

The regular meeting of the November 21, 2005 Olmsted Township Board of Zoning Appeals was called to order at 7:30 p.m. Present were Gregory Engelking, Larry Maser, Genevieve Silveroli and Chairman Charles Cvitkovich. Also present was secretary, Nicole Rosiu.

Mr. Cvitkovich asked the audience to stand for the Pledge of Allegiance.

## **Old Business**

### **Mitchell Variance**

Mr. Cvitkovich stated that the Mitchell's have withdrawn their variance request.

## **New Business**

### **Center Properties**

Mr. Cvitkovich stated that Center Properties also withdrew their application.

### **Infinity Site Development**

The secretary read the public notice for Application #20056450.

Zerxis Satarawala and Jason Schruester were sworn in. Mr. Satarawala said that Tim Atkinson of the Olmsted Falls School Board was also present. Mr. Satarawala stated that he submitted an aerial of the site at the Olmsted Falls bus garage. Mr. Satarawala said that Nextel would like to use this site to construct a mobile phone tower. Mr. Satarawala stated that they were going to put it at Vita-Mix, but the owners said they just put on an addition to their facility and there is a creek around the property in the flood zone. Mr. Satarawala said that he signed a lease with the Olmsted Falls Schools, because it was the best location in a half-mile radius. Mr. Satarawala stated that the tower would be located at the far East corner of the property in a wooded area. Mr. Satarawala said that the FAA has found that 100' towers are best and with the trees in front of it, 60'-70' of the tower would be covered. Mr. Satarawala stated that cell phones are now being used for many purposes, like text messaging, wireless internet, e-mails, etc. and Nextel has a problem with the Olmsted Township area. Mr. Satarawala said there are a lot of dropped calls around Schady Rd. and this will also help the schools generate funds.

Mr. Cvitkovich asked how close to the existing residents would the tower be. Mr. Satarawala said the closest is probably 700' away. Mr. Cvitkovich stated that the current zoning says a tower has to be at least 1,000 ft. away from existing residences. Mr. Cvitkovich said that the tower needs a conditional use and several things need to be met, like distances from residences, setbacks from property lines and height of tower. Mr. Satarawala stated that they are looking for an area to use and a setback variance. Mr. Satarawala said the spot they chose is the least visible of all surrounding areas. Mr. Cvitkovich asked what the distance is from the turnpike. Mr. Satarawala said probably 150'. Mr. Cvitkovich stated that he is concerned about the fall zone and wondered if the tower is designed to withstand 100 mile-per-hour winds. Mr. Schruester said there is a crumple zone. Mr. Schruester explained that the tower is designed in 2 sections and the crumple zone is in the middle. Mr. Cvitkovich asked what the maximum feet would be that the tower would fall with the crumple zone. Mr. Schruester said 50'-60'.

Mr. Cvitkovich asked if there was a place the tower could be moved so there is a greater setback. Mr. Schruester said they pushed the tower to the corner of the lot to allow the bus garage to use the space and if the tower is put somewhere else, it will be out in the open. Mr. Satarawala stated that woods will cover 60-70 percent of the tower, and if it is out in the open, there will probably more complaints from the residents. Mr. Engelking asked if Mr. Foulkes had seen the search area. Mr. Foulkes said no. Mr. Engelking asked Mr. Foulkes if there are any high tension wires in that area. Mr. Foulkes stated that the wires are north of the turnpike.

Mr. Cvitkovich said that the tower would be 250' to the nearest house. Mr. Satarawala said that the tower is not lit, it is "gun-metal gray" and it is in the least visible spot in the neighborhood. Mr. Satarawala stated that the site is ideal for the tower. Mr. Cvitkovich asked if Mr. Atkinson had any thoughts. Mr. Atkinson said no. Mr. Engelking asked if there would be a problem moving it away from the property line. Mr. Atkinson stated that they could work something out. Mr. Atkinson said he is always accustomed to making changes. Mr. Satarawala said that it seems like the neighbors are supporting this by not coming to the meeting and complaining. Mr. Cvitkovich said that his concerns are with the setbacks. Mr. Engelking said his concerns are also with the setbacks more than anything else.

Mr. Cvitkovich suggested moving the tower 40' from the property lines. Mr. Satarawala said he could do that as long as the schools are okay with it. Mr. Schruester said that from a construction standpoint, the tower would be easier to build in the parking lot. Mr. Engelking said it would barely be on the paved area.

Mr. Engelking moved to approve Application #20056450, with the amendments that the tower remain 40 feet from any non-residential lot, 75 feet from any residential lot and have a yield point of 50 percent. Seconded by Mr. Maser. Roll call, all approved.

Floor discussion

Ms. Silveroli moved to adjourn. Seconded by Mr. Maser. Roll call, all approved.

Respectfully submitted,

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Nicole L. Rosiu, secretary

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Charles Cvitkovich, Chairman          Date