

**ONEIDA COUNTY BOARD OF ADJUSTMENT
MEETING MINUTES SUMMARY
January 11, 2024
COMMITTEE ROOM #2, 2ND FLOOR
ONEIDA COUNTY COURTHOUSE**

Chair, Harland Lee, called the meeting to order at 8:30 a.m. in accordance with the Wisconsin Open Meeting Law.

Wisconsin open meeting law statement.

Roll Call of Members: Mr. Hansen, “here”; Mr. Ross, “here”; Mr. Pazdernik, “here”; Mr. Viegut, “here”; Mr. Chronister, “here”; Mr. Petersen, “here”; and Mr. Lee, “here”.

Members Absent: None.

County Staff Present: Karl Jennrich, Director; Monique Taylor, Administrative Support

Guests Present: See Sign in Sheet.

Approve the agenda.

Motion by Guy Hansen, second by Mike Padzernik, to approve the agenda. With all members present voting “Aye,” the motion carried.

Approve meeting minutes summary of December 21, 2023. Tabled.

Approve public hearing summary of December 21, 2023. Tabled.

Public comment: None.

Old Business:

- a. Consider status of previous cases.** None.
- b. Update on zoning statutes and ordinance amendments.** Mr. Jennrich informed the Board of the timeline with the WDNR. The campground ordinance is on hold and the Planning and Development Committee looked at other county’s ordinances and no changes have been made. Portable storage units were discussed.

Current Business:

- a. Approve any available bills.** None
- b. Consider current and pending appeals to BOA.** None.

Review/revise meeting/hearing calendar.

Appeal #24-001 – January 25, 2024 at 9:30 a.m.

9:30 a.m. Recess for onsite inspection. The Board will travel together to the inspection site at property further described as part NW NE, Section 1, T36N, R7E, PIN WB 2-1, Town of

Woodboro, Oneida County, Wisconsin, using a property address of 7450 County Highway K as a driveway access point, to conduct an onsite inspection at approximately 9:30 a.m. No public business will be discussed while traveling.

Return from onsite at 11:00 a.m.

11:00 a.m. – Hold a Public Hearing on the following appeal:

Appeal No. 23-017 of Oneida County, (C/O John Sweeney) appealing the denial of an application for a Mobile Tower Siting and Collocation Permit. The property is further described as part NW NE, Section 1, T36N, R7E, PIN WB 2-1, Town of Woodboro, Oneida County, Wisconsin.

Chair Lee stated that the meeting would be held in accordance with Wisconsin open meeting law, be tape-recorded, and have sworn testimony transcribed. The Board of Adjustment asks that only one person speak at a time because of the difficulty in transcribing when several people are talking at once. The Board of Adjustment consists of five regular members and two alternates. Anyone wishing to testify must identify themselves by name, address, and interest in the appeal and shall be placed under oath.

Chair Lee swore in Mr. Jennrich, John Sweeney, and Rob Viera.

Mr. Lee stated the procedure for the hearing would be testimony from the Appellant(s), then the County, any public comment, back to the Appellant(s), County, and then close the meeting from any further testimony. The Board will then deliberate. If they have any questions, they will ask them and ask that only address that question. The Appellant(s) may stay for the deliberation.

An onsite inspection was conducted at approximately 10:00 a.m., January 11, 2024, at property further described as part NW NE, Section 1, T36N, R7E, PIN WB 2-1, Town of Woodboro, Oneida County, Wisconsin. The board members were on site, along with Karl Jennrich of the Planning and Zoning Department, John Sweeney, Rob Viera, and Lisa Jolin. The onsite inspection report is contained within the file and was not read into the record.

Chair Lee informed the Appellant(s) how the hearing would be handled. He stated that the Board has to consider the three criteria that need to be met to grant a variance, and the Appellant should be sure to address those in their testimony.

Mr. Sweeney began his testimony by stating his standpoint and experience when reviewing factors for tower siting. He further explained the history of the subject project commencing and the steps taken to review and carefully analyze the factors involved.

Mr. Viera discussed his plans and objectives for the cell tower with the Board. It is anticipated that the tower will be engineered for at least three other companies. The objectives are to improve AT&T coverage lacking in the area, include FirstNet for first responders, market the tower for future carriers, and allow the County to install their equipment on the tower to help their system as well. Concerns were discussed with the tree line height and the restrictions and limitations.

The Board, Mr. Sweeney, Mr. Viera, and Mr. Jennrich discussed correspondence dated September 11, 2024 that was received from the Federal Aviation Administration (FAA).

Mr. Jennrich discussed the review process of the application received pursuant to Section 9.54 of the Oneida County Zoning and Shoreland Protection Ordinance. Mr. Jennrich further informed the Board of the district zoning of the property and allowed uses for the district. Mr. Jennrich also discussed the basis for the denial of the permit application and stated that the variance is pursuant to Section 19.11 of the Airport Ordinance of the General Code.

Chair Lee closed the public portion of the public hearing.

The Board deliberated on the matter and asked Mr. Viera and Mr. Sweeney questions. The airport manager does not object to the project proposal.

Motion by Norris Ross, second by Guy Hansen, to approve the location and height of the cell tower, with an overall height of two hundred sixty-nine (269) feet as approved and with the recommendations by the Federal Aviation Administration (FAA) as addressed in the determination letter of September 11, 2024.

11:36 p.m. Chair Lee adjourned the meeting.

Harland Lee, Chairperson

Jeff Viegut, Secretary