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Viewpoints Cincinnati.com » Community Press & Recorder » Let's talk facts in cell tower issue

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Let's talk facts in cell tower issue

Most people recognize that when a jurisdiction, like Anderson, has almost 45,000 residents, no decision is going to please everyone.

That is why decision-making processes are established that ensure everyone has an opportunity to be heard and to convince others of their position on the issue.

One of the key factors in achieving an orderly process is to follow procedures and get all of the facts straight before making any public statements.

Whether the ultimate decision is grounded in majority interest, minority rights, or the interest of future generations, most jurisdictions provide, or should provide, an opportunity for public input as early in the process as is practical.

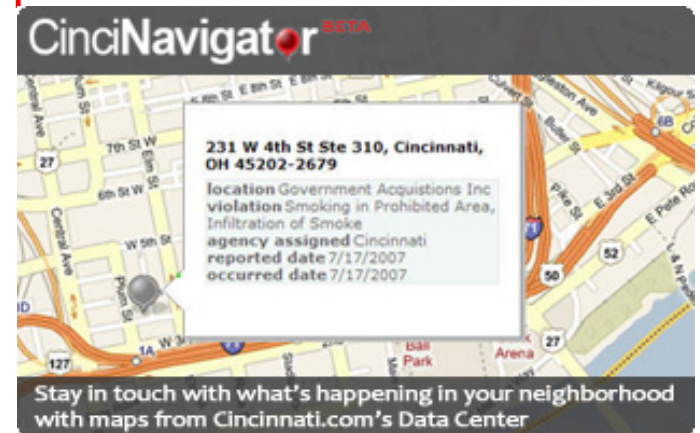
Unfortunately, to the dislike of most of us, negative, organized mass lobbying sometimes "works" on a short-term basis. But what negative lobbying also typically does is turn neighbor against neighbor and serves to discourage those among us who have integrity and talent from seeking and holding public leadership positions - and thus risking the appearance of loss of these values and degrading their public image to cheap, unwarranted "shots."

Unwarranted "shots," in the form of an e-mail barrage, have already become apparent in the case of a proposed cell tower in Johnson Park.

"Proposed" is used because it takes a number of steps to locate such a tower on property zoned residential.

Currently, the Anderson Park District (APD), an independent statutory jurisdiction that does not answer to

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the township trustees, has signed a contract with a cell tower company. It gives the company the option to build at a specified location in exchange for specified payments if the tower is permitted.

In order to be permitted, 1) an application needs to be sent to Anderson Township Development Services, 2) area property owners notified, 3) objections, if there are any, filed, 4) if there are objections, a hearing held before the Board of Zoning Appeals (BZA), which decides, within narrow guidelines established by federal law, whether or not permits should be issued, and 5) if one or more residents (or the cell tower company) don't like the BZA decision, they can appeal to the Hamilton County Court of Common Pleas.

At this point, not even the initial application has been made! The APD has invited property owners to an open house to review and comment on what it has currently worked out with the tower company.

Whereas the trustees have adopted a policy that opposes the proliferation of cell towers (primarily through co-location of antennae) and encourages necessary towers to be located on public property (to allow the public, which suffers the degradation of view, to benefit), the board does not typically get involved in the location of individual towers and is not a decision-making body in this process.

Neither is this a case of any decision-maker on the APD board profiting from the decision. As reflected in APD minutes, well after the APD had been approached by a predecessor company, one park commissioner, a member of a large downtown law firm, began representing that firm and its successor in other cases.

When the cell tower proposal came before the APD, this commissioner publicly stated his potential conflict of interest, did not participate in the discussions or the vote, and even offered to leave the room - going beyond the requirements of the statutes and the Ohio Ethics Commission.

The motivation behind this cell tower proposal is simply that the APD works hard at generating fee income, which reduces the need for property taxes. Note also it is probable the tower would be subsequently located in the vicinity in any case, if it is not erected on APD property.

Few people like to see cell towers, especially not in their proverbial backyards (albeit at least 1,400 feet away in this case), yet most of us relish the convenience of cell services.

Regardless of the emotional aspects of an issue, the best long-term positive results with the least long-term unintended negative consequences are achieved by following the prescribed process bolstered with verified facts and actions grounded in integrity.

Albert F. Peter is vice president of the Anderson Township Board of Trustees, and Henry C. Dolive is the Anderson Township administrator.



ZOOM

Community Press Guest Columnist

ALBERT F. PETER

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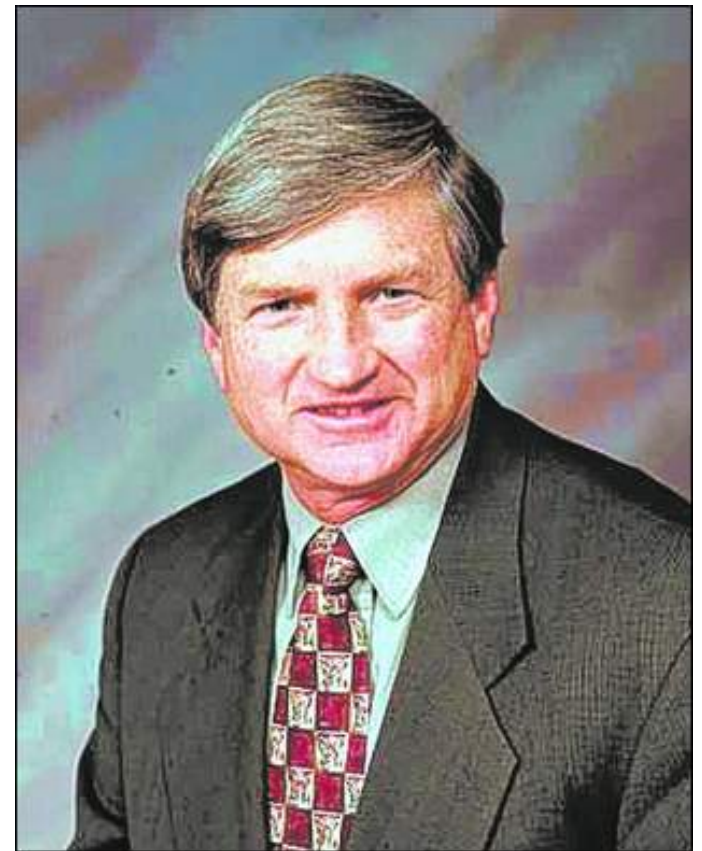
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