

Hiram Township Board of Zoning Appeals
Verizon Wireless Conditional Use Variance Application
February 6, 2017

Board Members: Chairman, Janet Pancost, Gary Bott, Wendell Schulda, Tom Franek and Bette Gualtieri.

Public Present: David Walter (representing Verizon Wireless), Amy M. David (representing Verizon Wireless), Todd Samms (representing Verizon Wireless), Chris Ernst (representing Verizon Wireless), Shelia Rawlins, Anthony Fallaro, Gwen Fallaro, Robert Balli, Michael Ristau, Mike Podojil, Cathy Podojil, Nathan Frania, Catherine Shelly, Scott Shelly, Kyle Reid, Brandon Schilling and Rich Gano, Zoning Inspector.

Janet Pancost called the meeting to order at 6:30 p.m.

Mrs. Pancost explained the process of the evening's meeting.

Secretary, Kellie Durr confirmed that a legal notice was published on January 23, 2017 and that neighboring property owners were notified via certified mail on January 21, 2017.

The Board members introduced themselves.

Mrs. Pancost asked that the audience members sign in. Mrs. Pancost then swore in interested audience members.

Mrs. Pancost asked the representative for Verizon to let us know why they are here. Todd Samms, an agent with Verizon Wireless introduced himself and stated that they are there to talk about the possibility of a new cell phone tower to serve the needs of Hiram Township. He explained that Hiram Township currently lacks adequate coverage both for voice and in building penetration in the northwest part of the Township. Verizon has looked at the existing towers in the area and if there is any possibility of re-engineering or tweaking their existing network to meet those needs and has come to the conclusion that it is not possible. The only way to address this problem at the current time for existing issues as well as the future is to build a new tower in Hiram Township. They have looked at the possibility of collocating on an existing building as well. Mr. Samms pointed out that in the application packet there is documentation showing radio frequency map/images. The collocation opportunity does not appropriately address the issue. It touches just a small portion of the area. After examining the area, looking at variable information such as elevation, they settled on a location at 5825 Allyn Road and are proposing a 199 foot monopole tower which would include the equipment in a 100 foot by 100 foot leased area of which a 70 foot by 70 foot area would be fenced. It would contain all of the equipment to manage the tower. They are here today to discuss this and to make sure that they can meet the needs of the customers as well as emergency services in the area.

Mr. Franek asked if they choose this site because of the elevation. Mr. Samms answered that it is centrally located in the area that needs to be addressed. Mr. Samms reviewed the map showing radio frequency images with the Board members. Mr. Samms explained the different maps. Map 1 shows current indoor coverage, Map 2 shows indoor coverage using an existing tower on Winchell Road. Map 3 shows indoor coverage with the addition of the Hiram West site.

Nathan Frania asked if there was no coverage or not adequate coverage. Mr. Samms replied that there is not adequate coverage in the area. Nathan Frania then asked if he could tell a little about it and asked if there isn't enough signal. Mr. Samms gave the example of surfing the web on your phone or mobile device, viewing e-mail, children using the internet for school projects from a wireless signal. The area in discussion lacks the ability to maintain in building penetration to adequately provide coverage.

Robert Balli asked how many customers are in that area. Mr. Samms replied that he does not have access to the number of Verizon customers in that area. He further stated that this is not just a Verizon opportunity. He further explained that the way the Township Zoning Code is written and the way the tower is engineered, designed and constructed, it will allow for the collocation of other carriers to utilize the tower as well. Whether your provider is Verizon, Sprint or whatever your provider might be, you will have the ability to maintain the same coverage increases.

Catherine Shelly stated that she spoke with a Verizon representative today and she was informed that there are 6 towers within 24 miles of her address which is just around the corner from the proposed tower location. One of the towers is just 1.8 miles away. Mrs. Shelly requested a coverage map regarding the same. Mrs. Pancost shared the radio frequency image maps provided in the application packet with the audience members. Mr. Samms explained that green area is the amount of coverage you can see from the existing tower. The wavelengths for data reach is significantly less than for voice so it takes more towers more closely constructed together to be able to provide data services. Mrs. Gualtieri asked what distance is necessary between towers for good coverage. David Walter (representing Verizon Wireless) answered that it depends on the terrain, the coverage of trees, how many buildings and how tall they are. In an urban area you might expect 500 feet to 1,000 feet. Here there are not as many buildings or clutter and it could be half a mile to a mile, depending on the terrain. If there are a lot of hills, that would cut it down.

Mr. Schulda stated that the application indicated that Verizon lacks appropriate in building penetration. He has always looked to Verizon as being a mobile operator. Why is in building penetration so important to Verizon? Mr. Samms replied that it is the signal penetrating inside the building to the mobile device. Mr. Schulda further asked if their customers require that rather than a land line. Mr. Samms answered yes and that almost 50% of homes today do not have a landline and only have a cell phone. He further stated that they look at statistics and trying to provide adequate coverage for the customer but also for emergency 911 personnel. The in building penetration is critical for emergency 911 personnel. 76% of all 911 calls are made from a cell phone. Not being able to have that penetration inside of a home, a school, a church, a library, that could be an issue. Mr. Schulda then asked if the out of building coverage is adequate. Mr. Samms replied that it is not. He further stated that for voice it is better than it is for data but coverage is lacking.

Mr. Bott stated that there are a lot of cell phone towers in the area and referenced the cell phone tower by Hiram College. He shared that he lives 2 miles east of the cell tower and it made no difference to his cell phone service. He called Verizon and was informed that it wouldn't make a difference because he was in a low lying area. Mr. Bott stated that the proposed cell phone tower is also in a low lying area. After reviewing the radio frequency images map provided in the application, why isn't there improvement to the west? How do you determine that it is the tower and not the space? He further stated that after the new tower was erected by his house, he purchased a new phone and it worked fine. He asked "how do you prove this to me"? Mr. Samms answered that the diagrams are prepared by Verizon's Radio Frequency Engineers whose sole job is to identify and understand the overlap and how to best provide service. Mr. Bott responded "due to the fact that this is all in a hole", this tower is going to go up on a hill and fix it when the one in town didn't fix anything? Mr. Samms replied that there are variable that are in play and based upon his level of expertise he cannot answer. Mr. Bott stated that he needs an answer to the question. Mr. Samms requested Mr. Walter's input. Mr. Walter stated

that he cannot address the existing tower and Mr. Bott's issue. He further stated that the reason that Verizon needs the tower where it has been sighted is to be able to eliminate the white area on the map. That white area may be down and the tower is going to be in a higher spot. The antenna may have some down tilt so that radio signals that are directional and line of sight will propagate down to the lower areas. If we are in a low area and we put a pole in a low area, that pole isn't going to propagate out of that low area up. You cannot point the antennas up to the sky. He asked if this answers Mr. Bott's question. Mr. Bott answered "yes and no". He further stated that Garrettsville is known as a dead area and referenced a TV repair store that use to be in Garrettsville. He added that walkie talkies do not work in parts of Garrettsville or Nelson and wanted to know if this matter has the same effect as this. Mr. Walter answered that this should cover what those engineers have forecasted. Mr. Walter reviewed the radio frequency images map with Mr. Bott.

Robert Balli stated that he lives right across the street from the proposed sight. He further stated that he is hearing "should, might, maybe". What you are proposing will have a huge affect on this area. He added that they mentioned 911 calls and asked if we are having an issue with this. He further asked are you having problems that need to be fixed. You aren't saying that this is going to fix you are saying that it should fix or you are hoping that it will fix. Mrs. Pancost replied that it sounds like Mr. Walter might be better able to address this question and asked what Mr. Samms's title was with Verizon. Mr. Samms answered that he is a real estate expert. His job is to identify the areas on the real estate side and bring it to zoning. Mrs. Pancost asked Mr. Walter what his level of expertise was. Mr. Walter responded real estate. Mrs. Pancost stated that it sounded like Mr. Walter had a larger familiarity with the technical aspect of this matter. Mr. Walter stated that he has been doing this for twenty years and has picked up things by osmosis. Mrs. Pancost directed Mr. Balli's question to Mr. Walter. Mr. Balli stated that there are no guarantees from what they are presenting. He further stated that he lives across the street and that it doesn't mean he is going to have better service, the person living a mile away is going to have better service and that there are no guarantees other than to negatively affect our area. Mr. Walter stated that if you live across the street, you are going to have better service. If someone lives a mile down the road, he can't necessarily make that decision. The property may be a very low lying position and the signal may go over him. Mr. Walters stated that another problem they encounter is not that the tower doesn't go over the area but a lot of times people's phones do not work as they should. He further stated that there is 4G, LTE and different technologies for the phones and the towers. Those different technologies are evolving and coming about. We call them telephones but they are more. All of that data can be downloaded and transmitted to and from your phone. What we are showing you is primarily a coverage gap; you aren't going to get as many bars on your phone. The other problem is, if there is some kind of an emergency in this area and everyone is trying to get on their telephone at the same time, they are not going to work. This is a big problem in an emergency situation. Mr. Walters stated that Mr. Balli's phone sure better work better. Mr. Balli wanted to know why it didn't fix Mr. Bott's problem. Mr. Bott stated that he lives 2 miles away from the tower. Mr. Walters stated that 2 miles is too far away today. You can expect a mile out here. The towers are getting closer together and the circumference they cover is getting smaller and smaller. If you are using your phone as you travel, you are switching from one tower to the next.

Mr. Franek asked if there was anyone present who lives in that area that is affected. Mike Podojil answered that they have no problem with coverage. Mr. Walters stated that Verizon is having a problem. Nathan Frania stated that he lives in the "white spot" and they do not have issues. He asked how far away the collocation spot is as it looked very close to the proposed spot. Mr. Samms answered that it is on Winchell Road. If they were to collocate there instead of building a new tower, they could reach some of the area that is posing an issue but it can't fix the whole problem. Mr. Frania referred to the collocation tower location and the proposed tower location and stated that it doesn't seem like much space to cover all that they are showing. David Walter and Nathan Frania reviewed the radio frequency map. Mr. Samms stated that there is a lot of topography change in the area.

