mrs. Carr said the cemetery is an historic site not considered appropriate for the tower, and there would be a public outcry against it.

Mr. Gorbach said he understands Mr. Wilkerson's concerns for the safety of children. Studies have been conducted which indicate no adverse effect from the towers. Dr. Holland apparently believes this to be true, or he wouldn't approve it.

Mr. Barnhart suggested that Council look into the California law mentioned by Mr. Wilkerson. Mr. Guerra said he'd look into it. Mr. Warsaw said Sprint is negotiating with a private school in California for a tower construction, and he's not aware of any laws prohibiting it.

Mrs. Hummel asked Mrs. Jones to research the City's legal authority to reject a tower application.

Mr. Gorbach asked if split-face block would be used on the building. Mr. Warsaw said yes.

Mrs. Pyke asked if the tower would interfere with a news helicopter that lands behind the football field. Mr. Warsaw said he could put a light on the tower, but most cities prefer not to have towers lit. Sprint has to file its tower locations with the FAA.

Mr. Mader said he would like to know more about the California law. He would like to know if there is any data which indicates the towers may be harmful. Mrs. Klinger said it was the San Francisco school district that rejected the towers.

Mr. Barnhart asked if the City could use the tower. Mr. Warsaw said Sprint will allow the City access to a position on the tower at no charge. Mrs. Carr said the City hasn't made a commitment in that regard.

Mr. Mader asked if the school grounds could be used as a base, with the tower located in the cemetery. Mr. Patterson said the typical distance between tower and equipment is 8-10 feet. Increasing the length of the transmission line reduces performance, so it's best to keep it as short as possible. Mrs. Carr said there is very little available land in the cemetery, and people are extremely sensitive about what is placed there.

Mrs. Hummel said that we must accommodate cell technology with the required infrastructure. She would like a response from Mrs. Jones regarding the City's legal right to reject the application, as well as information from Mr. Guerra regarding the San Francisco school district decision, prior to the next Council meeting.

The committee recommended bringing out Temp. Ord. A-57 for approval.

The meeting adjourned at 7:16 p.m.

