

SPECIAL MEETING OF THE BOARD OF ADJUSTMENT 2-29-00

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, Randy Frescoln and Christin Grant. Absent: None.

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

Chairperson Smith administered Oath of Office to Chad Stevens, 1151 Pinehurst Circle.

00-001 – Motion by Frescoln, seconded by Sparks, to approve the agenda as presented. Approved 5-0.

00-002 - Motion to approve the December 30, 1996 and the September 18, 1998 meeting as presented. Approved 5-0.

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.

Wren explained to the Board there is a good video from Iowa State University explaining the duties of the Board of Adjustment. Wren will check on getting the video for the Board to watch.

SPECIAL USE PERMIT REQUEST BY NORWALK SCHOOL DISTRICT FOR A CELLULAR COMMUNICATIONS TOWER.

Chris Pose, representing Des Moines MSA General Partnership land manager for Air Touch Cellular Service Tower Facilities in Central Iowa, who wants to erect a 150' monopole cellular tower at the Norwalk Community School Districts Mineart Football Field. This would be located in the southeast corner. This will replace a light pole at the field and will have the lights remounted on the new tower. There will be an access drive and equipment shed at the sight. They agree to the all staff recommendations made to them before the meeting; they would build the tower so that some one else could co-locate on the same pole; they will work with staff on the exterior of the building covering; barbed wire on the fence; transformer will be the same as the green boxes in the residential areas-this will be locked with Mid-American Energy having the only key.

Smith questioned if this is a metal pole. Pose answered it is, was this a problem?

Frescoln, also, questioned if the height of the tower will increase the likely hood of a lightning strike.

Ron Sampson, 1530 East Army Post, Des Moines, stated the towers are grounded in such a way that if lightning struck it would be sent directly to the ground. He stated he did not have the statistics but the 150' towers do not seem to be hit.

Grant questioned if it is similar to the ones around the Des Moines area. Pose answered the height depends on the location.

Grant asked the distance from the track and the middle school. Pose answered this will not be a problem as they are designed to collapse on themselves and not fall over.

Wren questioned the barbed wire on the north side. Pose answered there will be no barbed wire on the north side on the existing fence.

The Board felt the applicant should have to go into a co-location agreement unless it would interfere with their transmission.

Frescoln asked who would decide if the maintenance building would be concrete or brick. Wren stated it was this Board. The Board can place any further requirements on this site plan approval that the Board deems necessary.

Grant questioned the trees and shrubs around the building. Pose answered there will be trees and shrubs around the building as shown on the site plan.

Frescoln question whose recommendations would be included in the agreement, Staff or Planning and Zoning Commission's? He still has some concerns on a 150' tower on school property.

Smith stated you have to rely on the expertise of staff and the fact that they have done their homework.

Sparks stated she would like an 8' chain link fence instead of 6' fence around the site with barbed wire on the 8' fence.

Frescoln has reservations about this tower.

Grant stated she feels more comfortable with this because both the school and P & Z has looked at this and approved it or at least made recommendations to approve it.

Frescoln questioned if the tower falls down and hits a kid who is liable. Wren answered basically everyone is liable. Pose stated there is insurance as part of the lease to protect against any of these problems.

Smith asked if there had been any written comments. Wren answered not to his knowledge.

Sparks asked if this tower is removed what happens.

John Nelson, Iowa Realty, consultant with AirTouch, the building would be removed if the lease were not renewed. The area would be put back to its original condition. There has been only one removed in 9 years.

Wren if the tower is abandoned anyone wishing to use this tower would have to go thru the same process.

Smith asked when be the project scheduled to start and finish. John answered when everything is approved then equipment is ordered. The tower and maintenance building will go up very quickly. It is scheduled to be done this year depending on when all the paper work gets done. Then the FAA permit will be applied for.

Smith asked if lights are required on a tower of this height. Pose answered not on tower of less than 200'.

00-003 – Motion by Grant, seconded by Sparks, to approve the Special Use Permit requested by Norwalk Community School District for a Cellular Communications Tower with Staff approval, the recommendations of Planning and Zoning Commission and the addition of an 8' chain link fence with barbed wire on top and brick on outside of maintenance building matching the brick on the middle school on all sides. Approved 5-0.

NOTE: City staff determined barbed wire is not allowed under the City of Norwalk code. This part of the motion is null and void.

SPECIAL USE PERMIT REQUEST BY CITY OF NORWALK FOR CONSTRUCTION OF MUNICIPAL WATER TOWER.

Grant questioned if there is plans for a fence around it. Wren answered no.

There was discussion as to why the permit was not obtained before construction. The Board approved the permit as presented.

00-004 – Motion by Stevens, seconded by Grant, to approve the Special Use permit request by the City of Norwalk for construction of a Municipal Water Tower as presented. Approved 5-0.

00-005 – Motion by Frescoln, seconded by Stevens, to adjourn the meeting at 8:00 PM. Approved 5-0.

Joe Smith, Chairperson

Jeff Wren, Community Development Director