

### PLAN COMMISSION AGENDA

### Tuesday, January 28, 2020 6:00 PM

- 1) Call to Order
- 2) Pledge of Allegiance
- 3) Roll Call
- 4) Public Participation (Non-Agenda Harrison Related Items)
  Please be advised per State Statute Section 19.84(2), information will be received from the public; be further advised that there may be limited discussion on the information received; however, no action will be taken under public comments.
- 5) Approve Minutes
  - November 26, 2019
- 6) Convene Meeting and Enter Public Hearing
  - a. Conditional Use Permit Driscoll Properties, LLC N. Coop Road
- 7) Close Public Hearing and Reconvene Regular Meeting
- 8) Items for Discussion and Possible Action
  - a. Conditional Use Permit Driscoll Properties, LLC N. Coop Road
  - b. Certified Survey Map Driscoll Properties, LLC N. Coop Road
  - c. Certified Survey Map Bella N6906 Ertl Road
  - d. Driveway Opening Welch W5581 Sumac Lane
  - e. Conditional Use Permit Cell Tower Tillman Infrastructure LLC Hwy 10
- 9) Items for Discussion
  - a. Report: Zoning Permits
- 10) Set Next Meeting Date
  - Tentatively February 25, 2020 at 6:00pm
- 11) Adjourn

Any person with hearing disabilities or requiring special accommodations to participate in the meeting should contact the Clerk's Office (920-989-1062) at least 24-hours prior to the meeting. This is a public meeting. As such, a quorum of the Village Board, Zoning Board of Appeals, or Committees may be in attendance. However, the only business to be conducted is for the Plan Commission.

Posted: January 21, 2020

### PLAN COMMISSION MEETING MINUTES – November 26 2019

- 1) The meeting was called to order in the Harrison Municipal Building by Chairman Hietpas at 6pm.
- 2) The Pledge of Allegiance was recited.
- 3) Roll Call: Members present were: Jim Fochs, Jim Lincoln, Buddy Lisowe, Kevin Hietpas, Pat Hennessey, and Dennis Reed. Darlene Bartlein was absent. Staff Present: Mark Mommaerts, Planner; Carie Krause, Deputy Clerk - Treasurer
- 4) Public Participation: None.
- 5) Motion (Fochs/Lisowe) to approve the minutes of October 29 2019. Motion carried 6-0.
- 6) Convene Meeting and Enter Public Hearing 6:03pm
  - a) Conditional Use Permit Cell Tower Tillman Infrastructure LLC Hwy 10: Planner Mommaerts introduced the item stating that Tillmann Infrastructure is requesting a Conditional Use Permit (CUP) in order to construct a wireless communications facility on the property located along Hwy 10, between Hwy 114 and County N, Location ID 33536. The proposed wireless communications facility will consist of a 180-foot tall self support lattice tower with a 9-foot lightning rod for a total height of 189-feet. It will be located within a 100-foot by 100-foot lease area on the property. The proposed tower will be constructed, owned, and managed by Tillmann Infrastructure. Upon construction, Verizon Wireless will install equipment on the tower at the 170-foot level. The tower will be unstaffed and will only require service technicians periodically, about once a month. Typical service vehicles will be pick-up truck/van sized.

The property is currently zoned General Agricultural [AG]. Wireless communication facilities are a conditional use in the AG zoning district. The zoning ordinance has a special provisions section for wireless communication facilities, which is attached. State Statutes also cover mobile tower siting regulations, SS 66.0404, which is attached. With some provisions, State Statutes preempt Harrison's zoning, including tower height and financial guarantee amount. In these instances, State Statutes will prevail and Harrison's provisions are not applicable.

One of the provisions of Harrison's is in regards to co-locations, Section 117-132(f)(4). The codes states that no new tower shall be permitted unless the applicant can demonstrate that no existing tower can accommodate the applicant's proposed antenna by meeting any one of the six criteria listed (Harrison Zoning Ord attachment page 4&5). The applicant is stating that criteria #5 pertaining to fees, costs, or contractual provisions of an existing tower apply. The applicant has a sworn statement from Verizon Wireless regarding fees and contractual provisions that are 30%-40% higher at the existing tower than the proposed new tower. The sworn statement also states that the existing tower (SBA) is no longer viable from an economic standpoint. The sworn statement is also a requirement of State Statue 66.0404(2)(b)6.

Basis for Approval: (from the Zoning Ordinance Section 117-319)

- 1.Zoning. The proposed use conforms to the underlying zoning district intent and design standards and is in harmony with the general purpose and intent of this chapter. Where there is an existing nonconforming structure, the design standards of the underlying zoning district may be waived by the plan commission and town board. Wireless Communication Towers are a conditional use in the AG Zoning District.
- 2.Plans. The proposed use conforms to the comprehensive plan and any other officially adopted plan. The Comprehensive Plan includes a goal to promote services and community facilities in order to meet the growing demand for such services.
- 3.Traffic. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets. There is limited traffic accessing the site and the proposed use should not negatively affect the traffic on Hwy 10.
- 4.Landscaping and screening. Appropriate landscaping and screening has been or will be provided to protect adjacent uses or properties from light, noise and other visual impacts that are associated with the proposed use as established in article VI, Access, Parking, and Loading and article IX, Landscaping and Screening Standards. The applicant is proposing a 6-foot wide landscape buffer strip surrounding the lease area.
- 5. Neighborhood compatibility. The proposed use is compatible with the predominant or prevailing land use of the neighborhood surrounding the proposed development and whether the proposed use creates a nuisance due to noise, odor, or dust. Currently there is limited development around the proposed lease area. The proposed use will have limited nuisance due to noise, odor, or dust, mostly during the construction process.
- 6.Services. Adequate facilities, access roads, drainage and/or necessary services have been or will be provided. Roadway access must be granted by WisDOT. Stormwater Management must be reviewed and approved by the Village.

Planner Mommaerts would like the Staff Memo dated November 26 2019 to be entered into the Public Hearing. Mike Bieniek of LCC Services (Rosemont IL) spoke in favor and on behalf of Verizon regarding the Cell Tower on Hwy 10 (ID# 33536) stating that there is one minor change to the initial plans, Verizon is proposing to do an equipment shelter with the same footprint as the original cabinet. Mr. Bieniek stated that all village and state rules are being followed and that an economic hardship is why this is CUP is being proposed.

Jake Remington of Husch Blackwell spoke in favor regarding the relocation of Verizon from the current SBA Tower to a new Tillman Tower. Mr Remington stated that the economic hardship is inflated pricing. Each time Verizon modifies or adds equipment their rent is inflated. Verizon will see a \$1.8 Million savings over 25 years if they move to the new location.

Robert Gagan of Conway, Olejniczak & Jerry, S.C.spoke against the CUP and on behalf of SBA, stating that Verizon did not prove a financial burden and that they have a contract with SBA until 2023. Mr. Gagan provided multiple handouts to the Plan

Commission including what a duplicate tower would look like and asked for the item to be denied or tabled.

A response from Bieniek/Remington included information of this being a duplicate tower, stating that if the other carriers on the current tower were to relocate to the Tillman tower, the SBA tower land would have to be restored to its original condition. Tillman was hired by Verizon to look within a specific search area, they reached out to residents, sent letters, etc. that's how they found the site. They then worked with the engineer at Verizon and worked with the landlord to get a lease in place. The reason the new tower is so close to the SBA tower is because it will replace that coverage.

Robert Gagan commented, don't buy the whoa is Verizon, get the additional information

- and see if the parties can work it out.
- 7) Close Public Hearing and Reconvene Regular Meeting 6:27pm
- 8) Items for Discussion and Possible Action
  - a) Conditional Use Permit Cell Tower Tillman Infrastructure LLC Hwy 10: Planner Mommaerts stated that he had nothing additional to add from the Public Hearing and that the issue will come down to is there an economic burden or not. Commissioner Fochs questioned the SBA rates in the letter as being 30-40% higher. Commissioner Hennessey questioned if there are other carriers on the existing tower. Bieniek/Remington stated that within Calumet County, it is 180% higher and that yes there are 4 others. They will look into who would be willing to relocate. Commissioner Hennessey asked if there is a deadline time table wise. Bieniek/Remington answered that the lease expires in 2023 but they don't know how long it will take, time is SBA's friend because if you don't have the tower up, Verizon can't move. Commissioner Lisowe asked how long it takes to build the tower. The answer came from Bieniek/Remington as the process taking about 9 months to a year. Planner Mommaerts asked if the landowner is willing to sign the lease? The answer is yes, it is already signed. Commissioner Fochs asked if this were to move forward, with the residential growth, what kind of distance would we need to be away from the tower, how would that restrict future growth? The answer is there would be no impact other than the leased area. Planner Mommaerts asked if the applicant would be open to an extension to which they agreed, a 30 day extension with a final date of February 14 2020. A form letter will be sent in to formally give the extension. The next Plan Commission meeting is January 29 2020 at 6pm. This item is tabled until the next meeting.

Motion (Fochs/Lisowe) to table the Conditional Use Permit for the Tillman Infrastructure LLC Cell Tower until January 28 2020.