Anthony Fallaro stated that Mr. Samms and Mr. Walter said that they were real estate experts. He asked what they thought it would do to their property values. Help them, hurt them? Mr. Fallaro further stated that out of the window of the house they just built is where the tower is going to be. What is this going to do to our real estate values, keeping in mind that they have no high speed internet and no cable. Wouldn't the wise thing be to handle those things first? They use a Verizon Hot Spot because they have not internet and they do not have problems. He added that he sees a lot of downside and no upside for them. Mr. Samms replied that as far as the resale side, there are studies showing that it could possibly add value. Mr. Fallaro said "people look for a cell phone tower to live here". Mr. Walters added that it becomes a non-issue once towers are up. Once a tower is up people tend to not notice them anymore. Mr. Fallaro stated that he has a wall of windows at his house. Mr. Walters added that he has been in zoning meetings where they say that they don't know what the tower looks like and there is one 200 feet down the street. Mr. Fallaro replied that you don't think you would notice a cell phone tower with a blinking red light on it from here and showed a picture of his view from his house on his cell phone. Mr. Walter stated that there is no blinking red light and that the tower is not an erector set type of tower, it is a single pole. That is why they are saying that people tend not to notice them after a while.

Mr. Walter further stated in terms of property values, years ago this was a big issue and a couple of studies were done. He referenced a tower in Hudson. He watched the sales of the homes in the area adjacent to the tower over a period of time and there was no effect whatsoever after the tower went up. They continued to build in that development and the developer continued to sell the houses at the prices he was getting before. Mr. Fallaro stated that they must be the exception to the rule. They looked at a lot of lots before purchasing this one and they looked for cell phone towers and high tension wires. They picked a lot in a beautiful area with no cell phone tower and lots of trees.

Mrs. Pancost stated that there would be public comment and questions for another 10 minutes then they would close the floor to public comments and the Board of Zoning Appeals will ask questions and go through the zoning requirements and make sure that Verizon has met those requirements.

Robert Balli stated that he lives right across the street from the proposed tower. The tower is going to be 300 feet from his house. He bought his house for the tranquility and the views. He has two windows that are going to face the tower. He has no window treatments because he loves the view. Second, you can say towers don't affect property values but he has spoken to some women and the first thing they say is cancer and their kids. Mr. Balli stated that you can say that there are studies saying it isn't true but perception is reality. If people perceive that cell phone towers cause cancer, his property value just went down. The ability to sell his house just went down, his tranquility, his quality of life, staring out his window and looking at a tower. When it is time to sell his house, he is going to lose money. Mr. Balli stated "I guarantee that is what's going to happen". He further stated that nobody moves to the county, spends hundreds of thousands of dollars to build a house or buy a house to look at a piece of metal.

Catherine Shelly stated that she has pages and pages of documented studies on proven research that property values decline because of cell phone towers. The aesthetics don't matter. It still reduces property values by up to 20%. Mrs. Shelly further stated to keep in mind that we already have fracking tanks that we are addressing with more clearly labeled signs with "dirty tank" and "waste dump". This is already decreasing our property values. Add on that we are now going to have a cell phone tower that is going to decrease our property values plus the numerous health risks for our kids. Mrs. Shelly stated that they have small children and they build a house on a dead end street to have a nice lifestyle. They don't want to worry about this type of stuff. There are proven studies documenting different side effects of people across different areas away from cell phone towers and their symptoms decline the further they are away from these towers. Mrs. Pancost interrupted Mrs. Shelly and apologized. Mrs. Pancost stated that unfortunately this is not something they can take under consideration. If the radio

frequency emissions from the tower fall under the FCC guidelines and are permitted emissions, it is not something that the Board of Zoning Appeals can take into consideration.

Robert Balli asked what if they put it up and it is tested and it is over the allowed amount, are they going to take it down? Mrs. Pancost stated that she cannot speak for their engineers but she does know that the majority of operators of cell phone towers do meet the FCC requirements. Catherine Shelly stated that there are studies showing that they aren't tested regularly. Mrs. Pancost stated that the FCC controls these things and has permitted the radio frequencies from cell phone towers and state that they are in the allowable range. Mrs. Pancost further stated that she understands Mrs. Shelly's concerns. She lives in the community too and she has had children, but it is not something that we are allowed to take under consideration. Catherine Shelly asked if the property values concern was something that they could take into consideration. Mrs. Pancost stated that it depends on the reason for the property value concern. If the property value concern is the radio frequencies, then no, they cannot take that into consideration. This is an FCC regulation and not within our scope of responsibility. She further stated that she understands their concerns but it is not in their purvey to get into and make decisions regarding radio frequency emissions. Nathan Frania stated that one of the reasons they moved to Hiram is because it is a great neighborhood, it is quiet and you have the aesthetics. The more things like this that you put up tend to lessen the reasons why people want to come out here.

Mrs. Pancost asked if there were any other comments. Cathy Podojil asked about the noise of the tower. She stated that it is running and has power. At night are we going to be hearing a humming? Mr. Walter answered that the only noise that will come from the cell phone tower is a small generator that will cycle once a month and the decibels from that are similar to your home air conditioner. That will run for maybe an hour to 2 hours. Cathy Podojil asked if that was regulated as well. Mr. Walter answered yes.

Mr. Franek asked if there were any figures regarding the number of residents that have complained about service. Mr. Walter answered that he does not have that number.

Sheila Rawlins stated that they love living out in the country. The one thing they don't get as a perk is having high speed unlimited data. Her provider is Sprint and she is "price gouged". She further stated that she has a home business. If she switches to Verizon is she going to get high speed internet with unlimited data at a reasonable price? She asked "what is in it for us if we are going to have to look at it" or is it just going to be a tower that goes up and we still have to pay money to be capped. Sheila Rawlins stated that her concern is what do they get out of it if it goes up and that she doesn't want it. Mr. Walter stated that he does not have an answer for her regarding retail sales and that it is out of his area. There was a brief discussion regarding cable and internet service in the area. Mr. Walter stated that he cannot address the unlimited data question and that it is something that their sales people manage. He further stated that putting in the tower will improve phone service, Verizon phone service especially.

Anthony Fallaro stated that the Board of Zoning Appeals is making the decision. When they moved in they were given a whole list of things that Zoning required because they are trying to protect the property values. He further stated that there are things he would like to do on his property but isn't allowed to. He stated, we don't have internet or high speed cable and asked that be fixed before this is considered. Anthony Fallaro further stated that they (Board of Zoning Appeals implied) are suppose to look out for us and asked that they look out for them. He further stated that they are forced to go to Verizon because they do not have any other option. They might get some benefit from the tower by making their Verizon more reliable. He further stated that they don't want that. They want high speed internet and nothing is being done about that. He again expressed that the high speed internet should be dealt with first before the cell phone tower is considered. Mrs. Pancost stated that she understands Mr. Fallaro's frustration and discussed her own internet service. Mrs. Pancost stated that there are

some offsetting benefits to living in Hiram even without high speed internet. Those things you are asking for, cable and high speed internet are not before us today. This is not something that the Board of Zoning Appeals can do. However, what they can do is listen to arguments both for and against a Conditional Use Permit that is within our zoning for a cell phone tower. She expressed that she wishes that she could do something regarding the internet and cable issue. She further stated that what the residents can do is contact the Public Utilities Commission of Ohio. Mrs. Pancost apologized and said that she understands.

Mrs. Pancost closed the floor to public comment.

Mr. Schulda asked that the location of the proposed tower be pointed out on the map. Mr. Samms complied. Mr. Schulda stated that it is very close to the road compared to the lot size. Mr. Samms responded that the Hiram Township Zoning Code requires the height of the tower plus 50 feet from any property line, commercial structure or road. He stated that they selected this site to meet the set back requirements. Mr. Schulda stated that it is very close to the Castro's property line. Mr. Samms responded that it is 250 feet, maybe even a little further. The members reviewed the map. Mr. Samms further stated that the tower's proposed position allows for the field to still be utilized. Mr. Schulda stated that "assuming that what you are saying is true and honest, I would suggest that this tower be placed in the most inconspicuous place on this property". Mr. Samms stated that they looked at the Hiram Township Zoning Code and they designed this site to meet every condition outlined. This is part of the reason for its location. Mr. Schulda stated that there is a wooded area that would suite his needs better. Mr. Samms asked "in terms of clearing the trees"? Mrs. Gualtieri stated that there is a line of trees that they would be taking out. Mr. Samms stated that there are a few trees, scrub and low lying brush that they would be removing. Mrs. Gualtieri added that they serve a purpose. She added that she understood Mr. Schulda's point. Mr. Samms asked if it should be moved more towards other people's houses. There was a brief discussion regarding the lot. Robert Balli stated that there is nothing inconspicuous about the proposed location and that there are other locations that the tower could go. Mr. Schulda stated that he hoped that they could reconsider the location. Mr. Samms replied that there are a few factors that play into that. One is the radio frequency. This location has been approved by the Verizon engineers to meet that need. Mr. Schulda asked what about the Township and the neighbors. Mr. Samms replied the Zoning Code clearly states the requirements that they were suppose to follow. Mrs. Gualtieri stated that it is a Conditional Use Permit., those are the minimum requirements. Mrs. Gualtieri asked what the difference would be if you were 30 feet more in this direction which would give trees and scrub a chance to grow. The map was reviewed. Mrs. Gualtieri asked what the difference would be if the tower was moved 50 feet east. Mr. Samms answered that if you move it closer to the property lines and homes and we are not utilizing the tree line for screening or coverage. We are also moving it out into the middle of a field that is currently being farmed which would affect the use of the property. Where the proposed location is now, it is minimally invasive to each of these people. Mr. Schulda asked Robert Balli to show on the map where his house is located. Mr. Balli complied. Mr. Balli explained the location with scrub rows, trees and the proposed cell phone tower. Mr. Balli stated that if you have to put the tower up, put it further back. There was a brief discussion regarding the same. Mrs. Gualtieri mentioned that the map provided does not show the new development.

Mrs. Pancost stated that she would ask questions regarding the proposed screening and that zoning has requirements for screening at the base of the tower. Mrs. Pancost asked what Verizon planned for screening. Mr. Samms referred the members the figure on C2A as well as A1A and answered that it would be evergreen screening on the three sides. Typically evergreen style, arborvitae plantings that will grow and shield the fence line. Dwarf Alberta spruce is what is listed. Mr. Franek stated that it would not be much of a screen and that in about 20 years they would be 8 feet tall. Mr. Samms stated that the type of shielding cannot be something that is going to grow over the fence line and be an issue for the facility. It is designed to shield and obstruct the view of the fence line and equipment inside. It is

not to try to hide the tower. Mr. Franek stated that it isn't the right plant. Mr. Samms replied that it is something that is jurisdictional and every township or city has different requirements of the plants they want them to use. Mr. Samms further stated that this is something they can discuss.

