

Board of Architectural Review

Minutes of the regular meeting of March 10, 2021. Mr. Marciniak called the meeting to order.

Members present: Mayor Craig Stough, Kate Fischer, Carol Lindhuber, Jeff Schaaf and Ken Marciniak, (5) present. Zoning Administrator, Timothy Burns also present.

Ms. Lindhuber moved, Ms. Fischer seconded to approve the Minutes of the February 10, 2021, meeting as submitted. Vote being: Stough, Lindhuber, Fischer, Schaaf and Marciniak (5) aye; (0) nay. Motion passed by a 5 to 0 vote.

Ms. Lindhuber moved, Mr. Schaaf seconded to adjourn the meeting. All present voted aye. Meeting adjourned.

Submitted by,

Debra Webb, Secretary
Municipal Planning Commission

Sylvania Municipal Planning Commission

Minutes of the regular meeting of March 10, 2021. Mr. Marciniak called the meeting to order.

Members present: Mayor Craig Stough, Kate Fischer, Carol Lindhuber, Jeff Schaaf and Ken Marciniak, (5) present. Zoning Administrator, Timothy Burns also present.

Ms. Fischer moved, Ms. Lindhuber seconded to approve the Minutes of the February 10, 2021, meeting as submitted. Vote being: Stough, Lindhuber, Fischer, Schaaf and Marciniak (5) aye; (0) nay. Motion passed by a 5 to 0 vote.

Item 3 – Council Referral – Proposed Ordinance 12-2021, Amending Chapter 1157 – Off-Street Parking of the Sylvania Codified Ordinances, 1979, as amended, by adding Section 1157.16 – Bicycle Parking. (Tabled at the February 10, 2021 meeting)

Mayor Stough commented that the motion to recommend approval should include Kevin Aller's authority to waive the requirement as discussed at the last meeting.

Discussion took place among the members.

Mr. Schaaf moved, Ms. Fischer seconded to recommend to Council to approve the proposed ordinance with the following changes and additions as discussed at the February 10, 2021 Planning Commission meeting:

- that there be a change for the wording of “required” to “encouraged” (for existing businesses to comply) as suggested by Mayor Stough and discussed at the February 10, 2021 meeting.
- an “exclusion by commission” clause could be added to section (b) that could waive or modify the requirement of bicycle parking spaces for businesses such as a gas station that does not have a convenience store.
- that a minimum requirement of (2) bicycle parking spaces be added to section (c)
- that a bike space requirement addition to section (e) for when multiple bike racks are installed side-by-side, that the space between racks be reduced from (4) feet to (3) feet
- a provision that the bicycle parking spaces are not installed in an area the encroaches on ADA requirements/compliance

Vote being: Stough, Lindhuber, Fischer, Schaaf and Marciniak (5) aye; (0) nay. Motion passed by a 5 to 0 vote.

Item 4 – Lot Split – 1-2021 submitted by Feller, Finch and Associates for Summer S. Leman, Trustee
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for property located at 8362 Sylvania-Metamora Road, Sylvania, Ohio 43560.

Mr. Marciniak asked Mr. Burns if he knew what the owner had planned for the property. He said that he was concerned that they would try to build a multi-unit.

Mr. Burns said that the property is zoned R-2, and that the owner would need to come back to the City for rezoning before they would be able to do that.

There was also discussion about largest dimensioned depth of the property being only 118.81 feet, which does not meet the 120 feet minimum requirement; and that there is an accessory building on the property that does not meet the required 3foot setback requirement.

Mr. Burns said that the depth setback is typical of all of the properties backing up to Heidaway Lane; and that Heidaway Lane was put in after those properties were developed creating the setback issues.

Discussion took place amongst the members.

Ms. Fischer moved, Mr. Schaff seconded to approve the lot split as submitted. Vote being: Stough, Lindhuber, Fischer, Schaaf and Marciniak (5) aye; (0) nay. Motion passed by a 5 to 0 vote.