Motion carried 6-0.

b) Preliminary Plat – Kimberly Heights 4 – Schmidt Road: Planner Mommaerts introduced the items stating that the developers, Dercks DeWitt LLC, have submitted a preliminary plat for Kimberly Heights 4, a 37-lot subdivision. This subdivision is located along Schmidt Road, east of County N. The property is currently zoned Single-Family Residential (Suburban) [RS-1] which is consistent with the rest of the subdivision. This is phase 4 of the Kimberly Heights subdivision. Stormwater management is expected to be accomplished through a combination of using the Van's Road regional stormwater

pond (off-site), other detention ponds within the subdivision may be required during the stormwater management plan review. There is a 50-foot strip of land designated Outlot 2 (OL 2). Outlot 2 is for future access to a future lot in the southeast corner to the subdivision. Access is planned for this route due to Schmidt Road being an access controlled roadway. A sewer and water easement between lots 146 & 147 is identified to extend utilities to the existing home and for a future home. Staff recommends conditional approval of the Preliminary Plat of Kimberly Heights with the following conditions:

- 1. Please provide a proposed Drainage and Grading Plan and a Utility Plan for verification of the appropriate sizing and location for all easements.
- 2. The existing property on Schmidt Road appears to drain into the proposed subdivision near Lots 145-148. Please ensure that the Drainage and Grading Plan accounts for drainage from neighboring properties. A private drainage easement will be required for any offsite drainage that is routed through the subdivision from private properties.
- 3. Please provide storm sewer sizing calculations to ensure that storm water can be conveyed to the regional detention facility for treatment.
- 4. If driveways for Lots 115 and 151 are to be installed off of Schreiber Lane extended, a temporary cul-de-sac will be required at the end of the road. If a temporary cul-de-sac is required, please show a temporary cul-de-sac easement to encompass the entirety of the cul-de-sac bulb.
- 5. The Final Plat shall include the statement, "No improvements are allowed within the areas reserved for public utility and drainage easements. Improvements include, but are not limited to, building structures, driveways, parking areas, sheds, landscaping or fences. Any improvement shall be allowed only by special exception of the Village of Harrison Zoning Administrator."
- Erosion Control Silt Fence shall be installed, in accordance with State Specifications, along the right-of-way line of all streets prior to roadway acceptance.
- 7. All lots shall have a storm sewer lateral provided for sump pump discharge.
- 8. All drainageways, drainage easement, and associated infrastructure shall be installed, graded and seeded prior to roadway acceptance.
- 9. All utilities, including but not limited to, sanitary sewer, water, storm sewer, gas, electric, cable, phone, shall be installed prior to roadway acceptance.
- 10. The Village Board shall accept the roadway in a graveled state prior to issuance of building permits and zoning permits.
- 11. All other improvements, including but not limited to, curb & gutter, concrete paving, sidewalks, shall be installed prior to issuance of building permits or zoning permits, unless the Village Board approves a Subdivision Development Agreement to allow for improvements to be installed at a later date.
- 12. All review comments from the Village staff shall be included in the Plan Commission discussion and decision.
- 13. Typical Street Section to be in accordance with the Village of Harrison Standard Specifications Manual for Concrete Streets.
- 14. High-back, integral concrete curb shall be utilized rather than the mountable curb.
- 15. If applicable, wetland determinations and/or studies shall be provided to the Village.

- 16. Location of all sidewalk curb ramps shall be approved by Harrison staff.
- 17. Final utility and street plans shall be reviewed and approved by the Village prior to approval of the Final Plat and prior to utility and street construction.
- 18. Benchmarks shall be established on all hydrant tag bolts.
- 19. All environmental corridors shall be clearly identified and setback lines to be indicated.
- 20. Grading/Drainage Plan shall identify elevations of ground at the foundation.
- 21. Streetlight at Dusty & Schmidt.
- 22. Outlot 2 to be removed, Engineer to submit revised plan.

Motion (Lisowe/Lincoln) to approve the Preliminary Plat for Kimberly Heights 4 with all 22 Staff Recommendations including #21 Street Lights #22 Outlot Removed.

Motion carried 6-0.

### 9) Items for Discussion

- a) Report: Zoning Permits: Single Family permits are down for the year, possibly due to the costs of construction. Creekside Estates is moving forward with winter construction, Hidden Pines has decided to halt construction until Spring.
- 10) Next Meeting Date: Tentative January 28, 2020 at 6:00pm.
- 11) Adjourn: Motion (Lisowe/Fochs) to adjourn the meeting at 7:05pm. Motion carried 6-0.

Prepared by: Carie Krause, Deputy Clerk - Treasurer

Dated: November 27 2019



PLAN COMMISSION MEETING

VILLAGE OF HARRISON

From:

Mark J. Mommaerts, AICP, Planner

Meeting Date: January 28, 2020

Title:

Conditional Use Permit - Driscoll Properties

Issue:

Should the Plan Commission recommend approval of a Conditional Use Permit to the Village Board for a multiple-family residential development?

### **Background and Additional Information:**

The applicant is proposing a multi-family residential development on property located along N Coop Road between Manitowoc Road and Midway Road. The development consists of 31 8-unit buildings (248-units) and 6 10-unit buildings (60-units) for a total of 308-units, all three-bedroom, two-bathroom units with attached garages. The developer is planned to complete the development in 5 phases. Phase 1 will consist of 5 8-unit buildings and 1 10-unit building (50-units total), entrance off Manitowoc Road and entrance off N Coop Road, associated driveways and garages, and a wet detention pond. Subsequent phases to have a varying number of units in each phase. A landscape buffer is proposed along N Coop Road and Manitowoc Road. A Comprehensive Plan Amendment and Zoning Map Amendment were approved for this development in October 2019.

### Conditional Use Permit:

The zoning ordinance requires a Conditional Use Permit for any multiple-family development greater than 3-buildings or greater than 24-units. The applicant is proposing a total of 308-units. Landscaping and buffering are proposed along the single-family residential uses to the east and south. Access is planned from Manitowoc Road and N Coop Road at two locations, Nettie Drive and Dahlia Drive. Staff suggests that future access to future Eisenhower Drive be planned.

Basis for Approval: (from the Zoning Ordinance Section 117-319)

- 1. Zoning. The proposed use conforms to the underlying zoning district intent and design standards and is in harmony with the general purpose and intent of this chapter. Where there is an existing nonconforming structure, the design standards of the underlying zoning district may be waived by the plan commission and town board. The proposed multi-family development is an allowable use in the MF zoning district.
- 2. Plans. The proposed use conforms to the comprehensive plan and any other officially adopted plan. The proposed multi-family development conforms to the Comprehensive Plan.
- 3. Traffic. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets. Entrances are proposed

onto Manitowoc Road and N Coop Road. East Central Wisconsin Regional Planning Commission identifies both Manitowoc Road and N Coop Road as 'Urban Collector' streets. Two-lane roads can often time handle daily traffic counts up to 8000-10,000. N Coop Road has average daily traffic counts around 1,800 and Manitowoc Road is around 2,200-2,700 (based on WisDOT TCMap data). The level of service may decrease during peak traffic times, especially during school drop-off/pick-up. Staff suggest access point(s) to future Eisenhower Drive.

- 4. Landscaping and screening. Appropriate landscaping and screening has been or will be provided to protect adjacent uses or properties from light, noise and other visual impacts that are associated with the proposed use as established in article VI, Access, Parking, and Loading and article IX, Landscaping and Screening Standards. The development plans indicate a line of plantings along the south and east sides. The development proposes attached 2-car garages and minimal outdoor parking areas so any parking or lighting impacts from vehicles will be similar to a typical subdivision development.
- 5. Neighborhood compatibility. The proposed use is compatible with the predominant or prevailing land use of the neighborhood surrounding the proposed development and whether the proposed use creates a nuisance due to noise, odor, or dust. The multifamily residential proposed will be a buffer between the commercial development along future Eisenhower Drive and the single-family homes to the east. Landscape screening and buffering should be utilized to further reduce potential conflicts. The development is mostly residential which is the predominant land use to the east.
- 6. Services. Adequate facilities, access roads, drainage and/or necessary services have been or will be provided. Sanitary sewer and water can be provided to the site. Stormwater management is proposed on-site.

### **Findings of Fact:**

• Property owners within 300-feet of the subject property have been notified via first-class mail.

### Recommended Action:

Staff recommends approval the Conditional Use Permit with the following conditions:

- 1. Development shall receive Site Plan Review, Harrison Utility, Stormwater Management & Erosion Control, Zoning Permit, and Building Permit approvals prior to starting any construction.
- 2. Public sewer and water easements will be required through the development. Please work with the Public Works Department and Harrison Utilities to meet all utility specifications.
- 3. The water looping main shall be 10-inch water mains. Please work with the Public Works Department and Harrison Utilities to meet all utility specifications.
- 4. All exterior parking area lighting shall be direct cut-off fixtures to reduce/eliminate any glare.
- 5. Any dumpster enclosures shall be review and approved in accordance with zoning provisions (no dumpster enclosures are anticipated; single cart refuse is proposed).
- 6. Access to future Eisenhower Drive shall be planned. Upon construction of Eisenhower Drive, development owner agrees to construct access point(s) as approved by the Village within 1-year of Eisenhower Drive completion.

- 7. Additional landscape screening along Midway Road shall be provided.
- 8. Landscape berms shall be constructed as indicated on plan set and to be built according to phasing schedule, or sooner.
- Please note that a Notice of Intent (NOI) shall be filed with the Wisconsin Department of Natural Resources. A permit application and the Certificate of Coverage will be required before site plan approval is granted.
- 10. It appears that some wetlands are to be filled/graded as a part of construction. Wetland fill permits may be required with the WDNR. Please provide approvals when they are received, if required.
- 11. Please ensure that a Storm Water Management Report is provided that will outline how the Post-Construction Storm Water Requirements for the development will be met. If not all detention facilities are to be installed as a part of the first phase, please ensure that each phase will meet the requirements as the site develops.
- 12. An Erosion Control Plan and site details (structures, detention basins, etc.) will be required for review. Please ensure that all information is provided for review.
- 13. Insets may be required for certain plan sheets for visibility; specifically the Drainage Plan and the Utility Plan.
- 14. All provisions of the zoning ordinance and all other Village ordinances shall be met.
- 15. Any comments or revisions from Village staff during the site plan review process shall be incorporated as conditions of approval.
- 16. All necessary permits shall be obtained prior to construction.

### Attachments:

- Project Narrative
- Plan Set

### **Driscoll Luxury Properties**

### **Project Narrative**

### Description:

The project consists of 31 eight unit apartments and six ten unit townhomes for a total of 308 units. The buildings all include 3 bedrooms, 2 baths and attached garages for all units. The plan also includes several supplemental garages for the residents. The intent is to provide luxury homes with premium finishes and appliances. The anticipated rents will be in the range of \$1,200 to \$1,700 per month. The apartments will be market rate and not be subsidized housing. The overall density of the project is 5.9 units per acre, which would be considered low density multi-family.

There will be an onsite manager with 8am to 5pm working hour during the week. The manager is on call 24/7 in the event of an emergency. Lawn care and snow removal maintenance will be contracted. Trash removal will be contracted for curb side pickup with a private hauler.

### **Traffic**

If the entire 72 acres were developed as residential single family, it could be expected to yield up to 194 lots or homes. Average number of trips generated is 9.57 per home, or 1,856 per day. In comparison, a low rise apartment would generate 6.59 per home. A rental Townhome generates 5.86 trips per home. The total traffic generated from this project is then 1,986, which is only 7% more than potentially what is could be if single family homes. These estimates are based from the Institute of Transportation Engineers Trip Generation manual, 6<sup>th</sup> edition.

As planned, the site has one entrance/exit point onto Manitowoc Road and 2 from Coop Road. Midway Road along the north boundary is a restricted access County Highway. The County would allow a temporary construction access if requested prior to the development of Eisenhower. Since phasing begins on the south and will progress north, it is unclear at this point if the timing will allow for the developer to use Midway as a construction entrance, but if the timing allows, it will be pursued.

