

*****TOWN OF MENASHA*****
PLANNING COMMISSION MEETING
WEDNESDAY, August 20, 2008 at 5:15 PM
MUNICIPAL COMPLEX - 2000 MUNICIPAL DRIVE

CALL TO ORDER: Chairperson Bellmer called the Planning Commission Meeting of August 20, 2008 to order at 5:15 p.m.

PRESENT: Chairperson: Alvin Bellmer
Commissioners: Shelly Allness, Terry Buck, Dennis Jochman, Kris Koeppel, Aaron Sabel, Michael Van Dyke
Staff: George Dearborn, Community Development Director
Ria Hull, Associate Planner

ABSENT: None

ALSO PRESENT: Melvin Schultz, Barb Knaack, Scott Radies, Karyn Tellock, June Russell, Bruce Russell, Ramsy Lepplu, Arden Tews, Barb Holly-Fox, Robert S. Fox, Trish Sheikh, Umer Sheikh, John Lautenschlager, Doug Dolan, Cindy Lund, James Donnellan, Darline Schuff, Lee Schuff, Pete and Christy Lison

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES – July 16, 2008

A motion was made by Mr. Van Dyke, seconded by Mr. Buck, for approval of the minutes of July 16, 2008.

The motion carried unanimously – 7-0

COST BENEFIT ANALYSIS:

The cost-benefit table for July shows that there is a negative cost-benefit due to One & Two Family Dwellings. However, cost-benefit remains positive for the year as a whole.

	<i>Cost or Benefit of New Development</i>			
	<i>July 2008</i>			
	<i>This Month</i>		<i>To Date</i>	
	<i>Value</i>	<i>Cost/Benefit</i>	<i>Value</i>	<i>Cost/Benefit</i>
One & Two Family Dwellings	\$455,000	(\$314.63)	\$4,353,000	(\$3,010.10)
Multiple Family Dwellings	\$0	\$0.00	\$500,000	\$1,755.65
Commercial/Industrial Development	\$17,000	\$59.69	\$529,000	\$1,857.48
Total	\$472,000	(\$254.94)	\$5,382,000	\$603.03

Item 1 - CUP – Doug Dolan, Verizon Wireless – 919 E. Shady Lane

George Dearborn introduced the item. He said that the Town encourages cell towers on Town property for the revenue that they generate. He said that the Town is sensitive to resident concerns, but that it is an FCC law that potential radiation cannot be used as a basis for denial of a cell tower. He said that the applicant, Verizon Wireless, is aware of other commercial properties in the area where they could put up a tower without a Town permit. He said that if Verizon puts up a tower on commercial land, the Town has no authority to regulate the size or appearance of the cell tower and the Town obtains no revenue.

Doug Dolan appeared representing Verizon Wireless. He said that he got a work order for this site because Verizon had received complaints of dropped calls in the area. He said that this tower would solve those problems. He said that Verizon is proposing to lease a 60' x 60' piece of land from the Town and install a 150' cell tower along with an 11.5' x 20' building and generator. He said that they will try to line the cell tower up with the power lines so that the tower will be less visible. He said that Verizon has looked at other locations, but that this one would be the most effective.

Chair Bellmer asked if the tower is made to place more than one antenna on it.

Mr. Dolan said, yes, it can house two more carriers.

Chair Bellmer asked if there was any way to design the tower differently.

Mr. Dolan said that the design with the antennas on the outside provides the best coverage, but they would consider different designs if desired. He said that they could locate the antennas inside the pole and paint the pole to blend in with the trees and sky.

Ms. Allness asked how many dropped call complaints Verizon had received.

Mr. Dolan said that he did not know.

Ms. Allness asked if there would be any guy wires.

Mr. Dolan said no, it is a monopole.

Mr. Dearborn said that one condition of approval could be that they paint the pole to blend in with the trees and sky.

Robert Lund, 1968 Tumblebrook Road, appeared to express concern over the placement of the cell tower in a residential area. He asked about the size of the coverage area for the cell tower.

Mr. Dolan said that it depends on the topography, but this size tower usually has a coverage radius of two miles.

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Bruce Russell, 884 Millbrook Drive, also appeared to express concern over the location of the cell tower. He asked why we don't see more cell towers all over if each only has a two mile coverage radius.

Mr. Dolan said that each tower's coverage depends on the type and height of the tower and the topography of the surrounding land. He said that some of the taller towers are good for five miles.

Jim Donellen, 850 Millbrook Drive, appeared and asked if this tower goes up, if there could still be towers put up at the commercial sites.

Mr. Dearborn said that co-location is required as a first option. If another carrier cannot co-locate on the Verizon tower, then they could put up a separate tower somewhere else, but only as a last resort.

Mr. Donellen asked about FAA lighting.

Mr. Dearborn said that cell towers, by law, cannot be located in a flight path, so FAA lights are not necessary.

Mr. Donellan said that he does not believe that the depiction of the cell tower in the picture is accurate and to scale.