Item 5 – Council Referral – SUP-1-2021 submitted by Stephen E. Carr, Agent for Cellco Partnership dba Verizon Wireless and Tarpon Towers II, LLC, Collectively Applicant for a Zoning Change from “R-1”, Single Family Residential to “R-1, Special Use Permit” for property located at 5403 Silica Drive, Sylvania, Ohio 43560 to allow the placement of a 130’ wireless communication facility with a 10’ lightning rod a total 140’ tall.

Steve Carr of PBM Wireless, Gene Abercrombie of Eastman and Smith and John Armour of Tarpon Towers were present.

Mr. Abercrombie spoke and gave a brief introduction to board about the project.

Mr. Tarpon stated that they have entered into a lease agreement with the Board of Education for the space on the property to the tower which is subject to approval by the City.

Mr. Carr gave a powerpoint presentation to the Board detailing the proposed tower project that would require a Special Use Permit in order to construct.

Discussion took place about the details of the project.

Ms. Zoe Berg, Project Director for Americans for Responsible Technology, was present, and spoke in opposition of the Special Use Permit for the proposed tower and its location on school grounds.

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Mr. Abercrombie objected to the “testimony” given by Ms. Berg and asked that her testimony be stricken.

Sylvania resident, Dr. Lindsay Samuelson was present, and spoke in opposition of the Special Use Permit for the proposed tower and it’s location on the school grounds.

Mr. Abercrombie objected to the “testimony” given by Mr. Samuelson, and asked that her testimony be stricken.

More discussion took place.

Mayor Stough made some additional comments and referenced the following three requests made by Councilman Doug Haynam in City Councils Referral of the proposed Special Use Permit to Planning Commission:

- 1) The tower will be constructed and maintained in accordance with the nationally recognized standard for cell tower construction and maintenance.
- 2) The owner and operator of the tower will annually certify that the tower is physically and structurally safe, robust and sound and meets or exceeds all current nationally recognized standards for cell tower construction and maintenance.
- 3) That the owner and operator will be obligated to decommission the tower at the end of the useful life of the tower, and to provide the city prior to initiating construction of the tower with financial assurance that there will be sufficient funds to decommission the tower at the end of the useful life of the tower, and further that such financial assurance shall be in the form approved by the City, which may include establishment of a performance bond, a trust fund or other insurance.

More discussion took place, and Mr. Carr stated that the three requests would be met; and that while it is not the standard, they would post a removal bond as asked for in the third request.

Mayor Stough suggested that a written copy be provided to City Council for approval.

More discussion took place and Mr. Haynam, who was present at the meeting, was asked if he was satisfied with the discussion and agreements that took place this evening. Mr. Haynam said that he was.

Mayor Stough moved, Ms. Lindhuber seconded to recommend to Council to approve the Special Use Permit with the requirement that all of the three of the following issues proposed by Doug Haynam in City Councils referral to the Planning Commission be met and confirmed by submitting
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in writing:

- 1) The tower will be constructed and maintained in accordance with the nationally recognized standard for cell tower construction and maintenance.
- 2) The owner and operator of the tower will annually certify that the tower is physically and structurally safe, robust and sound and meets or exceeds all current nationally recognized standards for cell tower construction and maintenance.
- 3) That the owner and operator will be obligated to decommission the tower at the end of the useful life of the tower, and to provide the city prior to initiating construction of the tower with financial assurance that there will be sufficient funds to decommission the tower at the end of the useful life of the tower, and further that such financial assurance shall be in the form approved by the City, which may include establishment of a performance bond, a trust fund or other insurance.

Vote being: Stough, Lindhuber, Fischer, Schaaf and Marciniak (5) aye; (0) nay. Motion passed by a 5 to 0 vote.

Mr. Schaaf moved, Ms. Lindhuber seconded, to adjourn the meeting. All present voted aye. Meeting adjourned.

Submitted by,

Debra Webb, Secretary
Municipal Planning Commission