### **Sewer and Water Utilities**

The project will be served by Harrison Utilities, but also borders City of Appleton on the north and Darboy Sanitary District on the east. It is proposed at this time that the sanitary sewer and water mains will be public within an easement with access granted to the district and Village for access to maintain the facilities. Since connection to water mains outside the district will be prohibited a second connection for water main is planned onto Eisenhower Drive when it becomes available.

### **Storm Water Management**

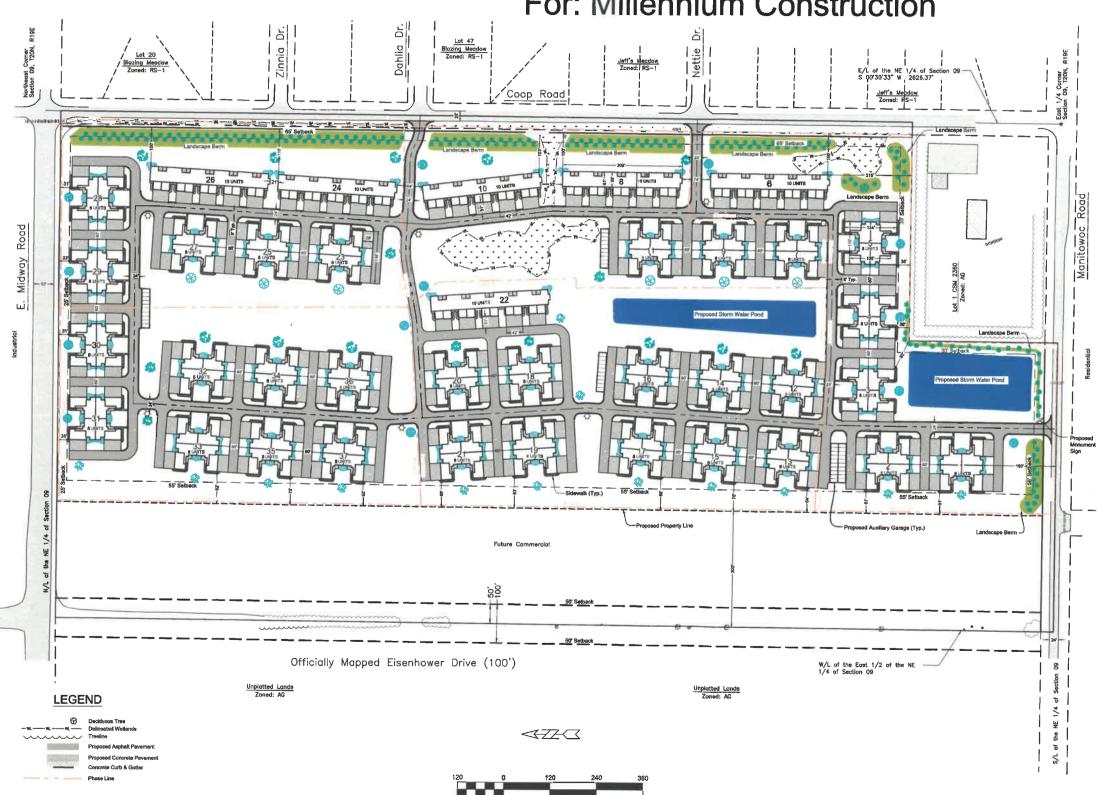
The property will be served by two storm water ponds. The storm water ponds will be designed to treat storm water runoffs in accordance with State and Local regulations. In addition peak discharges will be analyzed at the point of discharge in consideration of safe outlets and potential for flooding.

### **Outside Storage**

Each unit will have an attached garage and additional garage space will be made available to those who may desire; therefore outside storage materials, equipment, or vehicles will be prohibited. Guest parking is available in each unit's driveway. Parking would not be considered storage.

### **Driscoll Luxury Properties**

Village of Harrison, Calumet County, WI For: Millennium Construction





### **Project Information**

N. Coop Rd. & E. Midway Rd. Appleton, WI 54915 Parcel # 44056

832,396 SF (34.73%)

247,897 SF (10.34%) 63,761 SF (2.66%) 190,887 SF (7.96%) 329,851 SF (13.76%)

Building Unit Total = 308 Units

- Notes:

  1. 6 apartment buildings with 10 units each.
  2. 31 apartment buildings with 8 units each.
  3. Snow storage shall be located beyond pavement in lawn areas.
  4. Exterior lighting shall consist of light fixtures on the exterior of the buildings only. Pole mounted fixtures shall supplement lighting as needed. See Utility Plan.
  5. Trash collection will be curbside per contract with private hauler.

SHEET INDEX:

Sheet Site Plan

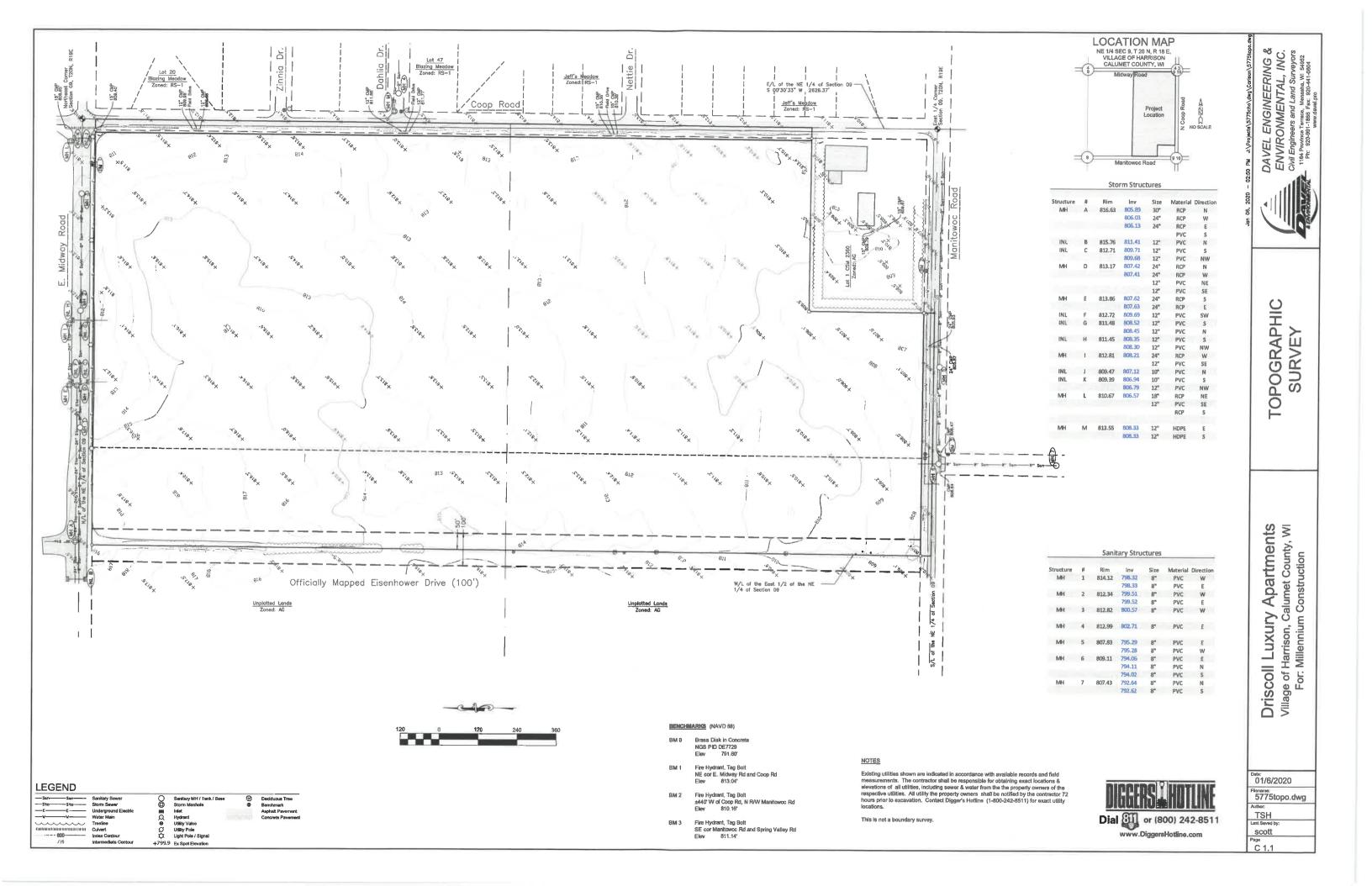
### SITE PLAN

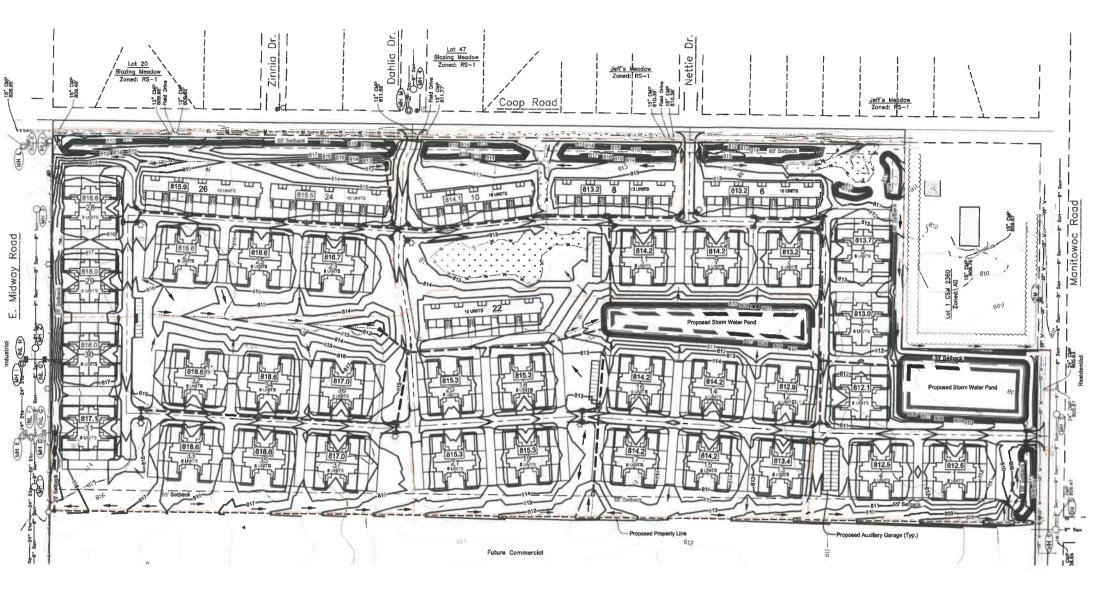


**DAVEL ENGINEERING &** ENVIRONMENTAL, INC.

Civil Engineers and Land Surveyors

Project Number: 5775





LEGEND

Proposed Storm Sewer
Proposed Contour
Proposed Swale
Proposed Culvert
Adjacent Plat Grade
Prop. Lot Corner Elevation
Proposed Spot Elevation
Existing Grade [607.86] 608.73 ×608.73

