

SEPTEMBER 25, 2011 Plan Commission Meeting

The Plan Commission met at 7:30 p.m. on Monday, September 25, 2011 at the Town Hall in New Munster. Chairman William Glembocki opened the meeting with the Pledge of Allegiance.

Plan Commission members present signing the attendance sheet: Chairman William Glembocki, Clayton Wagner, Susan Riley, Randy Schulz, Paul DeLuisa and Vince Mosca. Dennis Robers and Mary Ochoa-Petersen were excused.

Also present: Supervisors Andrew Lois, Clerk Sheila Siegler, Wayne Kaddatz, Muriel Greil, Gerald Greil, Ken Schlager, Mrs. Schlager, and Ron Zechel.

Plan Commission Meeting notices were posted in six public places and newspapers were notified. Meeting notice was also placed on the town website. Property owners within 300 ft. of Tax Parcel #95-4-119-022-0230, Gerald & Muriel Greil (owners) were notified of the meeting by First Class Mail.

Public Comments – none

- **Gerald & Muriel Greil, (owners), 33807 Geneva Rd., Burlington, WI 53105, tax Parcel #95-4-119-022-0230**

A. Conditional Use Permit Request – U. S. Cellular. 3545 N. 124th St., Brookfield, WI 53005, Ron Zechel, Site Acquisition & Zoning – seeking to confirm the current tower position and correcting missing information – two antennas have been added, and not previously permitted.

B. Conditional Use Permit Request – HierComm, Inc., Ken Schlager, President, for co-location of an antenna set and supporting electronic enclosures for the Kenosha County 4.9/5.8 GHz Broadband Public Safety Communications System. Tower owned by US Cellular Corp.

Item (A) - Ron Zechel, representing U.S. Cellular, said the tower on the Greil property was built in 1993 at 180'. There was an initial Conditional Use Permit but since then additional antenna were placed on the tower and they were unaware they all needed CUP approval. This permit will correct that omission. The process requires that a new carrier comes to U.S. Cellular to find out if there is a space on the tower that will fill their needs and U.S. Cellular is willing to lease. After that, they approach the homeowner.

Commissioner Wagner asked if this would interfere with the fire department's reception. Zechel replied it would not.

Vince Mosca moved a motion to send a favorable recommendation to the Town Board for the Conditional Use Permit Request of U.S. Cellular for the Greil tower as specified in the application. Susan Riley seconded. Motion carried.

Item (B) – Ken Schlager, HierComm, Inc. President explained this request is a part of the Kenosha County initiative to make broadband wireless available to areas not presently served. It will also provide a 4.9 network specifically set aside for public safety by FCC. HierComm is working on permitting 16 towers throughout the county.

He explained the system and the layout of the towers. He said this will be one of the first in the nation.

Clayton Wagner asked if a tower was struck by lightning was knocked out, would this shut down the system. Schlager said the testing shows this to be a very robust system. If one is shut down, the relay would come around from the opposite direction.

Muriel Greil asked if permission wasn't required from the property owners. Schlager assumed the tower owner (U.S. Cellular) had spoken to the property owners.

Ron Zechel (U.S. Cellular) said his company does not object to the project but HierComm needs to come to them with a plan and that has not been done. If it is structurally compatible and causes no interference with current carriers, then they would talk to the landlord and then go to the county for approval.

Chairman Glembocki commented that it sounds as if you missed a step.

After much discussion, Vince Mosca asked if the Plan Commission could approve conditionally with the landowner's approval.

Gerald and Muriel Greil said they want it on the record they were never informed and would not have known of the meeting if the town had not sent the notice. They are not giving their consent until they find out more.

Discussion continued between HierComm, the Greils, U.S. Cellular and the Plan Commission on whether to recommend favorably but require the landowner's consent before town board approval. It was also considered to table the matter until there was consent by the Greils.

Vince Mosca said we don't have technical issues and if this going to ultimately be approved, we could approve the request conditionally. Then if they have structural and landowner approval, it could go forward.

Discussion took place on analog versus digital and whether the fire department would have to upgrade equipment. Schlager said the present equipment could still be used. He said the Kenosha County Sheriff's Dept. is the driving force behind this system.

Vince Mosca moved a motion to forward a favorable recommendation to the Town Board for the Conditional Use Permit Request of HierComm, Inc., Ken Schlager, President, to co-locate an antenna set and supporting electronic enclosures for the Kenosha County 4.9/5.8 GHz Broadband Public Safety Communications System pending agreement between U. S. Cellular (tower owner), the property owner (Gerald & Muriel Greil) and HierComm Inc. Paul DeLuisa seconded. On a roll call vote: Wagner – yes, Riley – yes, DeLuisa – yes, Glembocki – yes, and Mosca – yes. Robers was excused and Ochoa-Petersen was absent. Motion carried.

- **Reports and Correspondence –**

Clerk reported the Town of Bloomfield has received approval from the Wisconsin Department of Administration to incorporate part of the town as a village. The next step will be to hold an election to have residents vote on the subject. There was discussion on whether it would be possible and/or advantageous for the town to be a village.

There is a plan commission workshop sponsored by the Metropolitan Builders Association on October 20 at the New Berlin City Hall if anyone from the plan commission is interested in attending. Information sheets were passed out.

- **Adjournment**

Clayton Wagner moved to adjourn at 8:35 p.m. Randy Schulz seconded. Meeting adjourned

Respectfully submitted,

Sheila M. Siegler, Clerk