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TOWN OF ALGOMA
WINNEBAGO COUNTY, WISCONSIN
MINUTES FOR SITE PLAN COMMITTEE MEETING

Monday, January 7th, 2013 at 5:30 PM
Algoma Town Hall
15 N. Oakwood Road, Oshkosh, WI 54904

1. Call to order.

The Site Plan Committee Meeting was called to order by Chairman Aubrey at 5:30 PM

2. Roll call.

Ron Aubrey, Chairperson	Tim Blake, Vice Chairperson
Kristine Timm	Ken Jaworski, Martenson & Eisele
Pat Rank, Strand Associates	Atty. Marone
Clerk Nelson	

3. Public Forum.

None.

4. Review and approve the proposed new office building for ADM Wisconsin (Algoma Ethanol LLC Grain Processing Plant) 2550 Clairville Road, Oshkosh, WI 54904.

Jordan Pollock addressed the board on behalf of ADM Wisconsin. Mr. Pollock advised that there had been some miscommunication between his staff and the building inspector while Mr. Pollock was on vacation. Apparently, the building inspector wrote out a full building permit and only the footings and foundation were approved. Since the building inspector wrote out a complete building permit, the contractor started framing in the building. Mr. Pollock brought this to the attention of the building inspector as well as Clerk Nelson. Due to the fact that ADM would have to pay a steep penalty from the contractor if they stopped work, Clerk Nelson and the building inspector decided to allow ADM to do the framing, but nothing more. Mr. Pollock agreed to that compromise, and the framing for the new office building is complete. This took place the week before Christmas.

The building inspector has the state approved plans. The state approved the plans on November 5th, 2012 just after the first Site Plan Committee Meeting.

Mr. Pollock had confirmed that Jaworski did e-mail him some concerns after the last Site Plan meeting for him to address. Mr. Pollock indicated that he did address those concerns and brought his response to the Planning Commission in November. This is the first time the Site Plan Committee is seeing Mr. Pollock's response to Jaworski's concerns.

The building is a slab on grade building, so there is no change in flow of the land or drainage at all. ADM took 12 inches of soil off the top of and put it back with hard pack for a base. This is where the posts are drilled in and the building is erected from there. The building doesn't change the parking because the site around the building is essentially a gravel parking lot for semis, tractors, and trailers. Therefore, there is no designated parking area. ADM as whole doesn't see the need to set up parking structures for customers because it depends on the area and whatever vehicles the farmers bring in. The only thing that will be paved

DRAFT

is an overhang on the front of the building at gravel level. Anything ADA (American Disabilities Act) accessible is done to gravel grade. The committee received a concept plan. It was determined that the committee wanted a more detailed plan that was in accordance with the Site Plan Ordinance.

There was discussion on the lighting. The lighting is off the existing scale, there was no change to the lighting. The intent of this project is to simply replace the existing mobile building with a wooden structure and leave the remainder of the site untouched. ADM stores liquid fertilizers, so when there is disruption in the flow of land it gets into a lot more than just where the water flows. Mr. Pollock advised that the ADM is in the process of doing an overall stormwater survey of the facility because their five year plan calls for several different upgrades. This stormwater survey addresses the entire site and stormwater flow over the entire site. Traffic flow was not looked at being upgraded at this time. The site plan committee is looking for plans that show all the details of the site; that show the landscaping, that show the parking, that show the lighting, and overall site detail. It was determined that ADM would have to submit plans that are done by an engineering firm that show more details than just sketches drawn by the builder. Mr. Pollock agreed to get an engineering firm to draw up more detailed plans and submit those for the Site Plan to review. All ADM is trying to do is to replace a temporary building with a permanent structure. Atty. Marone clarified that you are creating a history or a record of documentation so that should someone come to the town 5-10 years from now there is a record of what took place.