Sanitary MH / Tank / Base
Clean Out / Ours Step / Pull Box
Storm Marshole
Iniet
Catch Basin / Yard Drain
Water MH / Weil
Hydrant
Utility Vadve
Utility Meter
Utility Pote
Light Pole / Signat
Guy Wira
Electric Pedestal
Electric Transformer
Air Conditionar
Telephone Mershole +799.9 Ex Spot Elevation Proposed Slorm Maninde
Proposed Curb Inlet
Proposed Curb Inlet
Proposed Endwell
Proposed Endwell
Proposed Rip Rap
Proposed Ri

CATV Pedestal
Gae Regulator
Rallroad Signal
Sign
Tower / Silo
Post / Guard Post
Satellite Dish
Large Rock
Flag Pole
Dedklaous Tree
Gordinous Tree
Bush / Hedge
Stump
Marsh
Soil Boring
Benchmark
Asphalt Pavement
Concrete Pavement
Gravel

 $\triangleleft$ ZZ $\triangleleft$ Z

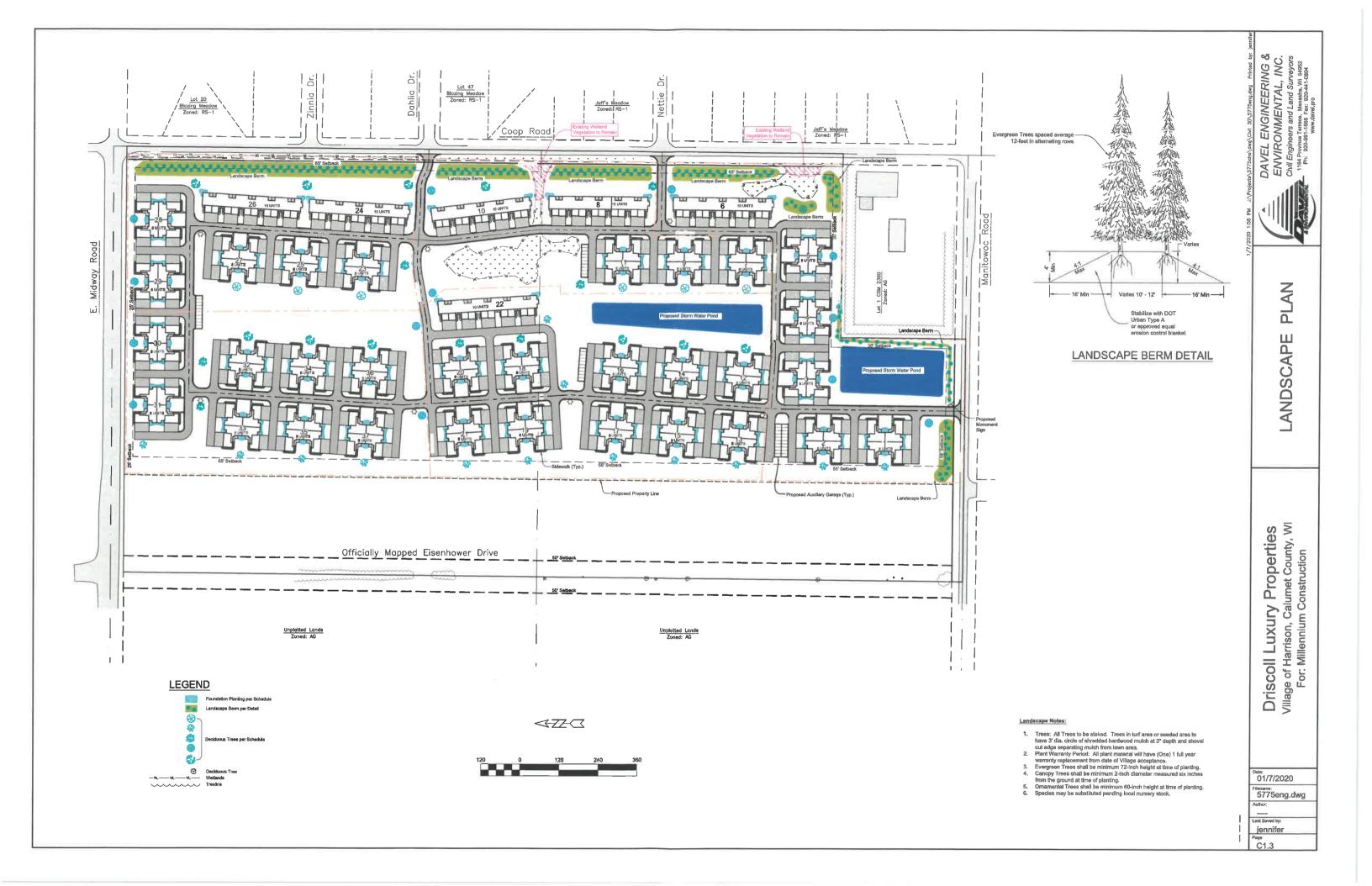
Driscoll Luxury Properties
Village of Harrison, Calumet County, WI
For: Millennium Construction

DAVEL ENGINEERING & ENVIRONMENTAL, INC.
Civil Engineers and Land Surveyors
1164 Province Tenses, Monasha, WI 6592.
Phr. 920-991-1889 Fax: 820-441-0804
www.daeval.pup.

**DRAINAGE PLAN** 

Date: 01/7/2020 Filename: 5775eng.dwg

jennifer Page C1.2



Last Saved by: Jennifer Page

님 Jaff's Mead Zoned: RS-65' Setback 8 erianu oi шш 24 10 UNITS 10 UNITS 22 30' Sethack

Sewer and Water shall be constructed in accordance with the State of Wisconsin Standard Specifications for Sewer and Water Construction, and all Special Provisions of the Village of Harrison.

Streets shall be constructed in accordance with the State of Wisconsin Standard Specifications for Highway and Structures Construction, and all Special Provisions of the Village of Harrison.

Contractor shall locate all buried facilities prior to excavating. This plan may not correctly or completely show all buried utilities.

The Contractor shall verify all staking and field layout against the plan and field conditions prior to constructing the work and immediately notify the Engineer of any discrepancies.

The Contractor shall comply with all conditions of the Erosion Control Plan and the Storm Water discharge Permit. All Erosion Control shall be done in accordance with the Plan and Wisconsin DNR Technical Standards.

The outside services are shown to stop at a point 5 feet outside the foundation wall. The Contractor shall be responsible for coordination of continuation of the services into the building to properly coincide with the interior plumbing plans, and compliance with all plumbing permits.

The Contractor is responsible for compliance with Department of Safety & Professional Services, Chapter SPS 382, for lateral construction and cleanout locations.

The contractor shall coordinate with provider for electric, gas, and telecommunication service connection and relocations.

Pipe lengths are measured to center of structure. Endwalls are included in pipe length Water Pipe shall be PVC C900 D(18), with minimum of 18 gauge, insulated (blue),

single-conductor copper tracer wire, or equivalent, per SPS 382.40 (8)(k).

Sanitary Sewer Pipe shall be SDR(35) for mains and Schedule 40 for services, with minimum of 18 gauge, insulated (green), single-conductor copper tracer wire, or equivalent, per SPS 382.30 (11)(h). Storm Sewer Pipe shall be PVC SDR(35), Reinforced Concrete Class III, or HDPE, AASHTO M 294, Type S with soil tight joints, with minimum of 18 gauge, insulated (brown), single-conductor copper tracer wire, or equivalent, per SPS 382.36 (7)(d)10.a.

For Apartment Buildings:

Sanitary laterals shall be 6" Ø, installed at 1/8" per foot; water laterals shall be 4" Ø.

Sanitary laterals shall be 6" Ø, installed at 1/8" per foot; water laterals shall be 4.0" Ø.

**LEGEND** 

Underground Ceble TV
Underground Fiber Optic
Overhead Electric Lines
Utilly Guy Wire
Sanitary Sewer
Sum Sewer
Underground Electric
Underground Gas Line
Underground Gas Line Underground Telephone
Water Main
Fence - Steel Fencia - Steel
Fencia - Wood
Fencia - Wood
Fencia - Wood
Fencia - Wood
Fencia - Wellands
Freedrie
Fencia - Wellands
Fen

Intermediate Contou Proposed Storm Sewer
Proposed Staritary Sew
Proposed Water MiniProposed Water MiniProposed Confour
Proposed Confour
Proposed Culvert Sanitary MH / Tank / Base

Sanitary MH / Tank / Base
Clean Out / Curb Stop / Pull Box
Storm Marshot
Intel

+799.9 Ex Spot Elevation

Proposed Sanitary Manhole Proposed Storm Manhole Proposed Curb Inlet Prop. Catch Bastin / Yard Drain Proposed Endwall Proposed Hydrant Proposed Valve Proposed Curb Stop Proposed Ceanout

CATV Pedestal Gas Regulator Rairoad Siyari Sign Tower / Sio Post / Quard Post Stellite Bish Large Rock Flag Pole Deckbour Tree Deckbour Tree Bush / Medge Stump Marah Marah Asphalt Pavament Concrete Pavament Gravel

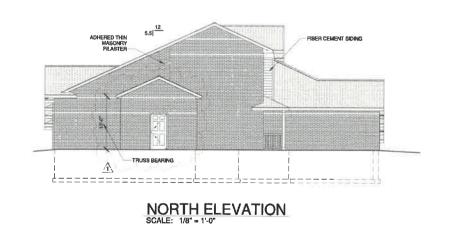
CATV Pedestal

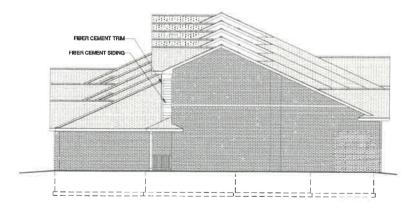
Proposed Reducer Proposed Plug Proposed Weter MH Proposed Tee Proposed Cross Proposed 90° Bend Proposed 45° Bend Proposed 42°,5° Bend Proposed 42°,5° Bend Proposed Street Light

