TOWN BOARD ACTION REPORT – CONDITIONAL USE PERMIT

Regarding Petition # 2434 Dane County ZLR Committee Public Hearing Tuesday, August 28, 2018

Whereas, the Town Board of the **Town of** Dunn having considered said conditional use permit application, be it therefore resolved that said conditional use permit is hereby (check one):

☑ **APPROVED**

☐ **DENIED (IF DENIED, PLEASE COMPLETE FINDINGS SECTION ON PAGE 2)**

PLANNING COMMISSION VOTE: 5 **In Favor** 0 **Opposed**

TOWN BOARD VOTE: 3 **In Favor** 0 **Opposed**

Whereas, in support of its decision, the Town Board has made appropriate **findings of fact** that the standards listed in section 10.255(2)(h), Dane County Code of Ordinances, and section 10.123(3)(a), if applicable, are found to be (check one):

☑ **SATISFIED**

☐ **NOT SATISFIED (PLEASE COMPLETE FINDINGS SECTION ON PAGE 2)**

THE CONDITIONAL USE PERMIT IS SUBJECT TO THE FOLLOWING CONDITION(S):

1)A favorable review by Dane County Zoning's tower consultants 2)The primary use of the communication tower permitted under Conditional Use Permit No. 2434 shall be for the provision of broadband internet services. 3)The Town of Dunn and Hoyos Consulting LLC signing a Memorandum of Understanding (MOU) detailing the operation and ownership of the tower. 4) The communication tower placed, constructed or modified under Conditional Use Permit No. 2434 may be built to an initial height of up to 100 feet above ground level. Extension beyond the maximum permitted height of 100 feet above ground level shall require amendment and approval of a new Conditional Use Permit. 5)Final site plan(s) and design drawings for the proposed tower are subject to review and approval by the Town of Dunn prior to installation of the tower. 6)No graphic message or advertising may be permitted on the tower. This would not prohibit the use of warning or equipment information signs 7)Fencing and locks must be provided to secure the site. No barbed wire or razor wire fencing is permitted 8)Landscaping must be provided and approved by the Town 9)The proposed tower shall be light blue or gray, or other colors that are demonstrated to minimize visibility. The use of mottling as a camouflage is encouraged 10)The tower and any antennas shall not be lighted except as required by the Federal Aviation Administration or other lawful authority 11)No trespassing signs shall be posted on any security fencing

PLEASE NOTE: The following space, and additional pages as needed, are reserved for comment by the minority voter(s), **OR,** for the Town to explain its approval if the decision does not comply with the relevant provisions of the Town Plan.

I, Cathy Hasslinger, as Town Clerk of the Town of Dunn, County of Dane, hereby certify that the above resolution was adopted in a lawful meeting of the Town Board on Monday, August 20, 2018

Cathy Hasslinger
Town Clerk

Wednesday, August 22, 2018
Date

FINDINGS OF FACT FOR DENIED CONDITIONAL USE PERMITS

If the Conditional Use Permit application is denied, please complete the following section. For each of the standards, indicate if the standard was found to be satisfied or not satisfied. Please note the following from section 10.255(2)(b):

> *"No permit shall be granted when the zoning committee or applicable town board determines that the standards are not met, nor shall a permit be denied when the zoning committee and applicable town board determine that the standards are met."*

	PLEASE INDICATE THE APPROPRIATE FINDING FOR EACH STANDARD (CHECK ONE / STANDARD)
1. That the establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or welfare.	**1. ☑ SATISFIED / ☐ NOT SATISFIED**
2. That the uses, values and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by establishment, maintenance or operation of the conditional use.	**2. ☑ SATISFIED / ☐ NOT SATISFIED**
3. That 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.	**3. ☑ SATISFIED / ☐ NOT SATISFIED**
4. That adequate utilities, access roads, drainage and other necessary site improvements have been or are being made.	**4. ☑ SATISFIED / ☐ NOT SATISFIED**
5. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.	**5. ☑ SATISFIED / ☐ NOT SATISFIED**
6. That the conditional use shall conform to all applicable regulations of the district in which it is located.	**6. ☑ SATISFIED / ☐ NOT SATISFIED**

THIS SECTION IS RESERVED FOR FURTHER EXPLANATION OF THE FINDINGS: