

PLANNING, ZONING & BUILDING COMMISSION

CITY HALL

August 12, 24

The City of Cortland Planning, Zoning & Building Commission met on Monday, August 12, 2024 at 7:00 P.M. at the City Administration Building, 400 N. High Street, Cortland, Ohio. In attendance were the following board members: Chairman Donald Fatobene, Curt Moll and Frank Daugherty. Also present were Mayor Deidre Petrosky, Service Director Kim Blasco and the following individuals:

Jim Kopac	10 Church Circle	Annapolis, MD
David Cummings	10 Church Circle	Annapolis, MD
Hilary Miller	340 N Mecca	Cortland, OH
Kevin Piros	400 N High	Council President
Don Moore	400 N High	Council Vice-Pres.
Jason McCollum	400 N High	Assoc. Service Dir.
Michael Smith	400 N High	Assoc. Service Dir.
Flo & Rick Hutton	242 S High	Cortland, OH

Don Fatobene: I'd like to call to order the City of Cortland Planning, Zoning and Building Commission meeting. Can I get a roll call please.

Roll Call: Brian Hodor, absent; Sally Lane, absent; Curt Moll, here; Frank Daugherty, here; and Don Fatobene, here.

Don Fatobene: First up, can I get a motion for **Approval of Commission Minutes for the June 10, 2024– Regular Meeting.**

A motion was made by **Curt Moll** and seconded by **Frank Daugherty.**

Roll Call: Don Fatobene, yes; Curt Moll, yes; Frank Daugherty, yes. **MOTION APPROVED.**

Don Fatobene: We have no old business; we will move right to new business. Item **29-24 Discussion and Approval.** Discussion regarding location, tower type, and height. Approval of Cell Tower - 155' height monopole – located at 242 S High St. directly behind Payne Auto Body. Can I have a motion please.

A motion was made for **29-24** by **Frank Daugherty** and seconded by **Curt Moll.**

Don Fatobene: Is there anyone here to discuss this? Would you please step up to the podium, state your name and address and tell us what you are looking to do.

Jim Kopac: My name is Jim Kopac and I'm here for a company called Vertical Bridge. Vertical Bridge is looking to construct a new wireless communication facility within the city limits. We have been talking with the mayor for quite some time. We came to talk to you guys and answer any questions. It's a weird way for us; we usually submit application fees, anything like that and drawings. We aren't at that point yet, but we have a lease with an area, behind the auto body shop. Looking at the ordinance, I know that you have a height restriction, that is what we are here to discuss or to answer any questions that you might have.

Curt Moll: This does not require a variance, just approval by Zoning.

Kim Blasco: Yes. The only thing that we require is height. There isn't anything that says the tower cannot be placed in the city. It's just that the height needs approval from the board.

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Curt Moll: Right. I've looked at the approach from both directions and there is really no line of sight until you get right next to Payne Auto Body. I don't think that it's going to be a big detractor from City aesthetics in my opinion. The only concern that I've got is, if they pull out and leave the tower. I don't know how you would regulate this, whether you'd do it with the vacant business kind of thing? There is one out by Rte.11 that is totally vacant.

Jim Kopac: There is language in our lease that states that once the tower has no longer been in use, no carriers on there, I think that it is maybe 90 days. Language in the lease, for the landowner to sign and agree upon, that says something like, if this tower should become abandoned, Vertical Bridge will remove it, take down all equipment, 2 or 3 feet below grade, everything and restore it back to...

Curt Moll: That is what I was looking for. If it is left vacant, do our vacant business laws that we are working on comply to that? Is it a vacant business?

Mayor Petrosky: That's a very good question. We haven't done the vacancy permit yet so we could probably put that in.

Jim Kopac: I know that there have been calls back and forth, and I was on an email a year and a half ago with someone from council and Verizon. I know that people have been asking for better service here. We have looked at other sites that were municipality owned that just didn't work out with placement.