Mrs. Gualtieri asked about the projection and how long before the tower is not a necessity. If we go through the effort to allow this to happen and people are going to have this in their view, is it worth it? Mr. Samms stated that it certainly is from Verizon's perspective. As technology changes the equipment on the tower, the antennas can be changed to facilitate the new technology. Verizon sees this as a major investment with hundreds of thousands of dollars spent to develop and create this part of the network. As far as it being defunked after a few year, it isn't something he would consider being appropriate. However, if Verizon does determine down the road that this tower is no longer needed, they would take the tower down and there is a plan in place with the ground lease to do so. If for whatever reason, 15 years from now the tower isn't needed it isn't just going to be left. If it isn't going to be utilized it will be decommissioned and destructed.

Mrs. Pancost stated that one of the requirements in Hiram Township's Zoning is a Remediation Plan in place and presented for the potential demise of the tower. She noted that it isn't included in the paperwork. Mr. Samms stated that it isn't included in the paperwork but that there is a Reclamation Plan that is part of the ground lease. Mr. Samms offered to present a redacted copy of the ground lease.

Mr. Franek asked if everyone has seen what the tower is supposed to look like. The audience replied no. A picture of a tower and site plan was circulated. Mr. Franek asked if this is a plan specific to Hiram Township. Mr. Samms answered that it is specific to this site. He further stated that there are similarities from site to site. Mr. Franek wondered how variable the site plans are from community to community. Mr. Walters stated that they use every effort they can to make them standard from one to the next.

Mr. Bott asked about the access road. He noted that it says that it is 12 foot wide and 15 foot at the roadway. Mr. Bott asked if it would be 12 feet wide between the tree branches when the tree is grown. He further stated that they need at 12 foot clear width with 12 feet high driveway for emergency vehicles and asked about the tonnage capability. Mr. Walters responded that they typically run some pretty large cranes in there for assembly. He cannot give a pound for square foot. He further stated that if you are worried about getting a fire truck in there, it will not be a problem. Mr. Bott stated that a fire truck is 43 tons. He further asked if the truck would be able to turn around on the 12 foot wide road when it is 31 feet long. Mr. Walters answered no but there is a turnaround area at the site that is 12 feet wide. Mr. Bott stated that it isn't enough. Mr. Walters asked what was needed. Mr. Bott answered 15 feet at least. Mr. Samms stated that he had an initial conversation with the Road Supervisor and they briefly discussed the project and at the time he mentioned 12 feet was the standard. Mr. Bott explained the size of the fire truck and there are a lot of driveways that are a problem. Mr. Samms stated that it could be adjusted.

Mrs. Pancost stated that the site plan shows the required evergreen screening around the fencing containing the equipment and the tower. She stated that she would be interested in seeing a bigger perimeter of larger evergreens placed away from that to help screen the area from neighbors. It is not a perfect solution but a double layer of screening could potentially mitigate the visual impact of the proposed cell phone tower site. She asked if it was something that Verizon could work with. Mr. Samms answered that it is something they could discuss further. The challenge could be the additional screening measures would not hide the tower it's self. He verified that they were discussing hiding the facility and not the tower. Mrs. Pancost confirmed the same. Mr. Samms stated that if a double layer is required, it is something that can be talked about. If we are talking about moving further out into the

field and adding trees that would impact the property owner's ability to utilize the fields that is something they would have to discuss with the property owner.

Mrs. Gualtieri asked if the property owner was present. Kyle Reid answered yes. Mrs. Gualtieri stated that the property was chosen for coverage area, were there any other possible properties that were considered. Mr. Samms answered that there were. Mr. Franek stated that it would appear that if you were on the south side you would have better coverage of the properties you are trying to cover. Mr. Samms replied that part of that is as you move further south, you go downhill. From a perspective of the best possible location to achieve the best possible coverage, it is the Allyn Road site. There were some earlier discussions with other property owners in different locations and as Verizon's engineers ran their studies, looked at the GPS coordinates and how they relate to the other sites and those elevations, they were either not effective or we were not able to come to an agreement with those property owners. This site represents not only a good location from Verizon's perspective but we are also able to meet the needs of the property owner. Mr. Franek asked if there was some way that they could show the need by the numbers of complaints or that this could help to service so many residents. He pointed out on the map the river valley and noted that the City of Akron owns a big portion of the "white area" and there are not any residents in this area. He added that it would help him understand the need for this in our township. Mr. Samms replied that he does not know the answer to that specific question but that he can say that individual towers in and of themselves does not offer the coverage that is required for the surrounding residents and businesses. Individual towers cannot do that, but when they are connected as a network and there is overlap of signals it strengthens the network and provides coverage areas to elevate those gaps. Mr. Samms further stated that it is the combinations of the towers together that provides the solution and that it is providing the community those coverages.

Mr. Bott stated referred to the maps showing radio frequencies and pointed out the river valley and surrounding roads. Mr. Bott stated that the "green spot" is owned by the City of Akron and there are no homes on it and there is never going to be. He further stated that it is something else some people have an issue with, the City of Akron and the Cuyahoga River. He added that it isn't big enough of space to even worry about.

Mr. Franek reviewed the map with Mr. Samms and referred to the existing cell phone tower by Winchell Road and Sheldon Road and asked why there wouldn't the map show green coverage there. Mr. Samms replied that it isn't owned by Verizon. Mr. Walters reviewed the map as well. Mr. Samms stated that it is an existing tower owned by another cell phone company and if they co-located there, it wouldn't cover what they are attempting to cover. Mr. Bott asked if the tower by Hiram College was a Verizon tower. Mr. Samms answered no. Mr. Bott asked if they were on that tower. Mr. Samms answered that he didn't believe so. Mr. Walters answered that they were not sure. Mr. Bott replied, "how do we get answers if you are not sure" and "we need answers". Mr. Samms stated that there are three towers Verizon is currently on and they are located at Auburn Corners, Hiram and Mantua. Mr. Bott further asked if Verizon doesn't let anyone else on their towers and if they don't use other company's towers. Mr. Samms answered no and that all towers are now designed to be collocate able. The existing towers constructed twenty years ago may not be able to accommodate another user because they were not designed for it. Towers today, like the one we are discussing, will be structurally engineered to accommodate at least three carriers, Verizon and then two more. This would protect the residents from having a second or third tower being built in that area.

Mrs. Pancost asked if there has been any interest from other cell carriers yet. Mr. Walters answered that it is something that isn't determined until it is built. Mrs. Pancost asked if the other three Verizon towers in the area had other cell carriers collocated. Mr. Walters answered that he believed that they all had more than one carrier. Mrs. Pancost verified that the cell tower they are proposing would be for Verizon with the potential for two other carriers to locate on the tower. Mr. Samms answered

“correct”. Mrs. Pancost then stated that if the other Verizon towers in the area were not already full they would have the option to have other carriers collocate on there as well. Mr. Samms answered “correct”. Mrs. Pancost further stated that as miserable as it would be to have a cell tower in your backyard, you would not have additional towers going up. Mr. Samms stated that this is the way that your code is written and it is right in line with how most jurisdictions have.

Mr. Samms stated that because of this elevation, we can build this tower under the 200 foot mark at 199 feet; it prevents the need to have a flashing beacon light. Mrs. Pancost asked if the FAA requirements is that less than 199 feet you do not need a beacon. Mr. Samms answered “correct”. Mr. Walters answered “generally speaking”. Mrs. Gualtieri asked if they knew for a fact that this tower at 199 feet would not require a flashing light. Mr. Samms answered that he can double check and that he thought that it was in the Radio Frequency Engineer’s letter. Mrs. Gualtieri asked if there was any way they could get this information this evening. Mr. Walters stated that if the FAA does not require it, they are not going to put it on.

Mr. Franek asked if there were any comments from the audience after seeing the diagram or picture. Robert Balli asked how far away the picture was taken. Mr. Franek noted that it is different than the other cell phone towers in the area and that the proposed tower was less intrusive. Robert Balli asked what the circumference was. Mr. Walters stated that it depends on the soil conditions and that generally the base itself with a concrete foundation is generally around 6 feet in diameter. Robert Balli asked if the tower was 6 feet in diameter. Mr. Walters answered that it tapers as it goes up. Mr. Walters answered Robert Balli’s initial question that the picture was taken about 100 to 150 feet away. Mr. Walters further stated that what they are proposing does not include the brick building at the base. He also stated that their equipment goes on a concrete pad with chain link fencing around it and after a year or two of the screening growing in you won’t see the base.

Catherine Shelly wanted to know if this is something we need and what if as a community member they don’t want it. Why isn’t it up to the community members to decide? Mr. Franek answered that in his opinion, if it is benefitting the greater community and there is need he would look at that to weigh his decision. Robert Balli added that it isn’t the greater community as most of the land they are trying to cover is Akron and there isn’t a population of people there. He added that “maybe they don’t even know that” and that the people they are trying to cover do not need covered, they get by with coverage fine. Robert Balli further stated that isn’t needed from his stand point and a population stand point. Mr. Franek stated that he has heard you shouldn’t make a 911 call without having a distinct address because the way cell phones take different towers and that he is sure that there is an overlap from what he has heard. Robert Balli replied that if it was a selling point they would have data to present.

Mr. Samms stated that because the project is preliminary, he could not get a definitive FAA finding but there is a tool they can use call Towair and with a routine check of the coordinates, height and structure type we are discussing it does indicate that the structure does not require registration in terms of height and it would not require a beacon light.

Mrs. Pancost stated that we are reviewing the map, listening to the neighbors and listening to the people that are going to be faced with this tower, the location that is proposed and the lease that you have in place does, it allow you to move this particular location elsewhere on the land. Mr. Samms stated that it is written for that particular location. Christopher Ernst, counsel for Verizon Wireless from the law firm of Bricker and Eckler LLP suggested that given the number of questions coming from the Board, the most prudent thing would be to table this and allow them to answer all the questions the Board has and to come back at the next meeting with specific answers so that the Board can be comfortable in its decision. Mrs. Pancost stated that in her opinion they do not have all of the information they require including a Reclamation Plan, unless there was a copy available this evening.

