

Northern Kentucky Area Planning Commission
Meeting Minutes: October 25, 2006

Chairman Bill Goetz called the monthly business meeting of the Northern Kentucky Area Planning Commission to order at 5:15 PM in the Commission Chambers of NKAPC Building in Fort Mitchell. Attendance of the members was as follows.

	Term	Present	Absent
Chairman Bill Goetz	May 2004 through May 2006	X	
Vice Chairman Tom Kriege	May 2004 through May 2006		X
Treasurer Tom Litzler	May 2004 through May 2006	X	
Commissioner Gloria Grubbs	May 2004 through May 2006	X	
Commissioner Lou Noll	May 2005 through May 2007	X	
Commissioner Dick Spoor	May 2005 through May 2007	X	
Commissioner Gene Weaver	May 2005 through May 2007	X	

Also present were John Scola, Cincinnati Bell Wireless (CBW); Pat McIvenna, CBW; Ramesh Prakash, CBW; Thomas Bosse, CBW; Mayor Paul Meier, Crestview Hills; Jim Wagner, Wagner & Associates; John Chamberlin, VanGorder Walker CPAs; Mike Schwartz, AICP, Deputy Director for Current Planning; Stacy Hege, legal counsel; Dennis Andrew Gordon, FAICP, Executive Director; and Gail H. Deatherage, Administrative Assistant.

Chairman Goetz led the Pledge of Allegiance and Commissioner Noll gave the invocation.

ACCEPTANCE OF AGENDA

Chairman Goetz asked for review and approval of the agenda. Commissioner Weaver made a motion to accept the agenda as presented; Commissioner Grubbs seconded the motion. Chairman Goetz asked for a voice vote which found unanimous approval. The motion passed.

PUBLIC HEARING

Chairman Goetz opened a public hearing on cell tower application TF-2005-36. He noted for the record that members had received information regarding this application prior to the meeting. He asked those persons in attendance to register if they wished to speak for or against the application. Chairman Goetz asked Mr. Schwartz to provide staff's review comments and recommendation.

Mr. Schwartz stated that the applicant, Cincinnati Bell Wireless (CBW), requested a wireless communications facility, including a 123-foot monopole (flag pole) and associated ground structures, in an approximate 2,000 square foot area to be located approximately 300 feet northwest of the terminus of Crestview Hills Mall Road in Crestview Hills. He read for the

record the considerations (copy attached to the original minutes). He explained that the site is located on property at 2901 Dixie Highway in Crestview Hills

Mr. Schwartz noted that the applicant has submitted the necessary documents for staff consideration: an application for identifying the request; a search ring for the proposed facility; a grid map; propagation maps showing current/proposed coverage; and, the proposed lease agreement, etc. He noted that the proposed tower is located approximately 35 feet from the nearest property line, approximately 115 feet from the nearest structure, and 490 feet from the nearest residential structure. He stated the applicant had submitted waiver requests which include the requirement that all structures be located a minimum distance from the property line of any adjoining property that is equal to one-half the height of the proposed tower, but not less than 50 feet; requirement that fencing must be used to enclose the site; requirement that screening be provided around the perimeter of the site; and requirement that all lease areas be not less than 5,000 square feet in size. Mr. Schwartz noted that Mr. Wagner, NKAPC's RF Consultant, had performed an evaluation of the proposed facility (copy included with the staff report and attached to the original minutes).

Mr. Schwartz stated staff's recommendation to approve the application from Cincinnati Bell Wireless (TF-2005-36) with the following conditions: the proposed monopole be a uniform gray color without any lighting unless required by federal/state regulations; that it be designed as a flag pole with an American flag; and, that CBW antennas be mounted internally. He also recommended that waiver requests be granted. Mr. Schwartz answered general questions from the Commission.

Chairman Goetz asked for comments from Cincinnati Bell Wireless representatives. Mr. McIvenna provided some overview on the company's selection of the proposed site, design of the tower, and how it fit into the company's coverage for the area. He noted that it was the company's intention not to light the stealth flag pole. He explained further the location/installation of antennae on the pole, noting they would be installed internally as requested, and, that the pole was designed for future co-locations. Mr. McIvenna complimented staff on their assistance and work with CBW representatives.

Mr. Goetz requested comments from those in support of the application; there were none present. He noted for the record a letter from the City of Crestview Hills in favor of the cell tower at its proposed location and supporting the waiver requests.

Chairman Goetz asked if anyone in the audience was opposed to the cell tower application. No comments were received.