Curt Moll: I was concerned about one of those myself, I was Chairman then. It was basically in line of sight for everyone driving through town in either direction, 50 feet from a church.

Jim Kopac: Yeah, I thought that this was a better location.

Curt Moll: This is a good location if the problem that you are trying to solve is being central and high enough.

Kim Blasco: Is it high enough? That was one of the issues before. You wanted somewhere with a little higher elevation.

Jim Kopac: Yes, correct. When we submitted the coordinates to Verizon, they reviewed it with their radio frequency engineers. 150 ft. would be where their antennas would be and that is what they approved.

Curt Moll: We are 60' below Rt. 46, kind of in a hole.

Jim Kopac: The top of the tower would be 155' with a lighting rod. The total structure with the lighting rod would be about 159'.

Curt Moll: It is also a lot better situation for the Lake as well because lake reception isn't that great.

Mayor Petrosky: I asked Council President Piros to come and give council's perspective on this this evening as well.

Kevin Piros: Kevin Piros, Cortland City Council President. This is something that has been in the works for quite a while. Some of the other options were less than appealing, the tower sitting out on the road. I know that all of council was concerned about that. With this new lease agreement and where the tower is going to be located, I think that it eliminates a lot of our concerns and it does address the number one issue which is cell phone service.

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Curt Moll: It may make a few people unhappy, but you are going to make a lot of people happy.

Kevin Piros: I had a lady in the city reach out to me and she was concerned because folks are not having landlines anymore and they are relying on cell phones for alarms or medical device monitoring on their smart phones or watches. We all agree that improving the coverage in the city was our number one priority but the aesthetics of where it was originally going to be was nothing that we wanted to look at as a welcoming beacon of hope in the city. I think that this kills 2 birds with 1 stone. I think that council will be very happy with this resolution. Thank you.

Mayor Petrosky: Thank you Kevin.

Don Fatobene: Is there anyone else that would like to speak for or against? Any other discussion?

Kim Blasco: I have one more question. It was questioned whether or not this was going to fix the problem. Is there data that says this is going to resolve those issues, that people would be able to get service?

Jim Kopac: The only thing that I can speak to on that is when we submitted it to Verizon, they fully approved the location and they adjusted for the height. They said that would work for this area; it would cover the area.

Kim Blasco: We never got an answer on that, everyone walked around it. Well, we can't guarantee it... That was my concern. All of this is going to go up and it's not going to fix the problem...

Jim Kopac: ...then why do it.

Kim Blasco: Exactly.

Jim Kopac: Well, they aren't going to make the investment if ... This is a large investment, an investment in the community.

Don Moore: Don Moore, Vice President of Council. Is this going to improve the service at Lake Vista on the north side of town?

Curt Moll: That's what I was talking about. Our problem is that we are over the hill over there.

Don Moore: I know that the service, especially inside the apartment buildings, is horrible. If people are relying on any kind of emergency notification... Hopefully this is in a spot on the northern side of town that is better than it was originally located.

(explained to Jim where Lake Vista was located)

Jim Kopac: Years ago, when it was just talk and text, you always saw the tower on the highest hill reaching out 3 or 4 miles. With the capacity now with everything being data driven, videos, streaming of things; these reach out maybe a mile and a half. I'm not 100% sure where north...

Mayor Petrosky: As the crow flies, that should be fine.

(agreement from the board)

Don Moore: Where is the current tower now for Verizon in town?

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Jim Kopac: That's a good question, I can't answer.

Curt Moll: It's out there by the Masonic Lodge.

Don Moore: Clear out there, and that's covering all of Cortland for Verizon? So this should definitely do it then.

Mayor Petrosky: If not, we'll give you another call.

Curt Moll: Is 5G going to put this out of business?