Mr. Samms stated that it is not available but that it could be emailed. Mrs. Pancost stated that Mr. Ernst makes a valid point and that there are a lot of questions that we do not have good answers to at this point. Mr. Samms and Mr. Walter have given us the information to the best of their knowledge. She suggested developing a list of questions for Verizon so that if the meeting was recessed without a decision, Verizon can provide us with the appropriate answers to our questions. Mrs. Pancost asked for the Board's thoughts. All of the Board members were in agreement.

Mrs. Pancost asked that they compile a list of questions and stated that hopefully the next time they meet they can make a decision. Mr. Schulda stated that he is a fan of technology and that Hiram allows cell phone towers in their Zoning Code but he isn't very happy with the proposed location. He would like to see it back further on the property in an inconspicuous area. He mentioned a wooded area in the back parcel and he hoped that it would satisfy some of the neighbors' concerns about seeing the tower. Mrs. Pancost reiterated that Mr. Schulda would like to see the tower further back in the existing wooded area. The audience members stated that it would be in someone else's view then. Nathan Frania stated that there is protected wetland in the area and if you move it, does it mean that it needs to be a taller tower? Robert Balli discussed the views from his house and that he understands that they are trying to minimize but they are going to affect someone somehow and mentioned the wooded lot as well. He added that he doesn't want the tower and that he doesn't think it serves a purpose for anyone but that they need to try to minimize the damage somehow. He stated that there are 51 acres and there has to be a better location. He expressed that the location is horrible. Mrs. Pancost asked if it was acceptable to the Board members. There is one proposed site on the parcel. What if they requested two additional locations on the parcel. Mrs. Schulda agreed with two additional locations. Mr. Franek stated that he has no comment on the proposed sight. He further stated that he is sure that Verizon has done their work. Mrs. Pancost suggested requesting two additional potential sites on the parcel for the proposed tower.

Mr. Franek asked if there was any benefit to the Township other than better coverage and if there was a tax benefit. Mrs. Pancost answered that she had a discussion with Hiram Township's Prosecuting Attorney regarding this matter and they discussed the detriments as well as the benefits to the Township. She further stated any time we put a cell phone tower in a rural residential area you are impacting your residents and asked what is in it for us? Verizon isn't doing this out of the goodness of their hearts; they are going to be making money off of this tower. There is nothing wrong with making money but what is in it for Hiram? One of the things she would be proposing to her fellow Board members, because this is a Conditional Use Permit and we are allowed to attach conditions to it, that we request space on the tower as well as installation for our 911 services to locate communications on the tower. Our legal representative stated that it is not an unreasonable request to make. That while being of limited benefit to the citizens who are surrounding the tower, it does help them and everyone else in Hiram Township as well as our neighbors and surrounding communities. She expressed that she isn't certain that this is something they can negotiate with Verizon and expressed that she doesn't feel that it is unreasonable. She added that if you are asking to come into a community that values its scenic vistas and its farm land then asking for something for our community would be a wise choice for our Township to make.

Mrs. Pancost directed the Board's attention back to the compiling the list of questions. Mrs. Gualtieri stated that her concern is that most of that area is rural except where the tower is being proposed. It is one of the few developed areas with the most residents being impacted in Hiram Township. While it was stated earlier that the engineers came up with several possibilities and property owners were contacted, can we know where the other sites were. Mrs. Pancost asked if the other property owners were not interested, what does that tell us. Mrs. Gualtieri stated that she wants to make sure that all other possible options were exhausted. Mrs. Pancost asked if looking at the engineer studies to see what pattern of coverage the alternate sites would offer and would it answer Mrs. Gualtieri's question.

Mrs. Gualtieri answered yes. Mr. Samms stated that this is the only site with an agreeable and willing landowner in this area that meets all the recommended conditions in the code regarding setbacks. Mrs. Gualtieri asked if there was a secondary property or a tier one and a tier two. Mr. Samms answered no. He further stated that this represents a unique and challenging coverage gap in that where the signal strength is needed to be the strongest and the size of the parcels in the areas that are not protected wetlands or in a valley made it very challenging to identify even this particular site. Mr. Samms further stated that he doesn't want the misunderstanding that there are multiple options. In this particular case, this is the only option. Brandon Schilling asked if there was a better site that Verizon would have picked if there was an agreeable land owner. Mr. Samms stated that was one of the challenges, because of the hill, the valley where the river runs through, wetlands are on the opposite sites, setback requirements require at least 50 feet from the property line, building, road, etc. Brandon Schilling asked if this was Verizon's first choice. Mr. Samms answered that this was the only choice in this specific area that can meet the needs that Verizon established.

Mrs. Pancost stated that she would like to see the Reclamation Plan and requested a copy of it for the Board to review and requested confirmation regarding the FAA requirements and if a beacon light is needed. Mr. Samms asked who confirmation was needed from. Mrs. Pancost asked how Verizon determines whether a beacon is needed or not. Mr. Walter answered that they make application to the FAA. Mrs. Pancost asked if the application is made before the tower is built or after. Mr. Walter answered before the tower is built but generally speaking after they have approval. Mr. Samms referred to the tool previously mentioned. Mrs. Pancost asked about the accuracy of the tool and if it has ever been known to be wrong. Mr. Samms answered that he couldn't answer that but that he has not found it to be wrong. He added that he could provide the findings of it. Mrs. Pancost asked if the engineers have included this in the proposal. Mr. Samms responded that it would come after an application has been made to the FAA when the drawings are completed.

Mrs. Pancost stated that the tower is currently 199 feet, how much shorter could it be and still be effective? Mr. Walter answered that they do not build it any higher than they have to and that it is a matter of dollars and cents. Mr. Samms stated that the proposed tower is 190 feet with a 9 foot lightening rod for a total of 199 feet.

Mr. Franek inquired about the proposed screening and stated that he is a certified arboriculturalist, teaches arboriculture and trees are something he knows. Alberta Spruce may be appropriate screening in other situations but for this purpose would not provide much screening. It would not look right nor provide appropriate screening as they grow very slowly. Mr. Samms stated that as a condition of approval they could recommend a specific type of screening they would prefer. It is something they would be glad to comply with. Mr. Franek stated that he understands that it is designed to minimize the maintenance long term but anything he would suggest would need more space and that would require a larger footprint. Mr. Walters stated that they would be happy to accommodate. He stated that the only concern they have is security. If you cannot see in, the technician cannot see out. Mr. Walter gave an example of a security situation that would be of concern to the technician. He further stated that for that reason they are somewhat careful about screening and asked for their thoughts. Mr. Walter added that there is a 100 foot by 100 foot lease space that the landscaping can be in so there is "room to play" with it.

Catherine Shelly asked if was possible for the Township to deny this. Mrs. Pancost replied that it is within the prevue of the Board of Zoning Appeals to deny a Conditional Use Permit Application but in general, if someone is coming before the Board of Zoning Appeals and they have met the conditions that are outlined in our Zoning and they are willing to meet the additional conditions that as a Board they would request of them to minimize the impact of this conditionally permitted use, we would have to be at quite an impasse to deny it but it is possible. Catherine Shelly stated that she didn't know if it was

beneficial for them as a community to have a real estate expert for the community of Hiram who has seen the effects of the fracking on property values in the area of the proposed cell phone tower. How hard it is to sell property and the property values with the tower. Mrs. Pancost stated that it is the citizen's right to gather data and present it to the Board. However, in this case you would need to find a way to tease out the data properly. How much of a drop in property value is a result of the brine injection well and subsequent truck traffic that is coming from Sheldon Road up and down Allyn Road and how much of it can be attributed to a cell phone tower being in the community. If the data is available the Board would look at it and take it into consideration. Along those lines, you may want to look at communities that are similar to Hiram Township in terms of population and size and try to find a place where there has been a monopole structure in place long enough to determine what the values are. Mrs. Pancost further stated that sometimes when these things go up it is an eye sore but over time you don't notice it. If you are new to the area and you didn't know what it looked like before, it isn't going to impact you. It is going to have an impact on those of us that know what it looks like now. Catherine Shelly added that she didn't know if it was a waste of her time. Mrs. Pancost stated that they would take the information into consideration but just because someone doesn't want to live near one doesn't mean that people don't live near one. Mrs. Pancost asked the audience how many people have a cell phone. The audience members raised their hands. Robert Balli asked how many would have bought their houses with the cell phone tower. Mrs. Pancost stated that it isn't a bad question to ask but since the invention of cell phone and the subsequent instillation of cell phone towers, a lot of people have bought house or built houses next to a cell phone tower. She added that she doesn't like them but she uses a cell phone and so does everyone else in the room.

Mrs. Gualtieri stated that she is willing to listen to any information that is credible and take it into consideration. Nathan Frania asked since it is a Conditional Use Permit can they make it the recommendation to make it the right height so that it doesn't require a beacon light. Mrs. Pancost stated that her perception is that until they have a permit to build this they are not going to have a full set of engineer drawings. Until they have the full set of engineer drawings and the permit, they are not going to be applying to the FAA to determine whether or not they are going to require a light at the top of their monopole. There was clarification that Verizon has preliminary drawings, not completed drawings. Mrs. Gualtieri stated if there is a condition and it is determined that a light is needed, that is it.

Mrs. Pancost stated that she would like to add to the list of information requested. She stated that they can see the actual affect that the tower would have by the maps provided, but in terms of necessity, how does this fit into the existing Verizon network, how does it contribute to better cell service in the area? The proposed cell phone tower might not help the people already on top of the hill because the surrounding towers may be high enough but will it help people further down the hill. Furthermore, as information goes we switch from tower to tower as we are driving. Is that a contributing factor for the need for the tower and can you show it to us? It may be something you want to talk to with your engineers to justify the need for it. The members reviewed the radio frequency map. Mr. Franek stated that the map is a demonstration of that. Mrs. Pancost stated that it shows the coverage and in building penetration but she wondered if that is the extent of the benefit. Is there a larger benefit? If it does make a difference elsewhere, she would like to know what that is. Mrs. Gualtieri referred to Section 601-2 Basis of Determination Number 9, Letter C of the Zoning Code which reads:

The application shall include conclusive technical evidence as to why the wireless communication tower and facility must be located where it is proposed to be located and no alternative choice can be considered in order to service the applicant's service area.

Mrs. Gualtieri asked for clarification of Section 601-2 Basis of Determination Number 9, Letter C.