<<del>₹</del>72-<









SOUTH ELEVATION SCALE: 1/8" = 1'-0"

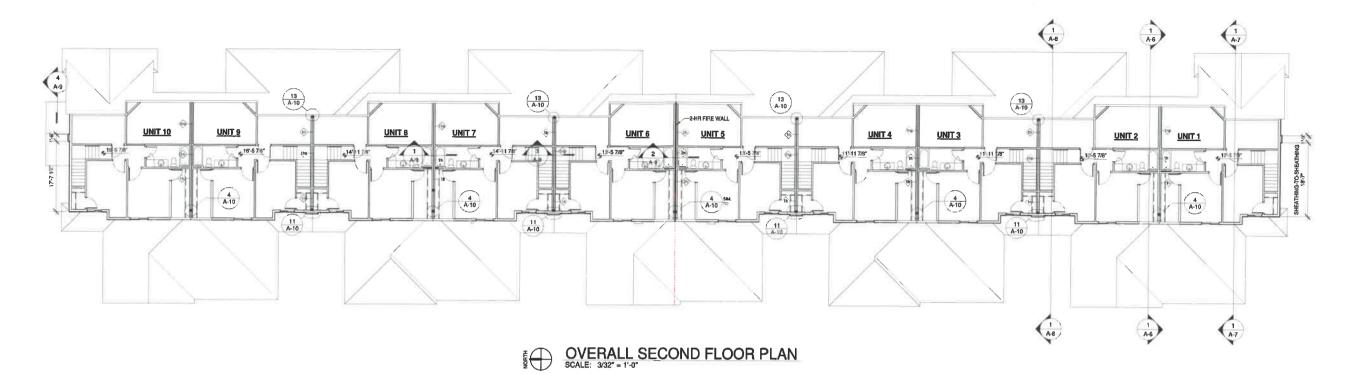
VOT FOR CONSTRUCTION

ADDRAWN BAR G.O.

Parent Services - Designers - But the construction of the construc

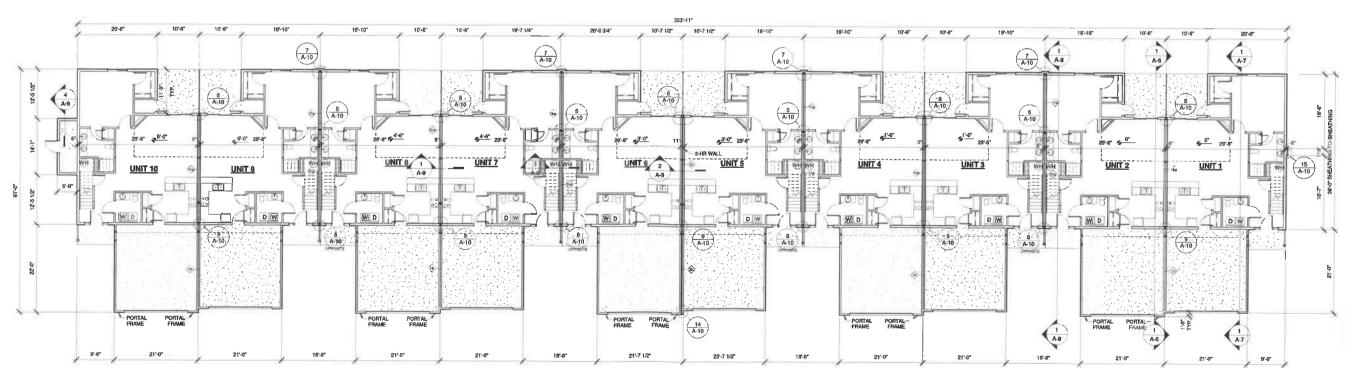
Witten dinentions on hase drawing Contractors stall worky and be respon (Gober & Aspociates shall be motified confidents shown by these drawings arrangements. To plose indicated popolary of Knibord (Aspociates, March written parmission of Kolace & Associates. Witten parmission of Kolace & Associates.

RIGHT © 2015 KLOIBER & ASSOCIATES, Inc.



### FLOOR PLAN GENERAL

- DIMENSIONS FOR INTERIOR WALLS ARE BASED ON STUD-TO-STUD,
- DIMENSIONS FOR EXTERIOR WALLS ARE BASED ON



Written dimension Contractors shall Noiser & Associations shown conditions shown property of, Klob by or disclosed to written permission written permission

OVERALL FIRST FLOOR PLAN SCALE: 3/32" = 1'-0"

RIGHT @ 2015 KLOIBER & ASSOCIATES, Inc.

**GENERAL CONSTRUCTION NOTES** 

EXTERIOR WALLS ARE DIMENSIONED TO FACE OF SHEATHING. INTERIOR WALLS ARE DIMENSIONED STUD TO STUD UNLESS NOTED OTHERWISE.

ALL INTERIOR PARTITIONS ARE TYPE 1 UNLESS NOTED OTHERWISE ON ENLARGED PLANS, SEE WALL TYPES.



425 W. WISCONSIN AVENUE APPLETON, WISCONSIN 54911 PH: 920.882.8700 FAX: 920.882.8699

# DRISCOLL LUXURY PROPERTIES

SIONS
DESCRIPTION
-
-
-
-
CHECKED
-
ECT NO.

PRELIMINARY NOT FOR CONSTRUCTION

SHEET NO. A1.1

1-0538-033 DATE 01-07-2020

GENERAL CONSTRUCTION NOTES

EXTERIOR WALLS ARE DIMENSIONED TO FACE OF SHEATHING. INTERIOR WALLS ARE DIMENSIONED STUD TO STUD UNLESS NOTED OTHERWISE.

ALL INTERIOR PARTITIONS ARE TYPE 1 UNLESS NOTED OTHERWISE ON ENLARGED PLANS, SEE WALL TYPES.

SEE BUILDING SECTIONS AND WALL SECTIONS FOR EXTERIOR WALL CONSTRUCTION.



425 W. WISCONSIN AVENUE APPLETON, WISCONSIN 54911 PH: 920.882.8700 FAX: 920.882.8699

# DRISCOLL LUXURY PROPERTIES

REVI	SIONS
DATE	DESCRIPTION
•	-
	-
	T -

DRAWN	CHECKED
ě:	17
PROJE	CT NO.
1-053	88-033

01-07-2020 SHEET NO.

A1.2

PRELIMINARY NOT FOR CONSTRUCTION



425 W. WISCONSIN AVENUE APPLETON, WISCONSIN 54911 PH: 920.882.8700 FAX: 920.882.8699

DRISCOLL LUXURY PROPERTIES

REVISIONS

DATE DESCRIPTION

DRAWN CHECKED PROJECT NO.

> 1-0538-033 DATE

01-07-2020

SHEET NO.

A2.1





EXTERIOR ELEVATION
A2.1 SCALE: 3/16" = 1'-0"

S EXTERIOR ELEVATION

SCALE: 3/16" = 1'-0"



EXTERIOR ELEVATION

SCALE: 3/16" = 1'-0"

PRELIMINARY NOT FOR CONSTRUCTION



**PLAN COMMISSION MEETING** 

VILLAGE OF HARRISON

From:

Mark J. Mommaerts, AICP, Planner

Meeting Date: January 28, 2020

Title:

Certified Survey Map - Driscoll Properties

### Issue:

Should the Plan Commission recommend approval of a Certified Survey Map to the Village Board for a multiple-family residential development?

### **Background and Additional Information:**

The applicant is proposing a 2-lot Certified Survey Map (CSM) as part of the multi-family residential development on property located along N Coop Road between Manitowoc Road and Midway Road. Lot 1 will be the commercial portion of the site and Lot 2 will be the multi-family residential development being proposed. The commercial area is adjacent to future Eisenhower Drive. The CSM dedicates portions of N Coop Road, Manitowoc Road, and future Eisenhower Drive to the public.

### **Recommended Action:**

Staff recommends approval the Certified Survey Map as submitted.

### **Attachments:**

- Aerial Map
- CSM



## Calumet County, WI

### Legend

Address Point
County Boundary
Wisconsin Water
Unincorporated Community

Town Boundary
Point of Interest

Parcel Boundary
Property Hook

PLSS Section
State Parks

County Parks

Lake River and Stream

Major Roads

Local Roads
Local Roads
Municipal Streets

Trail

Color 2018
Red: Band\_1

Blue: Band\_3

Green; Bend\_2

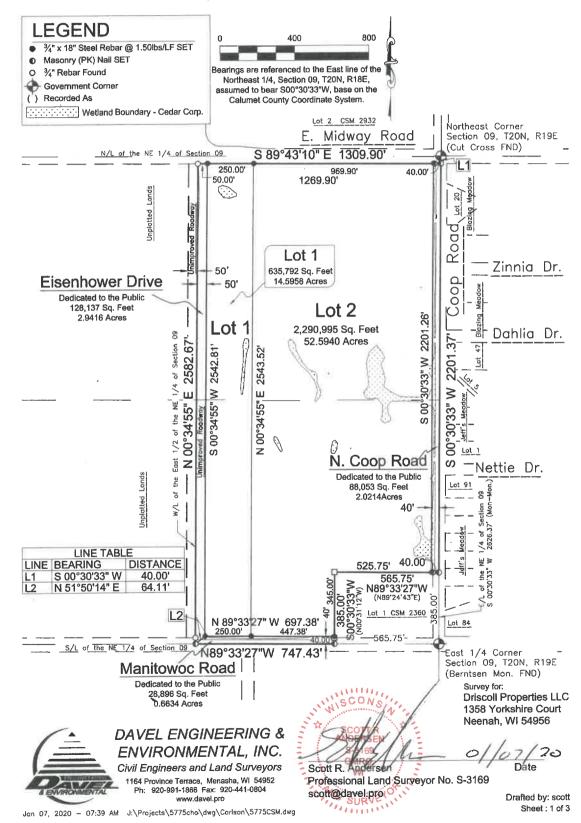
N 200 400 600ft

DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.



### Certified Survey Map No.

Part of the East 1/2 of the Northeast 1/4 of Section 09, Township 20 North, Range 18 East Village of Harrison, Calumet County, Wisconsin.