Mr. Jochman said that the electrical poles in the picture are 90-100 feet high.

Mr. Donellan asked about using the Town Hall site for the tower.

Mr. Dearborn said that was the Town's first choice, but Verizon did not like the site.

Mr. Dolan said that putting a tower at the Town Hall site would interfere with other towers and would not fill all the gaps in coverage.

Karyn Tellock, 894 Millbrook Drive, appeared to say that she objects to the tower and that it would ruin her view.

Cindy Lund, 1968 Tumblebrook Road, appeared and said that as a Verizon customer in the area, she has never had a dropped call. She said that she would like to know the number of complaints they've received that made them decide to put a tower up here.

Bruce Russell said that he surveyed 52 homes in the area and no one wants the tower here. He also said that he talked to realtors and they said a cell tower would lower their property values.

There was further discussion about other locations for the cell tower.

Mr. Dolan said that Verizon does not want to locate on the Town Hall site because of the landfill.

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Robert Fox, 2078 E. Prairie Creek Drive, appeared and said that his front window will look right at the cell tower. He asked how much revenue the tower would generate for the Town.

Mr. Dearborn said that the contract is not negotiated yet, but typically the Town would get between \$1,000 and \$1,500 a month.

Mr. Fox asked about how the tower would affect property values.

Mr. Dearborn said that the Town Assessor said there would be no impact.

Chair Bellmer said that people's property values are already affected by the power lines and poles; property values will not change that much because of one more pole.

Umer Sheikh, 1873 Cricket Court, appeared and said that he would not have bought a home here if there was a cell tower in his backyard. He asked if the Town can do anything to prevent the tower at commercial sites.

Chair Bellmer said that the Town has no authority at all over cell towers on commercial property.

Mr. Jochman said that because of the zoning at the water plant, we can put any number of conditions on the tower if it goes up there. He said that if it goes to any of the commercial sites in the area, we cannot put any conditions on it. He asked Mr. Dolan about the size of the coverage hole that this tower is trying to correct.

Mr. Dolan said that they were directed by Verizon to put the tower within a 6 block radius. He said that Verizon is willing to put the antennas inside the pole, so they would not be seen. He also said that any other carriers would have to put their antennas inside the pole.

Mr. Van Dyke asked about CB Park as a location for the tower.

Mr. Dearborn said that CB Park is not a desirable location from the Parks Department's standpoint; the Parks Department still has not had the opportunity to create a plan for the park.

Ms. Lund asked how loud the generator would be.

Mr. Dearborn said that a condition of approval could be a quiet generator.

Darline Schuff, 742 Millbrook Drive, appeared to express concern about potential health issues created by the cell tower.

Barb Holly-Fox, 2078 E. Prairie Creek Drive, appeared and expressed her concern about losses in property value due to the tower.

Mr. Jochman said that there was a study done in Appleton and Grand Chute that showed no difference in property values between houses near cell towers and comparable houses far away

from cell towers. He said that he is torn on this issue because he knows that the residents are concerned, but also knows that if the cell tower is not located here, the Town would have no authority to regulate it.

Ms. Allness said that she is torn too. She said that if we do not allow Verizon to put a cell tower on Town property then they will just go to the commercial property where we have no control over the appearance and where we get no revenue.

Mr. Jochman asked if Verizon looked at expanding their other towers instead of constructing a new one. He also asked how big the coverage hole is.

Mr. Dolan said that the hole is about a mile wide. He said that they had looked at expanding other towers, but that this would not close the coverage gap.

Mr. Jochman suggested a delay in action to let Verizon work with the neighbors to come up with other options.

Ms. Allness said that she would agree with a delay; she said that there are a lot of questions that residents brought up that should be answered.

Chair Bellmer said that the residents should work with staff and Verizon to look at other options.

Mr. Van Dyke said that he would like Verizon to explore other locations.

Ms. Allness asked if the applicant could pull out and go to another site if we delay.

Mr. Dearborn said, yes, they could.

Mr. Sabel asked Mr. Dolan how Verizon would feel about a delay.

Mr. Dolan said that he cannot speak for Verizon, but that he thinks a delay would be unfavorable. He said that Verizon would be willing to lower the height of the tower to be more in line with the power lines. He said that they would also be willing to put the antennas inside the tower.

Mr. Dearborn asked about the diameter of the pole if the antennas were inside.

Mr. Dolan said it would be two feet wide.

Chair Bellmer asked about the color.

Mr. Dolan said that they can paint it darker at the base and lighter at the top to blend with the sky.

A motion was made by Mr. Van Dyke, seconded by Mr. Jochman, for a 30 day delay to explore alternate options for the location and design of the cell tower.

The motion was defeated – 3-4.

A motion was made by Chair Bellmer, seconded by Mr. Buck, to approve the CUP subject to citizen group and staff review of design elements.

The motion was defeated – 2-5.

A motion was made by Mr. Van Dyke, seconded by Ms. Allness, to approve the CUP pending design review by the Planning Commission.