There was discussion on what the process is from here. The Site Plan Committee has to approve the submittal prior to the Planning Commission and Town Board for final approval. Therefore the updated drawings will have to come back to Site Plan. Once approved at the site plan level, then the plans will forward onto Planning Commission and eventually the Town Board for final approval. Mr. Pollock again indicated that he would do whatever he needs to get his project completed. Mr. Pollock did make reference to some future projects that are part of ADM's five year plan. This project is an office building for the scale house, which is used for the weighing of the trucks and grading the grain coming in and out of the facility. It's also for an operations office.

There was discussion on screening of the property down Clairville Road, and Mr. Pollock expressed his frustration because of the dust and the dirt, grass will not grow in this site. The Site Plan Committee understood that and is willing waive some the requirements, but they need plans that depict landscaping and screening. Mr. Pollock is concerned with the screening because of the safety issues. It if feared that the screening will cause visibility problems for semis exiting ADM's property onto Clairville Road. Again, ADM is just trying to take a piece of property and make it better, but doesn't want to throw money away just to appease an ordinance. This isn't a doctor's office, it's a grain facility. The committee advised Mr. Pollock to go through the ordinance and address every point. If this committee starts to make an exception for one, then the committee is not effective. Mr. Pollock just wants to make sure that ADM is following the rules and regulations, but doesn't want to throw money away.

Discussion ensued, since the building is not in question, would it be possible to allow ADM to go forward with the building, and come back to the Site Plan Committee with just the site plans. Past precedent dictates that the submittal is a whole package and the Site Plan Committee should approve it prior to forwarding it to the Planning Commission and Town Board.

D R A F T

There seemed to be some confusion on what took place after the Site Plan Committee Meeting November. Clerk Nelson explained that the Site Plan approved the footings and foundation for the office building. That was forwarded to the Town Board which met the day after Site Plan in November. The Town Board approved the pouring of the footings and foundation contingent upon Planning Commission approval. The Planning Commission met the next Wednesday and approved the pouring of the footings and foundation. Mr. Pollock then met with Dave Frank, the building inspector, who issued a full building permit. Mr. Pollock went on vacation. During this time, his staff made arrangements with the contractor to start framing the building. When Mr. Pollock came back from vacation, the contractor was on site ready to begin the framing. Mr. Pollock instructed the contractor not to begin the framing; consequently the stopping of the framing was going to end up costing ADM a lot of money. Mr. Pollock contacted both Dave Frank and Clerk Nelson who both agreed to allow the framing to be done, but nothing else until the Site Plan approval process has been completed. This is the status of ADM at this time. Members of the Site Plan Committee thought they were pretty specific with Mr. Pollock at the first meeting as to what he needed to submit for approval by this committee. There was debate on whether or not Mr. Pollock knew he had to submit a full set of site plan drawings for approval from this committee. The understanding at the conclusion of this item was that ADM had to re-submit a full CAD drawing of their site plan.

Motion by Blake/Marone to table this item until ADM can provide the Site Plan Committee with the necessary site documentation in order for this committee to make an informed decision. No further discussion. Motion carried in a voice vote, 7-0.

Mr. Pollock asked about annexing to the City of Oshkosh. Clerk Nelson advised Mr. Pollock that annexing to the City of Oshkosh early is an option.

5. Review and approve the proposed new cell tower for Verizon Wireless to be located on the property owned by Wyldewood Baptist Church, 3030 Witzel Avenue, Oshkosh, WI 54904.

Eric Lennington, a Real Estate Consultant for Verizon Wireless, along with Pastor Randy King from Wyldewood Baptist Church were present to address the committee. Mr. Lennington explained that the tower is going to be a flagpole, at a height of 110 feet. The top of the flagpole will have what the industry calls a can; the can is made out of some material that the signal can shoot through, but the exterior will look like a solid flagpole. The flagpole is a little wider in diameter than a normal flagpole so the coax cable can run through the interior.

County ordinance require cell towers to have enough space for three users. So the flagpole will have space for two additional users other than Verizon. The antennas for the two additional users will be located inside the flagpole as well. The radius of service for a typical flagpole is 3-5 miles, but it could go up to as much as 5-10 miles. The location is limited to a height of 119 feet because it's near the edge of the flight pattern, which is why the tower is at a height of 110 feet.