Chairman Goetz closed the public hearing and asked for Commission member comments.

Commissioner Noll made a motion to accept the staff recommendation on TF-2006-36 and to recommend approval of the application to the Kenton County Planning Commission; Commissioner Grubbs seconded the motion. Chairman Goetz asked if there were any questions; there were none. He asked for a roll call vote, which found Commissioners Noll, Grubbs, Litzler, Spoor, Weaver, and Chairman Goetz in favor. The motion passed unanimously.

ONGOING AND UNFINISHED BUSINESS

Chairman Goetz asked if the Minutes of the October 11, 2006, discussion forum were acceptable or if anyone had any additions/corrections. Commissioner Litzler noted that in the second paragraph on page two the word Spring should be Spence. Commissioner Weaver made a motion to accept the Minutes as amended; Commissioner Grubbs seconded the motion. Chairman Goetz

asked for a roll call vote which found Commissioners Weaver and Grubbs and Chairman Goetz in favor. Commissioners Litzler, Noll, and Spoor did not vote. The motion passed.

Chairman Goetz noted members had received copies of the September 2006 Report of Receipts and Expenditures (attached to the original Minutes). Mr. Gordon explained the debt service line item for Commission members and several other line items.

Commissioner Litzler made a motion to accept the September 2006 report as presented for audit; Commissioner Noll seconded the motion. Chairman Goetz asked if there were any questions; there were none. He then asked for a roll call vote which found Commissioners Litzler, Noll, Grubbs, Spoor, Weaver, and Chairman Goetz in favor. The motion passed unanimously.

Chairman Goetz asked for a report from legal counsel. Ms. Hege noted there was nothing new to report. Mr. Gordon gave some background on the Campbell County SOB ordinance and how it differs from Kenton County's ordinance in answer to inquiry from Commissioner Weaver.

Chairman Goetz asked Mr. Gordon for his update reports.

Mr. Gordon noted that he would like to set up a meeting either individually or together with Commissioners Noll, Litzler, and Spoor to give them an update on the budget amendment process since they had been absent at the meeting when proposed budget amendments were discussed. He noted there were several items that would need to be pursued prior to approval of the amended budget by the Council. These include staff banked vacation payout, contracting with Duncan & Associates for model sign regulations, and hiring a new zoning official. He noted he had discussed pursuing these expenditures prior to approval of the budget amendment with legal counsel and that he felt there would be no problems.

Mr. Gordon noted that Kenton County Fiscal Court had approved formation of the Kenton County Joint Code Enforcement Board. He said staff would now proceed with getting cities to adopt an interlocal agreement and make their appointments to this board.

Mr. Gordon stated that the schedule for public meetings for the comprehensive plan update will be November 14, 16, and 21 from 5 until 7:30 PM in an open house format.

Mr. Gordon stated that members had received copies of the update report he had given out at the Kenton County Mayor's Group meeting.

Mr. Gordon noted that Covington is moving forward in partnering with NKAPC on several long-range planning projects: for the 5th and 12th Street corridors as well as a form district for Madison Avenue in the downtown area. He also gave a brief overview of the work staff will be doing.

Mr. Gordon passed out an article from *The Kentucky Enquirer* regarding the process CBW would pursue for its proposed cell tower in Crestview Hills. In response to what he suggested was the appearance of an overly-bureaucratic review process, he resurrected his suggestion for members' comments that NKAPC delegate its review of cell tower applications to the Kenton County Planning Commission. Some member comments were made with regard to feelings regarding whether to continue reviewing cell tower applications. Chairman Goetz asked Mr. Gordon to place this topic on the November 8 agenda.

Chairman Goetz asked if there were any questions for the executive director; there were none.

Chairman Goetz asked for comments from members.

Commissioner Spoor thanked the staff for its assistance to the City of Park Hills on their historical district study.

Commissioners Grubbs, Noll, Weaver, Litzler, and Chairman Goetz had no comments

NEW BUSINESS

Mr. Gordon noted that members had received the draft FY06 Financial Audit from VanGorder Walker CPAs and that John Chamberlin from that firm was present to give an overview of the audit and to answer any questions.

Mr. Chamberlin presented via PowerPoint an overview of the final FY06 Financial Audit report, giving highlights of the financial position of the NKAPC. Mr. Chamberlin then answered some general questions from the members.

There being no further issues or comments to come before the Commission, Chairman Goetz adjourned the meeting at 6:45 PM.

Bill Goetz, Chairman

Dennis Andrew Gordon, FAICP
Executive Director/Secretary