Mr. Schulda asked that the previously discussed driveway size and that it be shown in the new drawings. Mr. Bott stated that he has sat here and listened to what Verizon's engineers have done, how they studied and everything else. He has not heard them say anything but the word "it should" help the area. They haven't said that "it would" help the area and that bothers him. If you have done all of this work you should know that it will help the area not presented that it "should" help the area. Mr. Bott questioned if the cell phone tower was needed and stated that he needs a direct answer and that he doesn't live his life on "maybes". Mr. Samms replied that the tower will certainly make a direct benefit based upon what was illustrated in the graphs. Verizon would not be investing the type of resources it has if it would potentially not. Mr. Bott stated that Mr. Samms still isn't telling him that "it will". Mr. Samms stated will it affect you? Mr. Bott answered, not me, he is interested in the proposed area. He stated that he is on the Board and he spent 44 years at the Fire Department as the Fire Chief. He is here to do what will help the residents and it is his way to give something to the community. Mr. Bott further stated that he needs direct answers. He was told by people on the telephone that the tower down the road was a Verizon tower when he had a Verizon telephone. That tower did not help him and he was told that it would not help him because of where he lives. He mentioned high property on the other side of the valley and stated that maybe no body looked at that. He stated that he understands the residents not wanting the tower, he wouldn't want to look at one either. Mr. Bott further stated regarding safety, it is one of the biggest problems they have in that cell phone emergency calls do not go to the right places. He further explained the 911 phone call process. Mr. Bott stated that if we come up with our questions and they come back with their answers, he might be swayed. He stated that he looks for the good of the community because he has lived here all his life. Mr. Bott stated that he "needs better answers than what we got".

Mrs. Pancost returned to compiling the list of requested information from Verizon. Mrs. Pancost reviewed their questions thus far:

1. In addition to the already proposed location they would like two other potential locations on the land they are proposing to put a cell phone tower on.
2. Need to see a copy of the Reclamation Plan.
3. Follow up on provisions of Section 601-2 Basis of Determination Number 9, Letter C and the clarification of the benefits for the cell phone tower.

Mrs. Pancost read Section 601-2 Basis of Determination Number 9, Letter C again. Mrs. Pancost requested printed verbal summaries or something that would show the thought process. Mr. Samms clarified what documentation was being requested. Mrs. Gualtieri stated that she is better with numbers and would like to see something that shows the percentages and numbers regarding the data and the user base. She stated that she would like to see the contrast of using the collocation tower as a possibility without actually building another tower. Mrs. Gualtieri referred to Section 601-2 Basis of Determination Number 9, Letter E which reads:

Existing towers must be utilized, as multi-user wireless telecommunication towers, if at all possible, before a new tower may be constructed. The application must provide written evidence that all wireless telecommunication service facilities that supply service within the proposed service area have been approached about the feasibility of collocation opportunities at their respective sites. The operators for the existing facilities shall be requested to respond in writing to the applicant and shall be presented to the Board of Zoning Appeals to aid in determining the need for a new wireless telecommunication tower/facility. Facilities that are not proposed to be multi-user sites shall provide written explanation why the subject facility is not a candidate for collocation.

Mrs. Gualtieri stated that she needs to feel confident that this has been covered. Mr. Samms asked if Mrs. Gualtieri is requesting numbers and percentages instead of a graph which was provided. Mrs. Gualtieri answered yes.

Mrs. Pancost asked if there were any other questions to add to the list. Mr. Schulda asked that the requested additional locations be more specific and include a less intrusive area or a less conspicuous area. He would like to see a couple of those proposals rather than just two locations. Mrs. Pancost discussed a less visual impact. She suggested revising the question to be two additional locations with the least visual impact. Mr. Schulda agreed. Mr. Samms asked least visual impact from which direction? Mrs. Pancost suggested minimizing the visual impact in the most populous area. Mr. Schulda stated putting a tower in a wooded area would have less of an affect than in an open field. Mrs. Pancost stated that she does not completely agree with that. She explained that if a cell phone company was to put a cell phone tower in a wooded area, they would have to clear out some of the woods to put in their facility as opposed to putting it in a cleared area and adding trees. Mrs. Gualtieri referenced a cell phone tower on Hankee Road and suggested driving by it to get a visual. Mr. Schulda stated that if it was put in a wooded area you wouldn't need screening. Mr. Schulda asked if the tower would work in a wooded area. Mr. Samms answered that it would have to be determined by the Radio Frequency Engineers. Mr. Schulda asked if there have been other towers built in wooded areas. Mr. Samms answered that there are many variables in play in a construction project.

Mrs. Pancost asked if the Board had any other questions to add for Verizon. There were none. Christopher Ernst verified the three questions; two locations on the property, Reclamation Plan and clarification regarding the benefits. Mrs. Pancost confirmed the same. Mrs. Gualtieri wanted to clarify that she wanted information regarding Section 601-2 Basis of Determination Number 9, Letter C and Letter E regarding collocating to another tower versus a new tower. Mr. Ernst replied that it would be a fourth question, comparing collocation and a new tower.

Wendell Schulda motioned to recess the meeting. Gary Bott seconded the motion. Roll Call: Janet Pancost YES, Bette Gualtieri YES, Gary Bott YES, Wendell Schulda YES, Tom Franek YES.

Mrs. Pancost stated that we need to schedule the next meeting. Mr. Walter asked how often they meet. Mrs. Pancost answered that it is on demand when there is a need. Catherine Shelly asked if there could be a community meeting. Mrs. Pancost stated that it is out of their prevue and they would only be having the Board of Zoning Appeals meeting. Mr. Franek stated that all residents are welcome to have a seat on the Board of Zoning Appeals. Catherine Shelly stated that she has more questions about this and asked who our community engineer is. How do we feel comfortable that they have looked at those collocations and this isn't a more cost effective option. Mrs. Pancost stated that she understands that and if someone wants to do something in our community, the first thing to do is question their motives. Her own personal philosophy at this moment is that it is costing Verizon money. They have three people here this evening and they are not volunteering. The engineer studies and the agreement with the landowner, if this isn't a good location for them then why would they be here. Robert Balli stated that they are going to make money and we are going to lose money. He further stated that the surrounding community is not going to make anything financially. Mrs. Pancost replied that the question was how do we know that we are being provided with valid data and the answer is that we don't know. Our job is to listen to everyone's contribution and try to weigh what is in our zoning and our community values and what the law is in our Township and come up with a decision that least impacts our community.

Mr. Franek added that the Township is charged with the health, safety and welfare of the community not necessarily with protecting your investments and property. He shared that he has sat where they are now but that it isn't something they can always protect. He gave the example of a neighbor that moves in and has a hog farm. It isn't something that the Township has the ability to do, there are limits. The only way to protect your view is to buy your view.

Mrs. Pancost stated that we are waiting on timing from Verizon from the engineers. Mr. Ernst suggested talking to the engineers and getting back to the Board with a date. They don't want to schedule a date too far out if not needed. Mrs. Pancost stated that if that is the fact we would need to reconsider the meeting being recessed. The meeting was recessed so that they could reconvene in a timely manner without having to publish another legal notice and notify property owners via certified mail. Mrs. Pancost stated that if we do not have a date set this evening we will need to adjourn. Mr. Ernst suggested 4 weeks from this evening. The meeting is reconvened for Monday, March 6, 2017 at 6:30 p.m. Secretary, Kellie Durr verified that a legal notice is not needed and certified letters do not need to be sent to the property owners. Mrs. Pancost confirmed the same and stated that everyone is officially notified that they will continue the meeting on March 6, 2017. The meeting has been recessed.

The members reviewed the minutes of the January 5, 2017 meeting.

Mr. Schulda asked if there were any updates regarding the Hopkins and Yoder matters. Mrs. Pancost replied that she does not have any updates regarding the Yoder matter, they needed to speak with the Health Department regarding approval for septic before pursuing having a mylar prepared. Mr. Schulda asked if there was a way to get feedback on these matters. Mrs. Pancost replied that once they are done, Rich Gano follows up with the individual and it is out of our hands. Mrs. Pancost stated that Rich Gano had sent an email regarding electrical inspection and pending structural inspection on the Hopkins matter. Mrs. Pancost stated that it sounds like Mrs. Hopkins is diligently pursuing and trying to meet all the conditions that were attached. The Building Department is slowing down the process. Secretary, Kellie Durr shared a copy of the email with the Board members.

Tom Franek motion to approve the minutes of the January 5, 2017 meeting as submitted. Bette Gualtieri seconded the motion. Roll Call: Janet Pancost YES, Bette Gualtieri YES, Gary Bott YES, Wendell Schulda YES, Tom Franek YES.

The meeting recessed at 9:00 p.m.

Hiram Township Board of Zoning Appeals
Verizon Wireless Conditional Use Variance Application
March 6, 2017 Reconvened

Board Members: Chairman, Janet Pancost, Gary Bott, Tom Franek and Bette Gualtieri.

Public Present: David Walter (representing Verizon Wireless), Todd Samms (representing Verizon Wireless), Shelia Rawlins, Anthony Fallaro, Gwen Fallaro, Robert Balli, Mike Podojil, Cathy Podojil, Catherine Shelly, Brandon Shelly, Jim Brogan and Rich Gano, Zoning Inspector.

The meeting was called back into session at 6:30 p.m.

Mrs. Pancost asked that the audience members sign in. She informed the audience members that if they swore in at the last meeting, they are still under oath. Mrs. Pancost gave the floor to Todd Samms from Verizon Wireless.

Mr. Samms introduced the additional materials provided. He stated that there were a few items they took from the previous meeting and revised them. His hope was that as they go through the information it will answer the questions the Board had. Tom Franek suggested sharing the additional packet provided with the audience members. The packet was shared. Mr. Samms reviewed the booklet provided. He referred the members to page 2 of the packet and discussed Section 9.A Scale. The survey is drawn 1 foot is equal to 50 feet. The Civil Plan is drawn 1 foot is equal to 40 feet. Section 9.A Plot Plan refers to the drawings not in the packet. Section 9.A Screening, they revised the drawings on the Civil Plan. The 100 foot by 100 foot leased area outside of the compound now shows saving existing vegetation where possible. They also changed the notation of what the additional screening will be. This will be based upon the Board's suggestion. They will be planting evergreen trees 5 foot on center. Mrs. Pancost asked if they had a species picked. Mr. Samms answered that they do not and that it is something that they can discuss and rely on the Board for their input.