Jim Kopac: Right now, this is designed for 4G, as a 4G tower. As technology, needs, and advancements ... that may be something down the road that they would modify. Right now, Verizon as a whole, their main concern with 5G is the larger cities, Cleveland, Columbus, Pittsburgh. I am not an RF engineer, but I have listened and have been in meetings with RF engineers. 5G is very fast, narrow band and it doesn't go as far.

David Cummings: It's not strong, leaves will stop it.

Jim Kopac: Yes, it drops off. 4G is like a tank, it's a slower broadband, it goes farther. It goes into buildings, cars and things of that nature. Once 5G technology gets better, being that it is relatively new, there could be a modification down the road. I don't know when or how... Verizon modifies their towers.

David Cummings: They certainly do that.

Don Moore: Thank you.

Kim Blasco: Do you have anyone else in mind that you might include on your tower?

Jim Kopac: It is designed for three carriers but at this time, all I know and represent is Verizon. I have no idea if Vertical Bridge is working with AT&T or anyone else like that. It is definitely built and designed to hold three and our drawings will show that.

Kim Blasco: Will it look any different when you add a carrier on top of that? Would I notice a difference?

Jim Kopac: You'll see another array of antennas, just the antennas.

Kim Blasco: But nothing massive?

Jim Kopac: Correct. I noticed coming in that you have T-Mobile on the water tank. T-Mobile looked like they had 1 or 2 antennas per sector. That is what this is going to look like but on a tower. If AT&T would come along, they would usually go down 10', maybe 12' from Verizon and install their same antenna array.

Kevin Piros: So the first one gets top billing.

Jim Kopac: Exactly.

Rick Hutton: I've got a couple of questions. If they do put the tower up, anybody can come in and go on your tower at the same time. Can Spectrum or anybody else tap into that?

Jim Kopac: Not the actual antenna. In the future, I don't know if there will be...

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Rick Hutton: I don't have a problem with growth. I think that it's great to have something be better. Your big companies and we are just little people.

Jim Kopac: Co-locations is the easiest path of least resistance. If AT&T wanted to come along, that would be something that they'd have to work out with Vertical Bridge. I don't know if or when.

Rick Hutton: What is your purpose of being here? If you get this passed and put it up, what's going to happen later on in the future? And one thing that I've got to say is, putting this somewhere that it's not in the mainstream of everything; that really works good.

Mayor Petrosky: Yes, that's why we like it. I can tell you that we have had T-Mobile on top of our water tower for many years and we have never had an issue with that. In my mind, there would not be a reason to believe that there would be an issue with Verizon on this pole.

Flo Hutton: Let's hope not.

Rick Hutton: It's not that I'm disagreeing with anything, I just like to know what's going on. He's only a representative.

Mayor Petrosky: For the pole builder.

Rick Hutton: Correct, he does not take care of anything after that. There are things to take care of after that.

Flo Hutton: It's going to be fenced in?

Jim Kopac: Correct.

Kim Blasco: They will take care of the ongoing maintenance or anything having to do with equipment or infrastructure and so on. It's not going to fall apart if that's what you are concerned about.

Jim Kopac & David Cummings: Correct, absolutely.

Rick Hutton: Is the City of Cortland going to have a problem of any kind if something goes wrong? Or if they do this, are we going to have a problem if something goes wrong?

Kevin Piros: They own the pole.

Rick Hutton: I understand that, they are also renting the property off of the people. So there is a liability no matter how you do it. It seems like everybody wants to sue.

Jim Kopac: We have liability in the lease.

Mayor Petrosky: I haven't seen the lease agreement, that's further down the road as far as we are concerned. We just have to find a location.

(Many people talking at once. A sample picture of the proposed tower was passed around.)

Jim Kopac: ...it covers the landowner and the tower company. It's a monopole, it's roughly 5' in diameter and tapers...

Rick Hutton: How is the electric going to get in, overhead?

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Jim Kopac: Under the ground to a pad transformer at the site.

Don Fatobene: We have had quite a bit of discussion. Really, we are just here for the approval of the height. So, with that, can I get a roll call?

