



# Local News

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## Creating context for cell tower controversy

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ANDERSON TWP. - The battle over the proposed cell tower in Johnson Hills Park is not the first the township has fought.

Anderson Township Trustee Russell Jackson said the township was involved in legal action 10 years ago that went to the Ohio Supreme Court.

In 1996, the township enacted a moratorium on the construction of cell phone towers until proper zoning regulations were created.

During the following years, there were discussions about the state's desire to build two cell towers along Interstate 275 in residentially zoned areas.

Jackson said zoning regulations could not prohibit the construction, but the state would have to go through a formal process.

On Jan. 8, 1998, the Ohio Department of Transportation met at the township offices to discuss tower sites, with plans presented by the communication companies GTE and Airtouch.

According to a document provided by township Administrator Henry C. Dolive, "it soon became clear that ODOT would make its own attempt to interpret our zoning regulations, but would not follow the ORC-prescribed zoning process."

Other communities around Ohio, including Bath Township in Summit County, Jackson Township in Franklin

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County and Deerfield Township in Warren County were facing similar issues regarding cell phone tower construction.

These communities, along with others, joined Anderson Township in a lawsuit that made its way to the Ohio Supreme Court.

"We cannot ban cell phone towers, the court made it very clear," Jackson said. "However, it said that we could bring about a limited number of restrictions, (and) most of it relates to setbacks from property lines."

Jackson added that the courts said Anderson Township should encourage co-location on the towers.

The township is making efforts to place the towers on public property because it would be less obtrusive, Jackson said.

Steve Sievers, director of Anderson Township Development Services Department said zoning setbacks are different for public and private property.

"In the case of public property, the setback is 110 percent of the tower height," he said. "They can ask for more or less, or otherwise provide ranges."

Jackson said Anderson Township has about 20 cell towers, and designs have improved significantly over the past years.

He said the Johnson Hills Park tower would be a monopole, similar to the one in Beech Acres Park, only taller.

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