Verizon Wireless is in the area, on the silo on Witzel Avenue. Verizon has been on the silo since the 90s. The property owner is re-developing the property and the owner has notified Verizon of his intention to terminate their lease. Because of this termination, this site then became a relocation instead of a new location which is indicated on the title of the plans. Verizon wanted to be as close to the silo as possible in order to maintain the integrity of their current system. The direction Verizon could move was west based off Verizon's network. Neighbors were contacted through the conditional use permit which comes before

D R A F T

Planning Commission and Town Board this month. The neighbors within 300 feet of the church property were contacted. The size of the parcel, the existing landscaping, the existing vegetation, and the existing buildings, just all came together. The church is amenable to hiding the flagpole behind their building and adding a shelter to their existing garage versus a separate prefabricated building.

Brent Jalonen from Winnebago County Zoning Department looked at Verizon's design. Since there is less than 1000 square feet of land disturbed, there is no need for stormwater or erosion control permits. Mr. Lennington has an e-mail to that effect and will forward the e-mail to Clerk Nelson. Once Verizon is through the county zoning process, Mr. Jalonen will issue a formal letter indicating no stormwater management or erosion control was needed for this project.

The site is visited once a month for maintenance by cell technicians, otherwise the site is totally self sufficient. There is a security light on a switch inside the shelter which is manually turned on and off. The site technicians are responsible for taking their own garbage with them.

There was discussion on internal landscaping. The overall master site plan of Wyldewood Baptist Church leaves little or no room for additional landscaping.

The lease is a long term lease that is auto renewing every five years for 30 years. The only way out of the lease is if Verizon initiates it.

The utility easement to the west is for 200 amp electrical service and fiber optics to be installed underground. Fiber optics currently runs along the west property line. The length of the utility easement is adequate. Verizon Wireless owns the flagpole. The lease area from the church is larger than just the building. The box on page C-2 is the lease area. The lease area is large enough to maintain the flagpole. The church went to Perkins and measured their lease area, which is comparable to the lease area of the church. Verizon will pay for the flags, but the church will change the flags out. At some point, Verizon will contact the phone company and they will bring fiber optics to the cell tower location. There is no lighting on the flagpole itself, but there will be three lights shining up onto the flag per standard U.S. flag etiquette. The distance from the flagpole to the adjacent property is 159.2 feet, so should the flagpole fall, there will be enough clearance to not fall on adjoining property. If the flagpole falls, it is designed to collapse down instead of falling like a tree.

Federal law requires competitors to share their towers. So every tower has to be built to allow for at least three users. As someone who does acquisition work, Mr. Lennington does find himself in the position of asking competitors for space on their tower. There is one master lease for all the carriers either regionally or nationally. Sharing towers is not a revenue maker for the carriers, it's a bargain process.

Atty. Marone just wanted to make sure the Site Plan Committee was aware of the conditional use permit and the notification of the County's public hearing on the conditional use permit. The public hearing is scheduled for January 29th, 2013 at 6:30 at the Winnebago County Courthouse. The zoning for the church is a P-1. Winnebago County Zoning staff indicated on their notes that there is no additional public cost and they are satisfied with the applicant getting a conditional use permit.

D R A F T

Motion by Blake/Rank to approve the proposed new cell tower for Verizon Wireless to be located at Wyldewood Baptist Church. No further discussion. Motion carried in a voice vote, 7-0.

6. Approve minutes of previous meetings.

A) September 9th, 2012.

Motion by Blake/Jaworski to approve the meeting minutes. No further discussion. Motion carried in a voice vote, 7-0.

B) November 12th, 2012.

Motion by Blake/Jaworski to approve the meeting minutes. No further discussion. Motion carried in a voice vote 7-0.

7. Adjourn.

Motion to adjourn by Blake/Jaworski. No further discussion. Motion carried in a voice vote, 7-0. Meeting adjourned at 6:52 PM.

Respectfully submitted,

Charlotte K. Nelson, WCMC
Algoma Town Clerk
Town of Algoma, Winnebago County, WI