Certified Survey Map No
Part of the East 1/2 of the Northeast 1/4 of Section 09, Township 20 North, Range 18 East Village of Harrison, Calumet County, Wisconsin.
Surveyor's Certificate
I, Scott R. Andersen, Professional land surveyor, hereby certify: That in full compliance with the provisions of Chapter 236 of the Wisconsin Statutes and the subdivision regulations of the Village of Harrison, and under the direction of Driscoll Properties LLC, the property owners of said land, I have surveyed, divided, dedicated and mapped this Certified Survey Map; that such map correctly represents all exterior boundaries and the subdivision of the land surveyed; and that this land is located in part of the East 1/2 of the Northeast 1/4 of Section 09, all being in Township 20 North, Range 18 East, Village of Harrison, Calumet County, Wisconsin, containing 3,171,872 Square Feet (72.8162 Acres) of land described as follows:
Commencing at the Northeast 1/4 corner of Section 09; thence S00°30'33"W along the east line of the Northeast 1/4 of said Section 09, 40.00 feet to the point of beginning; thence continuing along said east line, S00°30'33"W, 2201.37 feet to the north line of Lot 1 of Certified Survey Map No. 2360; thence N89°33'27"W along said north line, 565.75 feet to the west line of said Lot 1; thence S00°30'33"W along said west line, 385.00 feet to the south line of the Northeast 1/4 of said Section 09; thence N89°33'27"W along said south line, 747.43 feet to the west line of the East 1/2 of the Northeast 1/4 of said Section 09; thence N00°34'55"E along said west line, 2582.67 feet to the south line of E. Midway Road; thence S89°43'10"E along said south line, 1269.90 feet to the point of beginning. Described parcel is subject to all existing easements, and restrictions of record.
Given under my hand this 07 day of January , 2020

### Owner's Certificate of Dedication

NO SURVEYOR

Scott R. Andersen Wisconsin Professional Land Surveyor No. S-3169

scott@davel.pro

of the State of Wisconsin, as the property	company duly organized and existing under and by virtue of the Law owner, does hereby certify that we caused the land above described ated all as shown and represented on this map.
We do further certify this Certified Survey following for approval or objection:	Map is required by s.236.10 or s.236.12 to be submitted to the
Village of Harrison Planning and Zoning	Committee
In the presence of: Driscoll Properties, L	.c
Hung-Liang Chou (Managing Member)	Date
State of Wisconsin )  )SSCounty)	
Personally came before me on the property owner(s) to me known to be the same.	day of, 20, the above the persons who executed the foregoing instrument and acknowledge th
	My Commission Expires
Notary Public, Wisconsin	

Certified	Survey	Мар	No.	
-----------	--------	-----	-----	--

Part of the East 1/2 of the Northeast 1/4 of Section 09, Township 20 North, Range 18 East Village of Harrison, Calumet County, Wisconsin.

Village Board Approval Certificate		
Resolved, that this certified survey map property owners, is hereby approved by		
Chairman	Date	
I hereby certify that the foregoing is a cop	py of a resolution adopted by the Vi	illage Board of the Village of Harrison.
Clerk	Date	
Treasurers' Certificate		
We, being the duly elected, qualified and hereby certify that in accordance with the taxes, or special assessments on and of	records in our office, there are no	unredeemed tax sales and unpaid
Village Treasurer	Date	
County Treasurer	Date	
This Certified Survey Map is contained w	holly within the property described	in the following recorded instruments:
the property owners of record: Driscoll Properties	Recording Information: Doc. 540636	Parcel Number(s): 44056 & 44454

Scott R. Andersen
Professional Land Surveyor No. S-3169

scott@davel.pro

Jan 07, 2020 ~ 07:40 AM J:\Projects\5775cho\dwg\Carlson\5775CSM.dwg

Drafted by: scott Sheet : 3 of 3



**PLAN COMMISSION MEETING** 

VILLAGE OF HARRISON

From:

Mark J. Mommaerts, AICP, Planner

Meeting Date: January 28, 2020

Title:

Certified Survey Map - Bella

**Issue:** 

Should the Plan Commission recommend approval of the Certified Survey Map?

### **Background and Additional Information:**

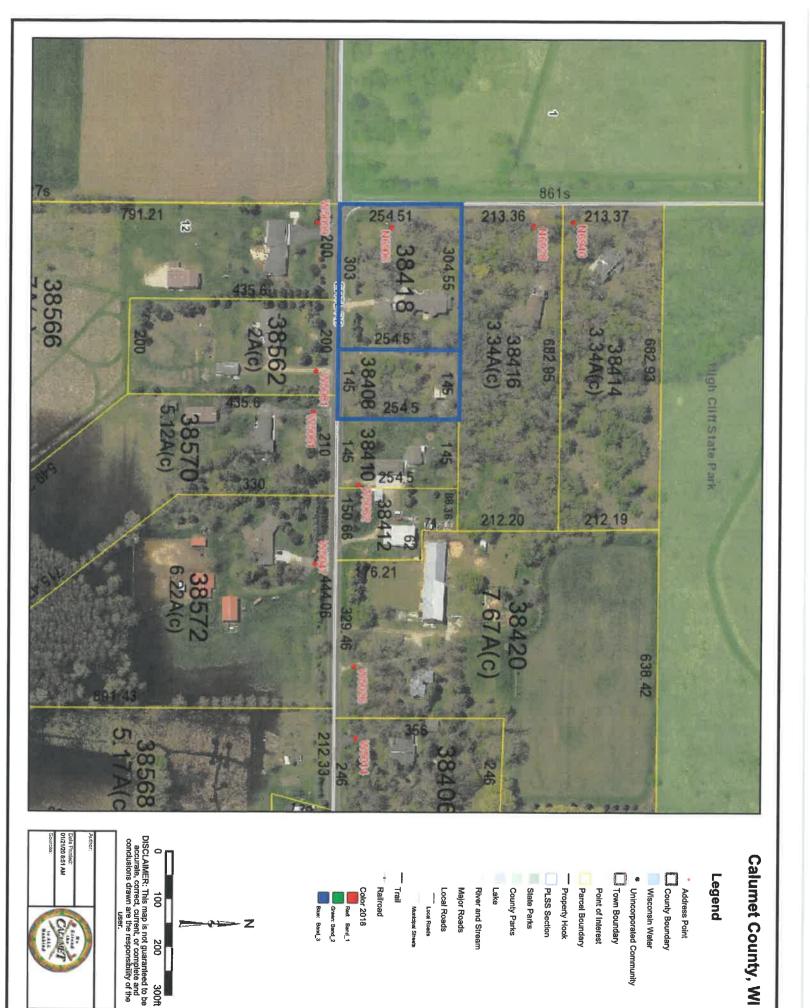
The applicant is proposing a 1-lot Certified Survey Map (CSM) in order to combine 2 properties into 1. The applicant owns parcels 38418 & 38408. Both parcels are currently zoned General Agricultural [AG]. The CSM will dedicate the right-of-way (ROW) for Ertl Road.

### **Recommended Action:**

Staff recommends approval of the Certified Survey Map request as submitted.

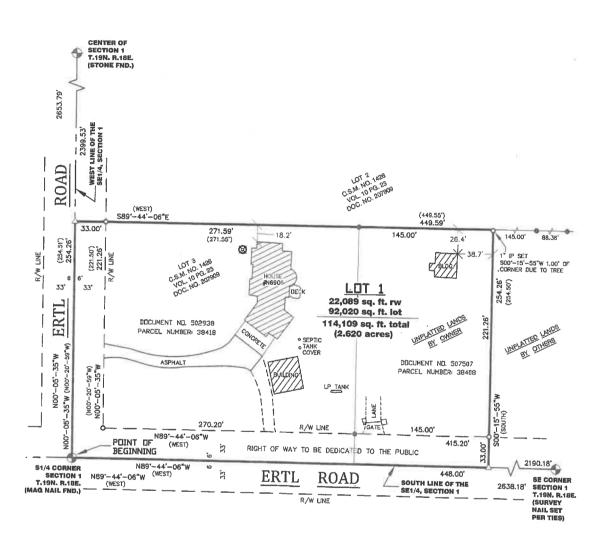
### **Attachments:**

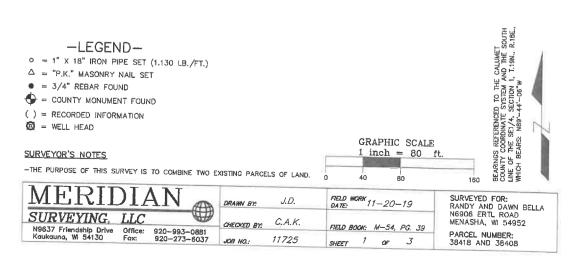
- Aerial Map
- CSM



### CERTIFIED SURVEY MAP NO.

ALL OF LOT 3 OF CERTIFIED SURVEY MAP NO. 1426, VOLUME 10, PAGE 23, DOCUMENT NO. 207909 AND OTHER LANDS LOCATED IN THE SW1/4 OF THE SE1/4, SECTION 1, T.19N., R.18E., VILLAGE OF HARRISON, CALUMET COUNTY, WISCONSIN





### STATE OF WISCONSIN) CALUMET COUNTY) SS

### CERTIFIED SURVEY MAP NO.

ALL OF LOT 3 OF CERTIFIED SURVEY MAP NO. 1426, VOLUME 10, PAGE 23, DOCUMENT NO. 207909 AND OTHER LANDS LOCATED IN THE SW1/4 OF THE SE1/4, SECTION 1, T.19N., R.18E., VILLAGE OF HARRISON, CALUMET COUNTY, WISCONSIN (Sheet 2 of 3)

### **SURVEYOR'S CERTIFICATE**

I, Craig A. Keach, Wisconsin Professional Land Surveyor of Meridian Surveying, LLC, certify that I have surveyed, combined, monumented, dedicated and mapped under the direction of Randall and Dawn Bella, All of Lot Three (3) of Certified Survey Map No. 1426, Volume 10, Page 23, Document No. 207909 of Calumet County Records and other lands located in the Southwest Quarter (SW1/4) of the Southeast Quarter (SE1/4) of Section One (1), Township Nineteen (19) North, Range Eighteen (18) East, Village of Harrison, Calumet County, Wisconsin containing 114,109 square feet (2.620 acres) of land and being described by:

Commencing at the South Quarter Corner of said Section 1 and the point of beginning; thence N00°-05'-35"W 254.26 feet (Recorded as N00°-20'-59"W 254.51 feet) along the West line of the SE1/4 of said Section 1 to the Northwest Corner of said Lot 3; thence S89°-44'-06"E 449.59 feet (Recorded as West 449.55 feet) along the North line of said Lot 3 extended east; thence S00°-15'-55"W 254.26 feet (Recorded as South 254.50 feet) to a point on the South line of the SE1/4 of said Section 1; thence N89°-44'-06"W (Recorded as West) 448.00 feet along the South line of the SE1/4 of said Section 1 to the point of beginning; being subject to any all easements and restrictions of record.