Robert Balli stated that they were going to leave trees that they previously were going to remove. He asked what trees they were referring to and asked Mr. Samms if he was familiar with the property. Mr. Samms answered that he was familiar with the property. Mr. Balli asked if Mr. Samms considered the shrub along the fence row trees. Mr. Samms reiterated that they would leave existing vegetation where possible. Mr. Balli stated that "saying you are leaving trees is not an accurate statement". Mr. Samms stated that it says existing vegetation where possible. Mr. Balli clarified that it is scrub brush and stated that it isn't anything that will matter. Mr. Samms stated that it will matter as it is existing vegetation and that they will leave it.

Mrs. Pancost stated that the format for the evening will allow Mr. Samms to go through his presentation with comments and questions from the public after.

Mr. Samms referred back to the packet, specifically page 2 Section 9.A Site Sharing. The Zoning Code requires that they leave room for future carriers. Page A-1/B of the packet shows the same. Mr. Samms further reviewed the packet, Section 9.B Reclamation. Paragraph 14 of the Ground Lease has been included which covers reclamation of the property and tear down of the tower. Section 9.C Location covers where to identify candidate sites. Mr. Samms explained that Verizon Radio Frequency Engineers determine a need for a tower and provides a search ring to them. This is based upon their proprietary

process, existing client base, existing needs, future need and trends. He referred to page 4 of the packet which shows the search ring that was provided. He noted that the search ring is about a mile in diameter. He added that Page 5 lists some of the other potential properties that were identified as possible candidates. Mr. Samms further stated that after familiarizing themselves with the area, topography, the way that the parcel are shaped, making phone calls and driving the ring, there was only one interested party whose property was both zone able and constructible. Page 6 of the packet details reasons why other parcels were not pursued. Some of the reasons were no interest, parcel size/orientation couldn't meet setbacks based upon where the owner would like to see the tower or some of the topography is not possible to build on. The site they selected was delivered and submitted to Verizon's Radio Frequency Engineers in August of 2014. They reviewed the ground elevation, the location and approved the site for this project.

Mr. Samms stated that the facility is intended to address an existing wireless problem that cannot be addressed by engineering existing antennas at other sites. A new tower is required. Primary areas of concern are residences along Allyn Road, Sheldon Road and the northern part of Alpha Road. The service plots that were provided at the last meeting show the current service area and how the new towers would impact those parts. To clarify, this site will provide increased signal strength and generate greater data speed.

Mr. Samms reviewed page 9 of the packet, Section 9.C Proposed Site-Allyn Road. At the last meeting it was asked that they look at alternate sites on the proposed property. Mr. Samms stated that they went back through their original documentation to see what they could do. They determined that there isn't any other place to put the tower on the property. One of the reasons is if they move the tower further north, it will be closer to the Hidden Hill Trail residences and they want to be cognizant of that. Another reason, in July 2015 they submitted the site to The Ohio Fish and Wildlife Department for their review and analysis. They found that this area is within in the range of the Indiana Bat which is an endangered species. Their recommendation was that they provide or utilize a space with the least wildlife disturbance. The Department of Wildlife discourages tree removal. The only place they could move the site would require the removal of trees. The current location also poses the least disturbance to the farm ability of the property. The current location does not pose a reduced risk or impact to future development of that property. This would allow the land owner to develop their property if they chose. The signed agreement with the property owners is with this specific location. For those reasons, they are proposing that the original site is the best site for the tower.

Mr. Samms reviewed page 11 of the packet, Section 9.E Existing Towers-Collocation. Mr. Samms stated that they were to look into collocation options. The map provided shows that the nearest existing towers are ½ mile to 1 ½ mile outside of the search ring which already puts them at a disadvantage in terms of the this project having success.

Mr. Samms reviewed page 12 of the packet, Section 9.E Existing Towers-Collocation. The tower location is outside of the search ring, the ground elevation is 100 feet lower than the proposed Ally Road site and the tower location will not provide adequate coverage for the intended service area of the project.

Mr. Samms reviewed page 13 of the packet, Section 9.F Setbacks and stated that they looked at the drawings and put a 249 foot setback area in red on the drawings. The tower site is located within the setbacks area.

Mr. Samms reviewed page 14 of the packet, Section 9.G Security Fence. It is an 8 foot chain link fence with barbed wire. Section 9.H Paint, the tower will be painted. Section 9.I Shelter, this section refers to underground shelters but unfortunately underground shelters provide several issues that make it undesirable from a construction stand point. The original proposal was for outdoor cabinets. They will

now be utilizing an outdoor shelter. All radio equipment and a backup generator will be stored inside the shelter.

Mr. Samms reviewed page 15 of the packet, Section 9.J Lighting and stated that there will not be any lighting installed other than security lighting. The security lighting will have a motion sensor so it will not be on all the time. The proposed site is several hundred feet from the roads nearby and there won't be any light when the motion sensor is activated that will fall on those roads or adjacent properties. He further stated that an airspace study was completed and no beacon light is needed based on the slope and height. He added that it confirms the TOWAIR determination.

Mr. Samms reviewed page 16 of the packet, Section 9.K Site Location-Natural Barriers. He stated that proposed site does offer existing natural barriers, trees and vegetation from both Hidden Hills Trail and Allyn Road that will shield the base from all directions. The site is approximately 600 feet from the nearest resident. The sightline helps shield the base as well. Mr. Samms stated that they have provided sight simulations that give a better idea of the visual impact. There is a map that shows each of the views in various directions. The compound is hidden from view and the tower it's self being a monopole design does minimize the impact. Mr. Samms stated that the program used to depict the simulated drawings uses the actual size and height at those coordinates. While it is not 100% exact, it gives a good idea of what it will look like.

Mr. Samms reviewed page 17 of the packet, Section 9.L Landscaping. He stated that the existing trees are to remain where possible and the addition of new evergreens shall provide natural screening around the tower base.

Mr. Samms reviewed page 18 of the packet, Section 9.M Site Condition explains how the site is to be maintained. Mr. Samms further stated that Verizon maintains all of their sites neat and clean and this site would be no exception. The requirement to keep an orderly site is also a condition of the ground lease. That portion of the lease is included in the packet.

Mr. Samms reviewed page 19 of the packet, Section 9.N Access Road. Mr. Samms stated that Verizon maintains the access road. He added that the gravel drive specs are included in the packet. The access road is to be 12 feet wide.

Mr. Samms reviewed page 20 of the packet, Section 9.O Loudspeakers. There will be no loudspeakers. He then reviewed Section 9.P Noise and stated that the base station does not generate any noise. The proposed shelter with the equipment inside offers a dampening of when the generator will run from time to time.

Mr. Samms stated in conclusion, they discussed the possibility of the community utilizing the tower for emergency 911 communication purposes and they are willing to work with Hiram Township. They are willing to provide space on the tower and that the equipment will be at the Township's expense. He further stated that they would do the engineering for the tower itself and asked for the specifications of what they would like to be installed on the tower. Mr. Samms stated that any changes and any activity moving forward needs to be documented.

Mr. Samms stated that concludes the information provided in the packet. Mrs. Pancost thanked Mr. Samms. Mrs. Pancost reminded the audience members to sign in. She also stated that the meeting is a continuation of a previous meeting and that any person sworn in at the first meeting is still under oath. Mrs. Pancost swore in interested audience members.

Robert Balli stated that Mr. Samms made a statement that there will be a buffer from both roads. Mr. Balli stated that it is an inaccurate statement. He added that what Mr. Samms is speaking of as a fence row is not something that will buffer the tower from his view. He stated that there are multiple fields on the property and high ground. Mr. Balli referenced Mr. Samms earlier statement regarding not cutting down trees and added that the area gets timbered all the time and that it could be cut down. Mr. Balli asked if it is not that the property owner signed for the area and it is the only place they can put the tower. He further stated that it would be more expensive and more of a hassle to put it back further with the same elevation. Mr. Samms referred Mr. Balli to page 4 of the packet and stated that there is very little area with regard to the search ring. He further stated, if Mr. Balli is suggesting moving the tower outside of the search ring that would be one major reason why couldn't. Mr. Balli asked if the tower would be ineffective if it isn't placed where they are proposing. Mr. Samms answered "correct". Mr. Balli asked why. Mr. Samms answered that it wouldn't have the same effect. The site proposed was approved by Verizon's Radio Frequency Engineers based on the project needs. Mr. Balli again asked that if the tower is moved 1,000 feet with the same elevation it is not going to do what it is suppose to do. He asked if someone is 1,000 feet further away from that tower, they aren't going to get the same reception. Mr. Samms asked what the advantage was to Mr. Balli by moving it 1,000 feet. Mr. Balli answered that he wouldn't have something sitting right in front of his house without having something between him. David Walter stated that it is 700 feet from Allyn Road now. Mr. Walter asked where Mr. Balli lived. Mr. Balli gave his address and stated that he has walked to the proposed site and there is no buffer and no trees. There is a scrub fence row which isn't going to buffer a 200 foot tower. The audience reviewed the maps. Mr. Balli asked if they were in agreement that they will not be shielded. Mrs. Pancost clarified that the base is to be buffered with trees. It is not required that the tower itself is buffered with trees because that it not within the realm of possibility. She stated that the base does have to be buffered with trees. Mr. Balli asked what is a tree in their language. What would be a buffer? Mrs. Pancost answered evergreens are preferred, they will not have a deciduous nature where you would be able to see the base during certain seasons. The spacing is open to negotiation and Mrs. Pancost requested Mr. Franek's help. She added that the spacing can make a difference as well as the variety of tree, depending on how quickly it grows. Mrs. Pancost further stated that Verizon isn't going to plant the type of trees that are going to encroach into the area because of maintenance issues. Mr. Balli asked how big the building to house the generator is going to be. Mr. Samms answered that it is 11 ½ feet wide and 25 ½ feet long. It is a standard, prefabricated shelter. It is 10 feet tall. Mr. Balli asked if the building would be white. Mr. Samms answered that it is typically a pebble stone finish. Mr. Balli asked if you would have a 10 feet tall tree line to hide it. Mr. Franek stated "or a tree that would grow to be 10 feet tall".

Catherine Shelly asked if resident, Mary Castro who owns property next to the proposed site and lives out of state, could be a part of the meeting via speaker phone. Mrs. Shelly also stated that she had a letter to read on behalf of Mary Castro. Mrs. Pancost asked if it was the same letter sent to the Board of Zoning Appeals. Mrs. Shelly answered yes. Mrs. Pancost stated that they were in receipt of the letter and reviewed it. She added that it would be included as part of the record. Mrs. Pancost added that Mary Castro was notified of the first meeting the same as all the other adjoining property owners and that it was fine to include her via telephone. Robert Balli stated that Mary Castro had sent a letter "way back in the beginning". Mrs. Pancost stated that they did not receive that letter and if it had been sent to the Zoning Secretary they would have it. The only letter they have is the one received today.

Jim Brogan who is a realtor and licensed auctioneer from Portage County spoke on Robert Balli's behalf regarding the valuation of his property. Mr. Balli asked Mr. Brogan to look into the valuation of his property regarding the fracking and cell phone tower. Mr. Brogan stated that he reviewed the matter and there have been studies on cell towers and real estate values. One study shows 94% of people surveyed would prefer not to live by a cell phone tower and 79% of people surveyed would not consider looking at a property if located by a cell phone tower. One of the reasons individuals move to small

towns and rural areas is that they are looking for open space, tranquility, natural environment and an undisturbed view of the countryside. Some other studies with appraisals show up to 10% devaluation of a property located by a cell phone tower. Mr. Brogan stated that Mr. Balli could have a loss of \$25,000. This limits buyers. Individuals that move into rural areas do not want to be by power lines, cell towers or railroads. Property values will be affected. The closer the home is to the tower the more it will affect the value. This will result in less tax for the schools and public services. Cell companies have spent thousands of dollars to come up with ways to come up with ways to disguise cell phone towers because people do not want to look at them. Mr. Brogan further stated that Mr. Balli's property will face the cell phone tower directly and he believes that it will lower his real estate value. Mrs. Pancost asked if Mr. Brogan was a certified appraiser or a real estate broker. Mr. Brogan answered that he is a real estate broker and auctioneer. Mrs. Pancost asked if he had done a competitive market analysis or comps for Mr. Balli's property. Mr. Brogan answered that he ran comps and the value of Mr. Balli's property today.

Mrs. Pancost asked if there were other questions or comments. Catherine Shelly stated that she spoke with an appraiser and was told that a cell phone tower does affect the property value. She further stated that the tower would be less than 200 feet and does not have to be registered with the FCC. She stated that being less than 200 feet is a negative thing for the community members. She explained that if they have complaints about the electro frequency measurements (EFM), a complaint cannot be filed without the tower being registered and numbered. Mrs. Shelly stated that the fact that the height requirement is under 200 feet it is "huge negative" for the community. Mrs. Pancost stated that she understands Mrs. Shelly's concern and appreciates it but there are some things that the Board is precluded from taking into consideration, radio frequency is one of the things they cannot consider. Mrs. Shelly stated that one of the things they can consider is height. Mrs. Pancost stated that they can consider height but that zoning already allows for the height that they are proposing. Mr. Franek asked if there was any distance given in relation to the decrease in effects on people. Mrs. Shelly answered that within 1,800 feet of the tower is the most significant impact. She further stated that the height requirement would protect the public safety of the residents. Mrs. Pancost stated that height is not something that they can address, they are presenting a height allowed within zoning. Robert Balli stated that Hiram zones for cell towers and that this tower is allowed three carriers. He stated "this is three times the risk". Mrs. Pancost answered that she does not know the technical issues of this but that they will not consider the radio frequency issue. Mr. Balli added, when you zone for a tower is there any limit on how much usage could be on the tower? Mrs. Pancost stated that Hiram Township Zoning prefers towers that will allow for collocation. The reason for this is to limit the cell phone towers in the community. Zoning states that they must have collocation spaces for three companies and they have to allow collocation. Mrs. Shelly stated that if it isn't registered it cannot be regulated. Mr. Walters stated that there is a difference in registration between FAA and FCC. The FAA in this instance because of the height does not require lighting. However, it would still be on file with the FAA. The FCC has to do with the FCC license, frequencies and the power on the tower. Mr. Walters stated that they do register with the FCC and that there will be an Antenna Structure Registration (ASR) number for the FCC website. Mrs. Shelly replied that the FCC website stated that towers under 200 feet are not registered and that it is up to the property owner to register it. Mr. Walters stated that the FCC licensee who is Verizon has to register. Verizon will register it and it will be on the FCC website with an ASR. Mrs. Shelly asked if this would be in writing on the record. Mr. Walters replied that he didn't know what Mrs. Shelly was looking at but this is what the FCC requires and they will be following that. Mrs. Gualtieri asked if it has been assigned yet. Mr. Walters answered that it isn't assigned until it is in service.

Robert Balli stated if no one else in Hiram Township that was suitable wanted it on their property, it should be a red flag that people out here don't want it. Also, he doesn't think that this neighborhood should absorb a couple hundred thousand dollars in loss on their property values because Verizon wants to put a tower up. He referred to the new development by him and mentioned that the houses are nice.

He added that he shouldn't absorb the loss in his property value. Mr. Balli also stated that people perceive that cell phone towers cause cancer and that perception is reality.

Catherine Shelly asked the members if they received the letter from Mary Castro. The members confirmed the same. Mrs. Shelly stated that there are some "great points" in the letter and asked if the members reviewed it. Mrs. Pancost stated that they have had the opportunity to review the letter.

Mrs. Pancost asked if there were any other questions from the public. There were none. Mrs. Pancost closed the floor to public comment. Mrs. Pancost asked the Board if they had any questions or comments. Mr. Franek asked if there were any situations that Verizon would plant trees on other people's properties that were concerned about the visual impact. Mr. Walters answered that they don't have any rights. Mr. Franek stated if someone has a concern, they would have trees by their house and it would block the view more quickly and effectively. Mr. Walters stated that he would have to "run it up the ladder". Mr. Franek stated that it would be a cost effective way. Mr. Walters stated that there are some legal issues doing something on someone else's property. Mr. Franek suggested even giving a voucher to purchase trees. Anthony Fallaro stated that he is already planning what and where to plant to obscure the cell phone tower. There is an expense there. He added that it doesn't sound like Verizon is trying to mitigate the damage to the neighbors in any way. He added that there may be benefits to having a Verizon tower if you are a Verizon customer but they have to look at the tower every day. Mr. Fallaro added that "it isn't going to make us happy".

Mrs. Pancost asked that Mr. Franek share his expertise regarding appropriate screening. Mr. Franek suggested White Pine, Norway Spruce or White Spruce would be good trees to plant. They are easy to get, they grow quickly and in a variety of soils. Mrs. Pancost asked for the projected life span of a cell tower and how long they expect the tower to be in service. Mr. Walters answered that he started in 1995 and he has only known of one or two being taken down. Mrs. Pancost asked Mr. Franek the life span of the trees proposed. Mr. Franek answered "a hundred years". Mrs. Pancost stated that she wanted to make sure that there was a match up.

Mrs. Pancost asked how much spacing was needed. Mr. Walters stated that zoning requires 5 foot spacing and stated that it seems a little tight. Mr. Walters suggested staggering them. Mr. Franek suggested two rows. Mrs. Pancost asked if they did a double staggered row, would it still be at 5 feet apart or would it be extended for the health of the tree. Mr. Franek stated that the closer they are, the quicker they grow in but they don't last, 10 feet would be a better distance. Mrs. Pancost asked if they did a double row, they could do 10 feet on center staggered and the other row 10 feet on stagger would in essence be 5 feet. She further stated that it would allow more space for the trees.

Mr. Franek shared that he has been through this before. He stated that Hiram Village put up a cell phone tower and they didn't have a say in it because it was in the Village and he lives in the Township. He added that he looks at a blinking red light at night. Mr. Franek stated that at first it really bothered him but it doesn't really bother him now.

Gary Bott asked when they looked for the site originally, 4 of the locations were on the river bottom. Now it has to be on top. Why would you have looked at them on the river bottom? How tall would you have had to build it then? Mr. Samms replied that names and parcels that were identified were identified prior to visiting the area. When you drive the ring you learn about the topography, challenges and issues. Mr. Bott asked if they don't look at the topography before they start. Mr. Samms stated that it is one of the things they look at but until you visit somewhere it is hard to understand exactly what the property and site conditions might be. Mrs. Pancost asked for clarification and stated that the first thing they do is determine a ring where it is needed, then they go forth within the ring for anything that might meet the more refined categories. Mr. Samms confirmed the same and stated that the ring is

provided to him. He will then look at the Zoning Code, what is allowed. In some jurisdictions there may be commercial or industrial sections. He further stated "start big and end small". Mr. Bott asked if they look for "bare naked land" to put their towers on. If you have the elevation, do you not put it in a wooded area because it would be not cost worthy? Mr. Bott stated if it was in the woods no one would see it. Mr. Bott further stated that one of the pictures provided shows it in summer, it does not show what it will look like without the leaves on the trees. There are more months in the year that they are going to be able to see it. He further asked if in the wooded area is cost prohibitive. Mr. Walters answered that it doesn't have to be out of a wooded area to work, it would have to be above the trees. He further stated that cost to construct the site in the woods instead of outside of the woods is not necessarily a factor. What is a factor is disturbing habitat, The Fish and Wildlife Department gets annoyed with them when they start cutting trees down. He further stated that they can put it in woods but they get "push back" from federal agencies. Mr. Walters stated that if they move it into the trees, they would be moving it closer to the homes on Hidden Hills Trail. What they have done is try to balance to pluses and minuses of moving it. The proposed site meets the code requirements, they stay out of the main farming area of the property, they are in a vegetation row, they are as far as they can get from the Hidden Hills Trail and they are 700 feet from Allyn Road.

Mrs. Gualtieri referred to page 8 of the packet which states that it provides acceptable 3G service but will not furnish acceptable service for 4G, 5G and LTE service. She asked if that was correct. Mr. Walters answered yes. Mrs. Gualtieri asked if the diagram in the previous meeting showing coverage was for 4G services only. Mr. Walter stated that 3G service for this area is for voice. If you get 3G service it is slower but voice works okay. He further stated, with technology and the fact that it is no longer a telephone it is a small computer used for email, internet and apps, you will need 4G, LTE and 5G when it comes along. They have to provide for those services now. Mr. Walters further stated that the search ring was issued almost three years ago and that it is has taken them this long to get this far. When the tower goes up he suspects that they will automatically get the 4G and LTE right away. That will enable people to use their phones well. The data will be able to stream faster and more reliable. Mr. Walters stated that Verizon has a license to operate on these frequencies and that there are 4 different blocks of frequencies. They have a license to furnish that service. With that license comes an obligation to provide service to the residents and population. Mr. Walters further stated that they cannot "cherry pick" population centers versus rural areas. They have to provide service, which is a requirement of their license. As these technologies roll out and develop there are going to be more towers coming down the road. They have over 1,000 sites they are searching right now in Ohio and western Pennsylvania. They have to split the cells, they have to turn down the power on existing towers and put in a new tower so that you can maintain speed that people demand on their phone.

