

SPECIAL MEETING OF THE BOARD OF ADJUSTMENT 12-14-00

The special meeting of the Norwalk Board of Adjustment was held in the Council Chambers of Norwalk City Hall, 705 North Avenue, Norwalk, Iowa. Chairperson Joe Smith called the meeting to order at 7:00 p.m. Present at roll call: Joe Smith, Jan Sparks, Chad Stevens and Christin Grant. Absent: Randy Frescoln.

City Staff present: Jeff Wren, Community Development Director/Planner.

Wren administered oaths of office to Joe Smith and Jan Sparks.

00-012 – Motion by Stevens, seconded by Sparks, to approve the agenda as presented. Approved 4-0.

00-013 – Motion by Grant, seconded by Stevens, to approve the minutes of the February 19, 2000 meeting as presented. Approved 4-0.

Chairperson Smith welcomed the guests present and opened the Public Comments portion of the meeting. With no guests wishing to speak Chairperson Smith moved on to the New Business portion of the meeting.

Smith told the Commission about the first thing on the agenda. Bruce Gates, Wireless Facilities, Inc., representing AT&T Wireless. Gates explained the tower and site plan to the Commission. This will be almost a mirror of the previous tower approved for the same area. This will also be designed to accommodate other companies should they request to have a tower in the Norwalk area. The first wish was to place a tower on the old water tower. This being torn down in the near future it was not a possibility. This will be the same except there will be no building. There will be landscaping around the front of the site. There will be a retaining wall on the backside to hold up the wall.

There will be no barbed wire on the fence as it is illegal according to the ordinances of the City of Norwalk.

Wren told the Commission about the comments by the Planning and Zoning Commission. The Commission wanted more plantings closer together than the 10' being proposed by the company. The staff wants a co-location agreement with the company so that it will limit the number of towers that will be in the City of Norwalk. Wren felt this was a pretty straight forward.

Smith questioned the number of other carriers that would be allowed on the tower. Gates stated there will be 3 cabinets on the site another carrier would have to set their own cabinets. There is room for 2 more carriers on the tower.

The interior will not be all-concrete. Just strips of concrete where the pads will be. Wren stated the other tower is asphalted. Wren was not aware this would not be all hard surfaces. The access road and the compound area must be hard surfaces. Wren stated the Board has the power to waive the requirement of the zoning ordinance. Gates stated the access road will be hard surfaced. The purpose of the requirement is preventing rock from spilling out onto city property. Gates did not feel that the asphalt would not be a problem. Gates felt the school must approve all of the plans.

Smith asked if the drive coming off the Verizon drive would be a problem. Gates stated the school owns the drive and so that this should not be a problem.

Smith questioned who carries insurance on this type of construction. Gates stated the carrier would carry the insurance.

No calls no letters on this.

00-014 - Motion by Sparks, seconded by Grant, to close the public portion of the meeting. Approved 4-0.

Smith closed the meeting to the public and opened it for the Board for comments.

Christin stated she felt everything should match the Verizon with consideration of the equipment. She was comfortable with the fact that the cabinets are locked. Felt there should be consistency in the different towers.

Wren stated he would check to see if Verizon has put barbed wire on their fence and if they have hard surfaced everything that was required by the Board.

Grant feels cell-phone towers are an eye sore and it alarms her that the new carrier can not contact the Verizon Company.

Wren explained the waiting period before the building permit can be issued.

00-015 - Motion by Stevens, seconded by Sparks, to approve BOA Docket No. 00-4 with the following conditions:

1. Co-Location agreement must be signed
2. Engineering must be done and meet City requirements
3. Entire area must have hard surface

Approved 4-0.

BOA Docket No. 00-5 Request for special use permit to use property located west of the NBC along West Wright Road for a sports-park complex.

Dan Knox, lives south of park, has a couple concerns run off. Liability of people 613 Delaware, crossing his property. Is he liable if someone gets hurt.

Nancy Kuehl, Park and Rec. Director felt Knox had a reasonable concern because soccer balls could fly over the fence.

Wren explained the grading permit process and what is required to help control the water run off to other properties. The City will work with the contractor and the owner of the property.

Smith questioned the elevations of the land in comparison to the adjoining property. Kuehl felt there was a potential problem. Wren stated by law we cannot increase the erosion or water flow on to any one else's property.

00-016 - Motion by Grant, seconded by Stevens, to approve BOA Docket No. 00-5. Approved 4-0.

00-017 - Motion by Sparks, seconded by Grant, to adjourn the meeting at 7:00 pm. Approved 4-0.