That such is a correct representation of all exterior boundaries of the land surveyed. That I have fully complied with the provisions of Chapter 236.34 of the Wisconsin Statutes and the Land Subdivision Ordinance of the Village of Harrison in surveying, combining, monumenting, dedicating and mapping the same.

Dated this	day of	, 2020.
Wisconsin Pro Craig A. Keacl	fessional Land Surveyor n, S-2333	-

### Survey Notes:

- This survey is wholly contained within Document No. 502938 and 507507
- This survey is wholly contained within Calumet County Parcel No.'s 131-0000-000000-000-0-191801-00-430H (Tax ID 38418) and 131-0000-000000-000-0-191801-00-430C (Tax ID 38408)
- Property Owner of Record: Randall S. Bella and Dawn M. Bella, as Trustees of the Randall S. Bella and Dawn M. Bella Revocable Trust dated November 24, 2014.

### **COUNTY TREASURER'S CERTIFICATE:**

in this minor subdivision as of this day of	npaid special assessments on any of the lands included, 2020.
Date	County Town

County Treasurer: Calumet County

### STATE OF WISCONSIN) CALUMET COUNTY) SS

My Commission Expires

### CERTIFIED SURVEY MAP NO. ALL OF LOT 3 OF CERTIFIED SURVEY MAP NO. 1426, VOLUME 10, PAGE 23, DOCUMENT NO. 207909 AND OTHER LANDS LOCATED IN THE SW1/4 OF THE SE1/4, SECTION 1, T.19N., R.18E., VILLAGE OF HARRISON, CALUMET COUNTY, WISCONSIN (Sheet 3 of 3) VILLAGE OF HARRISON CERTIFICATE This Certified Survey Map in Section 1, Township 19 North, Range 18 East, Village of Harrison, Calumet County, Wisconsin, is hereby approved. Village of Harrison - President Date Village of Harrison - Clerk Date VILLAGE TREASURER'S CERTIFICATE I being the duly elected qualified and acting treasurer of the Village of Harrison, do hereby certify that in accordance with the records in my office, there are no unpaid taxes or unpaid assessments as of this day of \_\_\_\_\_\_, 2020 on any lands included in this Certified Survey Map. Date Village of Harrison - Treasurer **OWNER'S CERTIFICATE** As owner's we hereby certify that we caused the land on this Certified Survey Map to be surveyed, combined, monumented, dedicated & mapped as represented on this map. We also certify that this map is required by S. 236.34 to be submitted to the following for approval or rejection: Village of Harrison Randall S. Bella Date Dawn M. Bella Date Trustees of the Randall S. Bella and Dawn M. Bella Revocable Trust dated November 24, 2014. NOTARY CERTIFICATE Personally came before me this \_ day of \_\_\_ The above owner's to me known to be the person's who executed the foregoing instrument and acknowledge the same. Notary Public County, Wisconsin.



### PLAN COMMISSION MEETING

**VILLAGE OF HARRISON** 

From:

Mark J. Mommaerts, AICP, Planner

Meeting Date: January 28, 2020

Title:

Driveway Opening - Sumac Lane

### Issue:

Should the Plan Commission authorize a second driveway for the property located at W5581 Sumac Lane?

### **Background and Additional Information:**

The property owner at W5581 Sumac Lane is requesting a second driveway on Handel Drive in accordance with the new driveway ordinance adopted several months ago. The ordinance reads as follows:

### (3) Number.

- a. Single Family Lots. Only one vehicular opening is permitted per lot for single-family lots. The Plan Commission may authorize a second opening for a corner lot as provided:
  - i. The driveway does not encroach into a drainage easement.
  - ii. The street with the second driveway opening has curb and gutter.
  - iii. The driveway opening is located at least 100-feet from a street intersection.
  - iv. The driveway opening is to service an accessory building.
  - v. The pavement material of the second driveway shall be the same pavement material as the original driveway.

The property is currently zoned Single-Family Residential [RS-1] and is a corner lot with frontage on Sumac Lane and Handel Drive. The property owner has an accessory building that was permitted and approved. The aerial map indicates curb & gutter on the street where the second driveway is proposed. The proposed second driveway will be approximately 140-feet from the intersection.

### Recommended Action:

Staff recommends approval of the second driveway opening request with the following conditions:

- 1. A Right-of-Way (ROW) Permit be applied for and approved, by the Public Works Department, for work to occur within the Village ROW.
- 2. The pavement material for the driveway on Handel Drive shall match the pavement material for the existing driveway on Sumac Lane.

### **Attachments:**

- Letter from Property Owner
- Sketch
- Aerial Map

December 2, 2019

Village of Harrison Planning Commission W5298 State Road 114 Harrison, WI 54952

Dear Harrison Planning Commission:

A little over a year ago I went through the process of building a 20 x 20 accessory building in the back yard of my property on W5581 Sumac Lane. I live on the corner lot, so I assumed that I would be able to also pave a driveway for access to the building. That was my mistake and I apologize for the issues this has caused the Village of Harrison. I never meant to be a problem resident or make waves with the fellow residents. I truly appreciate the consideration you have already given this project. I would like to finish the project for the purposes of aesthetics and maintenance. From my understanding, the below requirements are set forth for an exception to be made:

- a. Single Family Lots. Only one vehicular opening is permitted per lot for single-family lots. The Plan Commission may authorize a second opening for a corner lot as provided:
- i. The driveway does not encroach into a drainage easement.
- ii. The street with the second driveway opening has curb and gutter.
- iii. The driveway opening is located at least 100-feet from a street intersection.
- iv. The driveway opening is to service an accessory building.
- v. The pavement material of the second driveway shall be the same pavement material as the original driveway.

I believe I do satisfy these requirements set forth in your bylaws for qualification for the second driveway. Please grant me that access and allow me to finish this project. If so, I will have it completed as soon as possible in the Spring of 2020.

Sincerely

Corbin M. Welch Resident of Harrison



## Calumet County, WI

### Legend

Address Point
County Boundary Other Counties Wisconsin Water

Unincorporated Community

Town Boundary

Point of Interest

Property Hook Parcel Boundary

PLSS Section State Parks County Parks

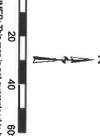
Local Roads River and Stream Major Roads

Local Roads Municipal Streets

Trail

Railroad

Color 2018
Red: Band\_1 Green: Band\_2 Blue: Band\_3



DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.





### **PLAN COMMISSION MEETING**

VILLAGE OF HARRISON

From:

Mark J. Mommaerts, AICP, Planner

Meeting Date: January 28, 2020

Title:

Conditional Use Permit - Cell Tower

Issue:

Should the Plan Commission recommend approval of the Conditional Use Permit to the Village Board?

### **Background and Additional Information:**

This item was postponed from the November 26, 2019 meeting in order to allow the applicant an opportunity to submit additional information regarding the lease costs on the current cell tower. Attached to this memo is correspondence from Attorney Jake Remington, representing Tillmann Infrastructure, agreeing to extend the 90-day review period to February 14, 2020. Also included is a letter from Michael Cosentino regarding the economic burden of the existing tower. If copies of previous correspondence or plans are needed, please contact the Village Planner.

### Previous background information from the November 26, 2019 meeting:

Tillmann Infrastructure is requesting a Conditional Use Permit (CUP) in order to construct a wireless communications facility on the property located along Hwy 10, between Hwy 114 and County N, Location ID 33536. The proposed wireless communications facility will consist of a 180-foot tall self support lattice tower with a 9-foot lightning rod for a total height of 189-feet. It will be located within a 100-foot by 100-foot lease area on the property. The proposed tower will be constructed, owned, and managed by Tillmann Infrastructure. Upon construction, Verizon Wireless will install equipment on the tower at the 170-foot level. The tower will be unstaffed and will only require service technicians periodically, about once a month. Typical service vehicles will be pick-up truck/van sized.

The property is currently zoned General Agricultural [AG]. Wireless communication facilities are a conditional use in the AG zoning district. The zoning ordinance has a special provisions section for wireless communication facilities, which is attached. State Statutes also cover mobile tower siting regulations, SS 66.0404, which is attached. With some provisions, State Statutes preempt Harrison's zoning, including tower height and financial guarantee amount. In these instances, State Statutes will prevail and Harrison's provisions are not applicable.

One of the provisions of Harrison's is in regards to co-locations, Section 117-132(f)(4). The codes states that no new tower shall be permitted unless the applicant can demonstrate that no existing tower can accommodate the applicant's proposed antenna by meeting any one of the six criteria listed (Harrison Zoning Ord attachment page 4&5). The applicant is stating that criteria

#5 pertaining to fees, costs, or contractual provisions of an existing tower apply. The applicant has a sworn statement from Verizon Wireless regarding fees and contractual provisions that are 30%-40% higher at the existing tower than the proposed new tower. The sworn statement also states that the existing tower (SBA) is no longer viable from an economic standpoint. The sworn statement is also a requirement of State Statue 66.0404(2)(b)6.

### Basis for Approval: (from the Zoning Ordinance Section 117-319)

- 1. Zoning. The proposed use conforms to the underlying zoning district intent and design standards and is in harmony with the general purpose and intent of this chapter. Where there is an existing nonconforming structure, the design standards of the underlying zoning district may be waived by the plan commission and town board. Wireless Communication Towers are a conditional use in the AG Zoning District.
- 2. Plans. The proposed use conforms to the comprehensive plan and any other officially adopted plan. The Comprehensive Plan includes a goal to promote services and community facilities in order to meet the growing demand for such services.
- 3. Traffic. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets. There is limited traffic accessing the site and the proposed use should not negatively affect the traffic on Hwy 10.
- 4. Landscaping and screening. Appropriate landscaping and screening has been or will be provided to protect adjacent uses or properties from light, noise and other visual impacts that are associated with the proposed use as established in article VI, Access, Parking, and Loading and article IX, Landscaping and Screening Standards. The applicant is proposing a 6-foot wide landscape buffer strip surrounding the lease area.
- 5. Neighborhood compatibility. The proposed use is compatible with the predominant or prevailing land use of the neighborhood surrounding the proposed development and whether the proposed use creates a nuisance due to noise, odor, or dust. Currently there is limited development around the proposed lease area. The proposed use will have limited nuisance due to noise, odor, or dust, mostly during the construction process.
- 6. Services. Adequate facilities, access roads, drainage and/or necessary services have been or will be provided. Roadway access must be granted by WisDOT. Stormwater Management must be reviewed and approved by the Village.