Mr. Bott stated with regard to the Hiram Township community usage, they would be looking to put a repeater antenna on it. He stated that they may need to get in to service it and asked if there was any problem with Verizon if they put a knock box on the lock. Mr. Walters answered no and that they typically use a daisy chain so that they can use their own lock. Mr. Walters stated that as long as both parties can get in without having to contact the other is fine.

Mr. Walters stated that Verizon builds the towers so that they will handle more capacity than what they anticipate. If the Township wants to put a repeater antenna he asked that they provide the model number, the specs and they will spec the tower for 3 of them. He also asked what height they would like it at so that they can have it engineered to handle all the antennas. Mr. Bott stated that presently they are good with what they have and that they are looking down the road.

Mrs. Gualtieri asked what Verizon's recourse would be if the Conditional Use Permit was denied. Mr. Walters answered that their attorney isn't present and that he would be the one to answer that. He supposed that they would have to stop, regroup and see what their courses of action are.

Mrs. Pancost asked if there were any other questions from the Board. Mrs. Pancost stated that she has had several discussions with the Township's legal counsel regarding this matter. She further stated that they as a Board are limited as to what they can do. They can put reasonable conditions on it such as landscaping or asking for space for the repeater. They can ask for reasonable things to limit the impact of a cell phone tower on their neighborhood and on the community. If Verizon or whoever comes before them with a request for a cell phone tower, if they substantially comply with what we have in the Zoning Code, the ability to say no is really limited. Mrs. Pancost further stated that she understands what it is to look out your window to a view that you do not want to see. She stated that she looks at a view that she didn't when they first purchased their home.

Mrs. Gualtieri asked Mrs. Shelly if in her research there was a signal strength that was acceptable. Mrs. Shelly answered unfortunately the signal strength for the United States is much higher than any other country. Mrs. Shelly reviewed her documents looking for the answer. Mrs. Gualtieri asked the Verizon representatives if they know what signal strength the tower will operate at. Mr. Walters answered it is licensed for 500 watts. However, they typically operate at around 100 watts. Mrs. Gualtieri asked if there was any way that the residents could monitor it themselves. Mr. Walters answered that supposed that they could and that Verizon monitors it. Mrs. Gualtieri asked if they provide that data publically. Mr. Walters answered that it goes back to the FCC. Mrs. Gualtieri stated that FCC is a public entity. Mr. Walters stated that they have to report to the FCC that they are operating within the parameters of their license. If they don't do that, they are fined and could lose their license. Catherine Shelly stated that they would have to purchase meters to be able to monitor it themselves. Mrs. Gualtieri stated that through Sunshine Laws they should be able to obtain all public data. Mr. Walters stated that as a comparison, T.V. stations use 50,000 watts and police and fire are allowed 800 watts. They are allowed 500 watts and operate at 100 watts. Mr. Franek asked how that works. The closer you are to the tower the more affected you are and the further you move away, it lessens? Mr. Walters answers that the power coming off of the tower decreases "exponentially" as you move away from it. If you are standing right next to it, it is almost zero because the antennas are on a decline. As you move away from the tower the tower's signal decreases. Mr. Walter stated that the FCC did publish an article on that explaining how it drops off. If it is 100 watts at the top of the tower by the time you get 50 feet to 100 feet away it is half the power. Mrs. Shelly reviewed the FCC website stating that structures over 200 feet need to be registered. She pointed out that the FCC does not require that the proposed tower be registered. Mrs. Shelly provided the information to the members. Mrs. Shelly stated that it doesn't need the red beacon light and it doesn't need to be registered. Mrs. Shelly stated that they are building it at 199 feet so they don't have to register it. Mr. Samms stated that the Hiram Township Code limits towers at 199 feet. He further stated that they would have considered other heights at this location but the code prohibits that. Mr. Walters stated that they wanted 250 feet. Mrs. Shelly referred to the FCC website and stated that it doesn't have to be registered. Mr. Walters replied that it doesn't have to be registered with the FAA but they have to register it with the FCC. They have to have an ASR number. Mrs. Shelly stated that the FCC website states differently. Mrs. Shelly again stated that the FCC website states that the tower does not need to be registered if less than 200 feet and it does not need to go through the FAA. Mrs. Pancost asked if this was all relating back to the emissions. Mr. Walters stated that every Verizon cell site has an ASR number and that it will be registered. Robert Balli asked if Verizon monitors how much is coming off of the towers and how much he is "going to get being 700 feet away from this tower". He asked if any studies have been done. Mr. Walters replied that they monitor the frequencies and the power on each one of their towers and they have to operate within the FCC guidelines. He further stated that with the tower at Mr. Balli's house, he is going to get more frequencies from his personal telephone than from the tower. An audience member stated that it isn't true. Mrs. Pancost stated that this is something that they cannot take into consideration. Mrs. Shelly again stated that her point was that the FCC is not monitoring this.

Mrs. Pancost asked if there were any questions or comments from the Board. Mr. Franek stated that he looked at the names of the other potential properties and they are all over the place. There are some large parcels that are missing that may not have approached. Many have the same features that this property has, even just across the street. Mr. Samms replied that the list is not all encompassing but that it is indicative of the process they go through. He further stated that Mr. Franek is correct and that he cannot contact every property in the search ring. While it would be fantastic to reach everyone inside the given area, some people are not responsive, some people are not published (their phone number), not home when he is in the area or for other reasons. When they go through the process to identify candidates he has to do the best job he can to work with whom he can speak to and who is available. When he finds a property or two that has a site that is zone able and constructible and meets the requirements from the Radio Frequency Engineers they present those options, if there is a satisfactory site there may not be a reason to go back through the process and look at other properties. Mr. Samms further stated that they try to find as many as they can and speak to them and try to come to an agreement on terms and/or position on their land. In this case, after all those steps were taken they really only had one landowner.

Shelia Rawlins stated that C130s clear over her house very low and will go over the proposed tower site. She asked if they checked this. Mr. Walters stated that it is part of the FAA check that would be done.

Mrs. Pancost suggested pondering a list of conditions and to move forward. Mrs. Pancost stated that one of the conditions she would like to see is with regard to the landscaping. The members discussed this matter and language regarding the same. Robert Balli asked if when the application was first submitted was it for a tower only. Mrs. Pancost stated that it was for the tower and the base station. She further stated that they talked about the chain link fence that surrounded the base station at the last meeting. Mr. Balli asked for confirmation that the base station was a part of the application. Mrs. Pancost confirmed the same.

Mrs. Pancost stated that another thing that was discussed was preserving as much as the existing vegetation as possible. Mrs. Gualtieri noted that it was acknowledged in the packet provided.

Mr. Franek asked about the list of possible properties, if we contacted the people on the list would they say that you contacted them? Mr. Samms stated that he approached or tried to call some of them. Some after further review didn't necessitate a phone call as the property didn't meet the needs.

Robert Balli asked if the lease between Verizon and the property owner goes with the property or with the property owner. He asked if it was an unlimited lease or if there were restrictions. Mr. Walters stated that they could not answer that question. Mrs. Pancost stated that the Conditional Use Permit goes with the property and that we do not need to be concerned with the length of the lease. Mrs. Pancost further stated that when the Board requested a copy of the Reclamation Plan, the attorney for Verizon offered to get a redacted copy of the lease. The lease is considered private. Catherine Shelly asked if the Reclamation Plan was suppose to be provided to the board. Mrs. Pancost stated that it was provided to them. She further stated that was one of the reasons why the meeting was recessed. It is one of the requirements of zoning. Mrs. Shelly asked for verification that there is a plan in place to remove the tower. Mrs. Pancost verified the same.

Mrs. Pancost referred to page 21 of the packet provided regarding community usage. Mrs. Pancost suggested that it be added to the list of conditions. The Board reviewed and discussed the proposed conditions. There was a discussion regarding tree height as it relates to the proposed condition.

The proposed conditions are as follows:

1. **Screening shall consist of evergreens of one or more of the following species; White Pine, Norway Spruce or White Spruce. Trees when first planted are to be a minimum of six feet tall. Trees shall be purchased from within Portage County. Rows are to be planted ten feet apart. There shall be two rows, ten feet apart. Trees within rows are to be planted ten feet on center with staggered spacing between the rows.**
2. **As much of the existing vegetation as possible is to be preserved.**
3. **Emergency 911 Communication Antennas:**
 - a. **The Township may mount E911 communication antennas on the proposed tower at a mutually agreed upon height.**
 - b. **Tower mounted equipment specifications must be furnished to Verizon prior to its instillation. If possible, equipment specifications should be furnished prior to the design process so adequate wind load capacity can be engineered into the tower and foundation design.**
 - c. **The Township's initial installation and any future changes or future instillation to the tower mounted equipment must be documented.**
 - d. **The Township's ability to install equipment initially or in the future and to make changes will be allowed upon request to Verizon meeting Verizon engineering requirements.**

Tom Franek motioned to approve the Conditional Use Permit with the conditions stated. Bette Gualtieri seconded the motion. Roll Call: Bette Gualtieri YES, Janet Pancost YES, Gary Bott YES, Tom Franek NO. The motion carried.

Mrs. Gualtieri stated that the only reason she approved the motion was because the state precedence states that they cannot deny it.

Mr. Franek stated that he denied it based on the fact that they could've explored other properties in the area. Mr. Franek further stated that there are some other properties that should have been included and that the properties listed are located very "random" in that area. He thought they could have done a better job of looking for a site that was more suitable.

Mrs. Pancost stated that the application has been approved with conditions. Mrs. Pancost stated that the Board would be meeting on Monday, March 13, 2017 to review and journalize the meeting minutes. Mrs. Pancost explained the appeal process.

Bette Gualtieri motioned to adjourn the meeting. Gary Bott seconded the motion. Roll Call: Bette Gualtieri YES, Janet Pancost YES, Gary Bott YES, Tom Franek YES.

The meeting adjourned at 8:32 p.m.