Roll Call: Donald Fatobene, yes; Curt Moll, yes; Frank Daugherty, yes. **MOTION APPROVED.**

Don Fatobene: Perfect, thank you.

Mayor Petrosky: Thank you All for coming.

Jim Kopac: I greatly appreciate it. When it does come time for the construction of it, do we do the permitting through the city?

Kim Blasco: Keep in contact with me.

Jim Kopac: Ok, we still have to get our drawings and things like that and then we will present. So, you will be our point of contact.

Kim Blasco: Yes, I'll get you a card.

Mayor Petrosky: As this moves on, can we get a copy of the lease agreement, so we know...

Jim Kopac: We can get you a redacted copy, or the memorandum at least showing that it's signed.

Mayor Petrosky: Because if we would have to enforce the fact that Vertical Bridge is going to remove and restore, we want to have something that says so. Thank you.

Don Fatobene: The next item on the agenda is **30-24 – Set Public Hearing** – The purpose of the hearing is to consider the proposed Occupancy Permit Program in the City of Cortland. Hearing to be set for September 9, 2024 at 6:50 pm. Can I get a motion.

A motion was made by **Curt Moll** and seconded by **Frank Daugherty.**

Don Fatobene: And a vote.

Roll Call: Curt Moll, yes; Frank Daugherty, yes; and Don Fatobene, yes. **MOTION APPROVED.**

Mayor Petrosky: You all have a copy of the proposal. Please don't hesitate to give me a call if you have any questions before then. There is a change on here because the Building Code changed.

Don Fatobene: Is there anyone else that would like to bring up any issues tonight?

Hilary Miller: My name is Hilary, I live on N Mecca. I'm concerned about the barn behind my house on Denman Ave. After the storms on Tuesday, it is blowing off its foundation. My neighbor Jim spoke with someone from the zoning office that was out this week and said that it's going to be condemned. 1, is that true and 2, how does it go?

Don Fatobene: Was it someone with the city that they talked to?

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Michael Smith: It was us. We did not say anything about it getting condemned. We got his contact information from the neighbor. We are in contact with him in regards to the foundation and other issues.

Hilary Miller: I need to know what the steps are. It's getting worse and his Band-Aids aren't helping. I have a small child right there so, is this going to...

Michael Smith: We are going to take the steps that are necessary. We did examine the barn and it is concerning.

Hilary Miller: What are the steps?

Kim Blasco: I spoke with the owner today. I told him that he was going to have to do something. He said that he was going to brace it, fix it, whatever. We have pictures; I forwarded them on to the Building Department. They were the ones that came out about 2 years ago to take a look at the building itself. So, the Building Department is aware of it. I told the owner that he was going to have to get a permit from the Building Department. Whatever repairs he did to the structure would have to be approved by them and to make sure that it was sound and that going forward it wasn't going to fall down; and to make sure that it didn't need to be supported by something else to keep from falling down. I'll give him a few days then I'll ask the Building Department if he has reached out to see if he is going to follow through with this. We will give him a few days to make this happen. We are zoning so unfortunately there is only so much that I have to say regarding structures. In this case, I forwarded this to the Building Department because they are the experts when it comes to structures. If he is going to fix this, it has to be per their approval, Trumbull County Building Department. They will come out to inspect it and make sure that it's done. If it's beyond repair, I'm sure that they will relay that to him. At that point, it would need to come down and that would be their decision, not mine. They said that it was okay 2 years ago, it's not so much now.

Hilary Miller: Okay, thank you.

Don Fatobene: If nobody has anything to add, can I get a motion to adjourn.

A motion was made to adjourn by **Frank Daugherty** and seconded by **Curt Moll**.

Roll Call: **Curt Moll, yes; Don Fatobene, yes; and Frank Daugherty, yes. MOTION APPROVED.**

Meeting Adjourned: 7:24 pm

Chairman

Date

Secretary