TOWN BOARD ACTION REPORT – CONDITIONAL USE PERMIT

Regarding Petition # 2437 Dane County ZLR Committee Public Hearing Monday, September 17, 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: 6 **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)All facilities and improvements shall be constructed and installed as detailed in the site plan dated July 9, 2018; 2)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; 3)Any graphic messages or advertising must comply with Dane County Ordinances. 4) Fencing and locks must be provided to secure the site. No barbed wire or razor wire fencing is permitted; 5) The tower shall be galvanized and not painted any other color without approval of the Town of Dunn. The use of mottling as a camouflage is encouraged; 6) The communication tower and any antennas shall not be lighted except as required by the Federal Aviation Administration or other lawful authority; 7) 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.

The tower is proposed within the Town's Environmental and Cultural Resources Protection Area and the Town does not allow development within this corridor. The Environmental and Cultural Resources Protection Area gives the Town an indication that there is an environmentally sensitive area in this location. In this case, it is indicating there is the wetland and a setback area. The proposed site would be further from the road and cause less interference with the current agricultural operations than if it was located outside of the environmental corridor. Additionally, the Town has not been made aware of any natural feature, plants, or wildlife that is located within this environmental corridor. As long as the development proposal is outside of the 100-foot wetland setback, development within the environmental corridor could be considered allowable.

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, September 17, 2018

Cathy Hasslinger
Town Clerk

Wednesday, September 19, 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: