

ZONING & PLANNING COMMITTEE
Minutes of Boulder Junction Communications Tower
Conditional Use Permit Hearing

July 1, 2011

Call to Order: Steve Favorite, Vice Chairman, called the Public Hearing to order at 9:00 a.m. on July 1, 2011, at the Boulder Junction Community Center, 5683 Park St, Boulder Jct. WI.

Members Present: Steve Favorite, Bob Egan, Fred Radtke, Ralph Sitzberger.

Others Present: Dawn Schmidt, Zoning Administrator; Tammy Baughman and David Sadenwasser, Administrative Secretaries; Dale Mayo, Gary Peske, Ken Nickels, Jeff Ohnstad, Mark Rasmussen, Doug Meier, Shaun Schmidt.

Steve Favorite reads the legal notice.

Motion by Bob Egan, second by Fred Radtke, to adjourn to the site. All say aye, motion carried.

Steve Favorite adjourned to the site at 9:05 a.m. The committee and others arrived at the site at 9:20 a.m. Discussing ensued regarding the proposed location of the tower and access road in relation to the existing snowmobile trail. The onsite inspection concluded at 9:26 a.m.

Steve Favorite, Vice Chairman, reconvened the Public Hearing at the Boulder Junction Community Center at 9:40 a.m.

Lt. Gary Peske, of the Vilas County Sheriff's Department, was sworn in and testified. He stated that the tower is part of the WISCOM system that covers the entire state. He states that Vilas County Fire, EMS, and sheriff would use this system in times of emergency, but that the State Patrol would use it daily.

Dale Mayo, Vilas County Snowmobile Program Coordinator, was sworn in and testified. He stated that he is concerned about the access road to the tower and its impact on the existing snowmobile trail.

Charlie Spencer, Boulder Junction Town Chairman, was sworn in and testified. He stated that the town had heard some complaints regarding aesthetics, but that the town has no objection to the tower. He stated that that the issue has been brought before the Town Board and they chose to take no action.

Fred Radtke expresses concern regarding lighting on the proposed tower.

Ken Nickels P.E., of Nickels & Bradley, SC, was sworn in and testified. He stated tower lighting must comply with FCC and FAA regulations and that he is not aware of specific types of shielding available. He also stated that creating a buffer between the access road and existing snowmobile trail would not be an issue.

Bob Egan requested testimony from Doug Meier.

Doug Meier, of the Wisconsin Department of Natural Resources (DNR), was sworn in and testified. He stated that the DNR is working on new administrative rules that would allow for co-location of both private and public uses so that cell providers and internet service providers could lease space on the proposed tower.

Steve Favorite closes the hearing to public comment at 9:55 a.m.

The committee stated its general approval of the project.

The committee members completed the findings of fact decision form regarding the standards of issuance for the Conditional Use Permit as follows:

1. The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort, or general welfare because the project will enhance public safety through enhanced communication and the large forested area provides a substantial buffer to neighboring properties.
2. The uses, values, and enjoyment of other property in the neighborhood for purposes already permitted shall in no foreseeable manner be substantially impaired or diminished by establishment, maintenance, or operation of the conditional use because the possibility of co-location of other services would enhance the improvement of the surrounding community.

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3. The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district because the area is generally forested state land, and it may enhance uses permitted in the General Business district through co-location of communication services.
4. Adequate utilities, access roads, drainage, and other necessary site improvements have been or will be provided because submitted plans indicate that all improvements will be provided and all safety issues addressed.
5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets in that ingress/egress will be provided through a fifteen foot wide access road with a buffer from the existing snowmobile trail.
6. The conditional use shall conform to all applicable regulations of the district in which it is located because the proposed project is a permitted use with approval of a conditional use permit.

Discussion ensues regarding the width of access corridor, existing snowmobile trail, and proposed buffer zone.

Motion by Ralph Sitzberger, second by Bob Egan to approve as presented subject to the condition that where the access road and snowmobile trail are contiguous, total width shall be minimum of 36 feet. All say aye, motion carried.

Adjournment: Motion by Fred Radtke, second by Ralph Sitzberger to adjourn. All aye, motion carried. Adjourned at 10:15 a.m.