

Athens City Planning Commission
Minutes of Regular Meeting
Thursday, May 18, 2017, 12:00 p.m.

The regular meeting of the Athens City Planning Commission was held in the Council Chambers, third floor, at City Hall on May 18, 2017.

Attendees: None

1. Call to Order

RJ Sumney called the regular meeting of the Planning Commission to order at 12:05 p.m. There was no one in the audience to administer the oath to. Quorum was established.

PLANNING COMMISSION MEMBERS:

RJ Sumney, Chair Present
Christy Zempter Present
Nancy Bain, Vice Chair..... Present (*arrived during Item 3*)
Steve Patterson, Mayor Present
Paula Horan Moseley, Service-Safety Director..... Present

STAFF:

Paul Logue, City Planner Present
Rick Sirois, Code Enforcement Director..... Present

2. Disposition of Minutes

Paula Moseley noted minor clerical edits and Paul Logue noted a clarification to the Madison Heights discussion. Approval of minutes was tabled due to only two members (Paula Moseley and Steve Patterson) present from the May 4 meeting.

3. Cases

**Amend Case #17-11 Title 21 Lot split
46 Canterbury Drive
Wanda Cash**

Paula Moseley explained that her motion to recommend to City Council at the May 4th meeting included three conditions and that she failed to include the required variances and City staff recommendations that were outlined in Rick Sirois’s review dated March 21, 2017.

Paula Moseley requested a motion to amend the May 4th motion by adding the following conditions: that the current address of 46 Canterbury Drive be changed to 48 Canterbury Drive, that the new lot will have the address of 46 Canterbury Drive, and that any construction to access Canterbury Drive should be completed without disrupting the adjacent property street access or include reconstruction to support it. Steve Patterson so moved. Christy Zempter seconded. All present voted aye. Motion passes.

Case #17-12

**Title 43 Wireless Telecommunications
20A Monticello Drive/AT&T
Modification**

Rick Sirois/Summary

The tower is a 190 ft. self-supporting tower. The equipment at the 135' level will be replaced with 3 AWS band RRH's, 3 850 band RRH's, and 3 PCS band RRH's. No changes to the footprint of the tower will be made. The transmission power stated is 40 watts. This application is similar to the Verizon's modification request on the same tower that was approved 3/24/17.

Applicant: New Cingular Wireless

Property Owner: Willoughby Management

Property Owner: SBA Communication

Zoning: R3

Estimated value of improvement: \$15,000

Discussion

Paula Moseley: For future cell tower applications she requested that the radius served (coverage) be provided by the applicants.

Rick Sirois: Offered that he can access that information online and provide it to the Planning Commission.

Paula Moseley moved to approve Title 43 Wireless Telecommunications Case #17-12. Steve Patterson seconded. All present voted aye. Motion passes.

4. Communications

Steve Patterson moved to pull the approval of the May 4 minutes off the table, as Nancy Bain arrived. Paula Moseley seconded. All present voted aye. Motion passes.

Paula Moseley moved to accept the May 4, 2017 minutes with the edits and clarification mentioned earlier. Steve Patterson seconded. 3 ayes, 2 abstentions. Motion passes.

Bylaws and Rules of Order

Paula Moseley and Mayor Patterson have been in discussion with the Law Director who is encouraging the Planning Commission to adopt rules and procedures. Materials from other commissions/sources were provided as examples/tools to build bylaws for the Planning Commission.

Discussion

Paula Moseley: These models have been provided to get the discussion going to provide structure.

Steve Patterson: Rule 14, a section about public comment, is one of the important items.

RJ Sumney: It says each speaker would be limited to a maximum of 3 minutes. Would we want to expand this to 3-5 minutes? The presentation would not cut off the discussion. If no questions, that would end their time to talk.

Christy Zempter: A distinction should be made between applicants and other speakers. Someone bringing a case would need more time to speak and address questions. Some things are simple, others complex. Complicated plans that involve variances will take more time to work through. With applicants we could distinguish between an initial presentation period and then a Q and A period. Could incorporate limits to an individual response time.

RJ Sumney: It would be good to reduce redundancy.

Christy Zempter: Suggested an initial presentation limit of 5 minutes and then a 3 minute cap on responses. A 3 minute limit on those who are not applicants.

RJ Sumney: Suggested that the response time be a little more open ended than 3 minutes or that there be an option for the commission to expand beyond 3 minutes based on each situation.

Rick Sirois: They have several opportunities to present; initially as a communication and then back as a case. Other commission & board meetings limits are 3-5 minutes.

RJ Sumney: Was hoping to make one applicable set of rules for any situation.

Paula Moseley: If you look at City Council Rule 14, they have 3 minutes with a cap of 15 minutes for the total topic.

Steve Patterson: Some situations come forth with a fair amount of vetting already and so as a case there should be time limits because it has already been heard. In some situations there is no proposal yet so there is a long dialogue, having a time limit of 3 minutes with a 5 minute cap would be useful in those cases. With a communication that is coming back as a case, a 5 minute time limit would be reasonable.

Christy Zempter: Referred to the City Council caveat, "...unless permission to expand the time has been granted by the President of City Council". Incorporate something like this so there is the option in the moment to extend the discussion.

RJ Sumney: The 5 minutes in terms of presentation during communication, and as far as following up as a case, the same amount of time?

Steve Patterson: Communication as a vetted project could be open ended, but when it comes back as a case the presentation should be limited to 5 minutes.

Paula Moseley: We need an addition to the agenda for communications for "items not on the agenda" to separate these communications.

Nancy Bain: Opportunity for citizens to speak on items not included in the agenda does not require a response from City Council; it is just an opportunity for the citizens to present information.

RJ Sumney: Asked that the commission review and revisit this at the next meeting.

Paul Logue: Will look into other statute cities' Planning Commission's to see what they have as bylaws. City Council's looks like a pretty good template.

5. Report from City Planner and Director of Code Enforcement

Paul Logue

- Will be in Columbus tomorrow attending the Central Ohio Planning and Zoning Workshop.

- Comprehensive Plan: wrapping up a summary document of the identified process.

Paula Moseley inquired about the September meeting of the APA. Paul Logue said the event will be on the 28th and 29th of September at Ohio University's Baker Center. Registration is not open yet for this event.

Rick Sirois

- Mentioned a situation that occurred today where a dog had escaped from an open window onto a rooftop. Code Enforcement responded with the Dog Warden and were able to get the dog back inside. He cautioned the public as this is a safety issue for animals.

6. Opportunity for Citizens to Speak

None

7. Announcements & Other Business

- Mayor Patterson and Paula Moseley will be at the ITGA Conference in Portland, Oregon on Thursday, June 1st. A special session could be held next week on May 25th or the next meeting could be held on June 8th instead of June 1st. The Commissioners decided to hold the next meeting on the 8th of June. If Menards is not ready by June 2nd then they could be on the June 15th agenda.
- Steve Patterson: Construction on the W. Union St. Improvements will be complete on the south side of the street by the end of the week and will move to the north side of the street next week. The detours are marked and available on the website.

8. Adjournment

The meeting was adjourned at 12:39 p.m.

RJ Sumney, Planning Commission

Patricia Witmer, City of Athens