The motion carried – 6-1.

Chair Bellmer said that the next opportunity to comment on the cell tower will be at the Town Board meeting on August 25th.

Item 3 - Review of Final Site Design – RestorU – American Drive (taken out of order)

Mr. Dearborn introduced the item. He said that RestorU has recessed the loading dock. He said that their landscaping meets the requirements of the Code. He said that they should paint the garage doors on the American Drive side of the building to match the color of the walls.

Kevin Shumann, of Consolidated Construction, said that the recessed loading dock allows semis to back in without going out onto the street.

Chair Bellmer asked about the shared driveway with Springetti's Landscaping.

Mr. Shumann said that they can do it, but they have to talk to Springetti's.

Mr. Dearborn said that we just want one shared access point so there are not so many driveways on American Drive.

Ms. Allness said that she thinks the site looks better than it did; she said that painting the garage doors to match the walls is a good idea.

A motion was made by Chair Bellmer, seconded by Ms. Allness, to approve the site design of RestorU on American Drive subject to the following conditions:

1. Material samples shall be submitted to verify that the exterior façade materials meet the requirements of the B-5 zoning district.
2. The lower portion of the garage doors shall be painted to match the exterior color of the lower portion of the building.
3. All loading docks shall be screened from view from all public roads - a solid gate in front of the loading dock shall be installed as well as complete landscaping to screen the dock from the public road.

4. A restriction on the maximum tractor-trailer size allowed to use the loading dock shall be instituted.
5. The access drive on the east side of the property shall be combined with the drive for Springetti's Landscaping as specified in the CUP.

The motion carried – 7-0.

Item 2 - CSM – Yum Brands/A&W Restaurant – 1462 Appleton Road

Mr. Dearborn introduced the item. He said that we cannot accept the CSM as presented; they must create another CSM on the parcel to the south to adjust its property lines. He said that the City of Menasha did not accept the CSM as presented either.

Chair Bellmer asked if the project can proceed without the CSM.

Mr. Dearborn said yes.

A motion was made by Mr. Jochman, seconded by Mr. Sabel, to approve the CSM for A&W Restaurant at 1462 Appleton Road with the following conditions:

1. The CSM shall be modified to meet the requirements of the Land Division Ordinance.
2. All taxes and assessments shall be paid prior to the Town affixing signatures on the Certified Survey Map.

The motion carried – 7-0.

Item 4 - Sign Permit – State Farm Insurance – 1395 W. American Drive

Mr. Dearborn introduced the item. He said that State Farm has revised their sign to meet the Sign Code standards.

A motion was made by Chair Bellmer to approve the wall sign for State Farm Insurance at 1395 W. American Drive.

Mr. Jochman said that he will vote against changing what is there now. He said that there is nothing wrong with what is there now. He said that the new proposal is still 1.5 feet above the Sign Code standards.

Chair Bellmer said that the new sign is a common sense compromise.

Mr. Van Dyke said that he agrees with Mr. Jochman.

Ms. Allness said that she agrees with Chair Bellmer that this is a good compromise. She said that this sign looks much better than the current one.

Mr. Koeppe seconded the motion by Chair Bellmer.

The motion carried – 5-2.

Item 5 - Discussion of Joint Plan/Park Commission Meeting to Discuss Park Impact Fee Study

Mr. Dearborn asked if members of the Plan Commission could go to a joint meeting with the Park Commission on Sept. 10 at 7:00 p.m.

Most members said that they could make it, but that they would like to meet earlier.

Chair Bellmer said that we will set it as a meeting.

OLD ITEMS OF BUSINESS:

Item 1 - Report on Status of Comprehensive Plan Update

Mr. Dearborn said that we did receive some comments from Plan Commission members about the Comprehensive Plan. He said that we will assemble the comments and send them on to the rest of the Commission members.

Item 2 - Report on Status of Town Survey

Mr. Dearborn said that we will compile the survey results after the deadline at the end of the month.

Item 3 - Update on Status of First Business Center Sign Variance Request

Mr. Dearborn said that the sign variance request by First Business Center was denied at the County level.

OTHER BUSINESS:

Item 1 – Development Status

Mr. Dearborn said that commercial development is down from last year.

Item 2 – Building Permit Report

Mr. Dearborn said that we are one below last year for single-family permits, duplex activity is down and commercial permits are down from last year.

Mr. Van Dyke asked if the building next to Subway could be bricked completely.

Mr. Dearborn said that we cannot require it, but we can ask.

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COMMUNICATIONS:

Item 1 - Report on August 14th Sustainability Committee Meeting

Mr. Dearborn briefly summarized the August Sustainability Committee meeting.

Melvin Schultz appeared to express concern about the RestorU driveways and semis pulling out onto the road to get into the loading dock.

ADJOURNMENT:

A motion was made by Chair Bellmer, seconded by Mr. Van Dyke, to adjourn.

The motion carried unanimously – 7-0.

8:20 p.m.

Ria Hull
Recording Secretary