### **Findings of Fact:**

- Staff finds that the Conditional Use Permit request will comply with the Harrison Zoning Ordinance with the below conditions.
- Property owners within 300-feet of the subject property have been notified via first-class mail.

### **Recommended Action:**

Staff recommends approval of the Conditional Use Permit for a new wireless communications tower request with the following conditions:

1. Please provide a site data table on the plans that outlines the total site area, disturbed area and the impervious area after construction. If the disturbed area is greater than one acre; a Notice of Intent shall be filed with the Wisconsin Department of Natural Resources. Please provide a copy of the application as well as the Certificate of

Coverage when it is received, if required. Plans will not be approved until the Certificate of Coverage is received. If the proposed impervious area exceeds 20,000 square-feet, storm water treatment will be required as outlined in the Post-Construction Storm Water Management Ordinance Section 07 (3)(a)1, and Section 07(3)(b)1 that state, "For post-construction sites with 20,000 square-feet or more of impervious surface disturbance..." properties shall "reduce the total suspended solids load by 80% for new development" and "the peak post-development discharge rate shall not exceed the pre-development discharge rate for the 2-year, 10-year, and 100-year, 24-hour design storms."

- 2. It appears that a new driveway entrance is proposed to the site and a new fiber conduit and handhole are to be installed in the USH 10 Right-of-Way. Please note that a WisDOT Right of Way Permit and a WisDOT Utility Permit are required to be obtained for the proposed work to be performed within the right of way. WisDOT approval shall be supplied to the Village before plans are approved.
- 3. The site survey appears to indicate that the existing drainage pattern is southwest. The Compound Grading Plan shows proposed corner lot grades at the outer edge of the lease area, but none along the proposed access drive. Please provide proposed grades along the new driveway to ensure that drainage from the neighboring property to the northeast is not blocked with this development. (Sheet A-7)
- 4. A bond with a corporate surety in the amount of \$20,000.00 shall be provided in accordance with Section 117-132(f)(7) of the Harrison Zoning Ordinance.
- 5. All appropriate local, state, and federal permits shall be obtained prior to construction. Including but not limited too the following permits for the Village of Harrison: Site Plan Review, Zoning Permit, Building Permit, and Stormwater Management and Erosion Control Permit.
- 6. All plan/permit review comments and conditions from Village staff shall be included as a condition of approval under the Conditional Use Permit. The Plan Commission may hear appeals from staff review comments and/or condition and either uphold, modify, or eliminate any such comment and/or condition.
- 7. All applicable provisions of the Harrison Code of Ordinances, State Statutes, and Federal regulations shall be met.

### Attachments:

- 90-Day review extension letter
- Economic burden letter

### Previous materials available by request:

- Aerial Map
- Harrison Zoning Ordinance Sec 117-132
- State Statutes 66.0404
- Application & Plan Set

### HUSCHBLACKWELL

Jake Remington Attorney

555 East Wells Street, Suite 1900 Milwaukee, WI 53202 Direct: 414.978.5527 Fax: 414.223.5000 jake.remington@huschblackwell.com

November 27, 2019

### **VIA E-MAIL**

Mark Mommaerts, AICP Village Planner Village of Harrison W5298 Highway 114 Harrison, WI 54952

E-Mail: mmommaerts@harrison-wi.org

Re: Village of Harrison CUP

Proposed Tillman Wireless Facility on the property located along Hwy. 10,

between Hwy. 114 and Cnty. N. Location 33536

Dear Mr. Mommaerts:

This correspondence follows our meeting of November 26, 2019.

Cellco Partnership d/b/a Verizon Wireless ("Verizon Wireless") agrees to extend the 90-day period afforded the Village of Harrison (the "Village") to approve the Application under Wis. Stat. § 66.0404(2)(d). This extension is subject to these conditions:

- The Village and Verizon Wireless shall proceed with continued consideration of the Application at the Village Plan Commission and Board meetings on January 28, 2020.
- This extension under Wis. Stat. § 66.0404(2)(d) shall not extend beyond February 14, 2020. The Village and Verizon Wireless agree that the 90-day period to complete review of the Application shall expire on February 14, 2020.
- Any further extensions to the 90-day timeline in Wis. Stat. § 66.0404(2)(d), will be invalid unless waiver is granted in writing by the Village and Verizon Wireless detailing the extension to said Wis. Stat. § 66.0404(2)(d) timeline.

### HUSCHBLACKWELL

Mark Mommaerts, AICP November 27, 2019 Page 2

If you have questions relative to the forgoing, please contact me. Otherwise, please execute and return a copy of this letter indicating the Village's consent to the terms and conditions set forth herein.

Thank you.

Best wishes,

**HUSCH BLACKWELL** 

Jake Remington Attorney

Agreed: \_\_\_\_\_\_ Mark Mommaerts

**JCR** 



November 26, 2019

Village of Harrison Plan Commission and Board W5298 State Road 114 Harrison, WI 54952

RE: Village of Harrison CUP

Proposed Tillman Wireless Facility on the property located along Hwy. 10, between Hwy. 114 and Cnty. N, Location 33536 at (the "CUP")
Cellco Partnership d/b/a Verizon Wireless ("Verizon") - Statement of Economic Burden

Dear Members of Plan Commission and Board:

I am employed by Verizon and serve on its Network Real Estate Team. My job duties include oversight of high rent sites in the State of Wisconsin. Please allow this letter to serve as evidence in the above-noted zoning matter, establishing proof of the economic burden experienced by Verizon warranting approval of the CUP.

Verizon presently leases space on a tower owned by SBA Communications located at Highway 10 #11B, Menasha, Wisconsin (the "SBA Tower"). Verizon wishes to relocate its installation from the SBA Tower to the tower proposed to be owned and operated by Tillman Infrastructure which is the subject of the CUP (the "Tillman Tower").

Verizon does not relocate from existing sites without conducing a considerable amount of due diligence. After careful and deliberate consideration, Verizon requests approval of the Tillman Tower CUP.

SBA's economically burdensome monthly fees are approximately 180% higher than the average rental rate on which Verizon is collocated within Calumet County. The monthly fees on the SBA Tower are dramatically higher than Tillman's. In the case of the SBA Tower, SBA's current rental fee charged to Verizon is approximately 250% higher the rent Verizon would pay on the Tillman Tower, a price difference that would significantly grow over the years, given Tillman's far more flexible terms. For example, SBA's prices automatically escalate on average between 3-4% per year, whereas Tillman has no escalation for fifteen (15) years. Tillman's prices are all-inclusive, whereas SBA charges additional fees for almost every technological upgrade — whether Verizon seeks to add or replace its equipment. Due to SBA's cost-prohibitive escalation terms, Verizon has held off on modifications or upgrades to its equipment on the SBA Tower since 2014. The Tillman Tower and lease terms would immediately offer dedicated space to accommodate Verizon's needs for many years, as opposed to many older SBA towers that may require costly structural modifications, at Verizon's expense, to accommodate new equipment. At the current rate of rent increases, Verizon would be forced to spend over \$1,783,235.17 more

Village of Harrison Plan Commission and Board November 26, 2019 Page 2

than Tillman's pricing on this site for a 25 year lease term. This \$1,783,235.17 figure assumes Verizon would perform no technological upgrades to its SBA Tower installation.

Verizon continuously upgrades equipment on its towers to improve service for its customers. The fact that Verizon has not recently upgraded its installation at the SBA Tower does not imply that Verizon desires to remain on this SBA tower, nor does it demonstrate that its installation is technologically updated. In fact, it confirms the monopoly power of SBA, as Verizon had no choice but to either capitulate to SBA or refrain from updating its installation at the SBA site.

Sincerely,

Cellco Partnership d/b/a Verizon Wireless

By:

Michael J. Cosentino

Engineer III Spec-RE/Regulatory

STATE OF ILLINOIS	)	
	)	SS.
COUNTY OF COOK	)	

On this day of November, 2019, before me appeared Michael J. Cosentino, to me personally known, who, being by me duly sworn did say that he serves Cellco Partnership d/b/a Verizon Wireless, a limited partnership, in the capacity noted above and that the foregoing instrument was signed and sealed in behalf of said partnership, and he acknowledged said instrument to be the free act and deed of said partnership.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

**Notary Public** 

My Commission Expires:

OFFICIAL SEAL
SI-ARON A PETRIELLI
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:07/15/21
Docto: 4830-7915-9982.1

Village of Harrison

# **December-19 Zoning Permit Report**

			Dec	ember-19	Zor	December-19 Zoning Permit Report	por	•						
		0	Current Year	3r			_			P	Previous Year			
	Permits	YTD Permits	Estim	Estimated Value	ES	YTD Estimate Value		Permits		YTD Permits	Estimat	Estimated Value	Est	YTD   Estimate Value
Residential							_							
Single Family	2	61	<b>\$</b>	500,000	Ş	17,798,005		0		77	ş	0	Ş	21,196,445
Two Family (units)	0 (	0 ) 0	s	0	ş	0		0	( 0 )	0	❖	0	Ş	0
Multi Family (units)	0 (	0 ) 0	Ş	0	Ş	0	_	0	( 0 )	0	<b>\$</b>	0	<b>\$</b>	0
Additions	0	15	<b>\$</b>	0	\$	836,077		0		13	\$	0	Ş	661,500
Acc. Structures	0	26	\$	0	Ś	407,150		0		34	❖	0	<b>⇔</b>	410,695
Miscellaneous	4	62	ş	159,500	\$	785,095		ω		64	Ş	11,700	\$	699,585
Total Residential	6	164	❖	659,500	\$	19,826,327		ω		188	⋄	11,700	\$	22,968,225
Com./Ind.														
New	0	ω	\$	0	÷	5,567,000		0		0	❖	0	\$	0
Additions	0	0	\$	0	\$	0		0		2	\$	0	\$	75,000
Acc. Structures	0	0	\$	0	\$	0		0		0	❖	0	\$	0
Miscellaneous	0	4	\$	0	❖	70,750		0		7	❖	0	\$	50,150
Total Com./Ind.	0	7	↔	0	Ş	5,637,750		0		9	❖	0	\$	125,150
Combined Total	6	171	\$	659,500 \$	ۍ.	25,464,077		ω		197	₩	11,700 \$	\$	23,093,375
													1	