

**TOWN OF PORT WASHINGTON  
OFFICE OF THE CLERK  
Official Minutes**

A Public Hearing of the Town of Port Washington Plan Commission was held on  
Wednesday, November 13, 2019 at 7:15 p.m. at the Town Hall, 3715 Highland Drive,  
Port Washington, WI.

*Melichar states the agenda was posted timely and correctly, the press was notified and the hall is handicap accessible.*

**1. Roll Call**

Present: Jim Melichar, Gary Schlenvogt, Mike Didier, Randy Noll, Dale Noll, Chuck Baranek, Christy DeMaster, Rick Fellenz- Building Inspector, Heather Krueger- Clerk

Absent: None

Residents Present: 22 & 1 members of the Press

*[Didier obtains from the public hearing]*

**2. To consider an application by Mark Russert, Wireless Planning, LLC for property owned by Peter Didier, located at 2369 County Road LL, tax key # 07-031-13-002.00. Wireless Planning is applying for a Conditional Use Permit to construct a new 150 foot monopole mobile service support structure as an accessory use on the same property as Safe Harbor self-storage.**

Krueger notes that all residents within 500' were notified by certified mail, two residents contacted her and said the address was incorrect. Krueger verified with Ozaukee County Ascent Land Suite, and the letters were sent to the correct addresses per the site.

Jayne Czajkowski, 1880 Farm View Dr. Why is was this specific location chosen? What is the footprint of the tower? Was documentation provided?

DeMaster: The cell provider has a ½ mile search range to provide the coverage required. The County has a tower near this site, but it is not available to add additional towers on.

Dick Rogers, U.S. Cellular Representative: US Cell has been working with the County since 2018, we would like to add to their tower and as of today they have been unresponsive, so we have to move forward and put up our own tower.

DeMaster: The County has provided a sworn affidavit stating they are not in a position to discuss availability on their tower at the Justice Center so this is not an option.

Brian Koslakawicz, 1851 Farm View Dr., What affect will this have on our property value? Will it be harder to sell our property? This was not in the works when the subdivision was being built, it is 80-90% built and a cell tower should have been discussed long ago. A tower will devalue the property. There are also effects of radiation that should be considered. There are studies that found living near a tower increases the risk of cancer.

Rogers: There are no proven statistics by the government that support that theory. Does everyone in the room use a cell phone? Do you have good service? This is what we are providing, a service for people who don't get good coverage. There is a need in the area and that is why this location was chosen.

Koslakawicz: The Federal Government may not but the American Cancer society does.

Czajkowski: What is the proximity of coverage?

Rogers: The coverage will go out, not under. It won't provide better coverage for those living directly under as it covers outward. Ultimately it will provide everyone better coverage in that area once there is another tower to bounce the signal off of.

Bob Arnold, Realty Executives Integrity: Have other sites been explored? This is a high density area, are other places available. Is this a monetary issue; does the town benefit, does the land owner benefit? This site is encroaching on a residential area.

Rogers: The site needs to be within ½ mile radius of the need, this site is available

Czajkowski: There are already towers in the area, can they be used. By putting up a tower it could decrease my property value by 20%. I purchased the lot because it has an open field behind it and it still feels rural.

Melichar: By placing it in a field, you take away usable agriculture land, which is already disappearing. You are residents of the City, not the Town. The City governs different than the town.

Bob Goebel, 2561-2563 Hwy 32: What is the dimensions of the tower? If the pole fell, it would hurt someone or damage a home

Rogers: The tower is designed to collapse in the middle and fall straight down. The tower would be 150' tall and 3' round. The towers are built to withstand hurricanes.

Ching Yuang Hwang, 1881 Farm View Dr.: Am I allowed to build a tower on my property, or add an antenna?

DeMaster: No, there are laws in place and strict regulations. In 2014 the State has made uniform laws throughout the state. The Town cannot limit a cell tower, the town is prohibited from denying the request per statutes if all requirements are made.

Yuang Hwang: What can they deny? A tower is out of character for this area.

Greg Welton, 2563 Applewood Dr. I own the land directly behind the subdivision and will be putting up Condos in the near future. I grew up with electrical towers all around me and it didn't cause any harm. We can't live in fear of a tower falling or getting cancer from everything. Everyone uses cell phones and this is a necessity for all the dead zones in the area.

Czajkowski: Why can't they use the County's tower? Can they wait to see if the County has room?

Rogers: We need to move forward, and the County is not responding to our requests. We have determined it is not feasible.

Brent Bhirdo, 1855 Farm View Dr.: The cell signal is a radio wave and goes out and penetrates, it won't bounce back. This won't be effective to the people in the subdivision.

Holly Bhirdo, 1855 Farm View Dr.: This is a subdivision and we don't want a cell tower, it is intrusive on the neighborhood.

Goebel: Can you extend it past the other side of the bike trail?

Jeffrey Miller, 1884 Farm View Dr.: There is farmland available, why can't the tower be placed in a field? Why does it have to be in the subdivision?

Daniel Panetti, 1872 Farm View Dr.: (Not in attendance, a letter was read on his behalf) A paragraph was read from US Fish & Wildlife dated 4-18-2018 regarding the birds impacted and killed by towers.

Darlene Lipski, 1868 Farm View Dr.: I am opposed to this tower, I wouldn't have purchased my home if I knew there was going to be a tower.

Czajkowski: I paid more for my lot and home because it was a green home and lot, there is open space behind my home.

Melichar: There is an underground gas line so it can't be developed.

Schlenvogt: This is going to be a mono pole, not a 4 base pole so it will take up less space and will be visually smaller.

Holly Bhirdo: It feels like the board doesn't care about how the residents feel. They have an opposition to everything we bring up

DeMaster: The tower is very regulated by the State. There is not a lot the board can do to stop it.

Arnold: The Didier name is well known in the Port Washington area, is the board trying to please the land owner?

Melichar: The tower needs to be located within a ½ mile of where the signal is needed. U.S. Cell contacted the land owner. There used to be a tower on the property but the company went out of business, so it is an ideal spot for a new tower.

Yuang Hwang: I would like to have this put in the minutes: Chairman, do you work for U.S. Cellular? The commission counters everything the residents are trying to get answered.

Melichar: No, I am working for the Town. Progress needs to happen and no one wants it to happen in their back yard.

Rogers: U.S. Cellular is a small company and we are conscious of where our towers are placed. We have complied with all the state and town ordinances and this land is zoned correctly.

Yuang Hwang: What is the point of this public hearing? I thought it was to hear concerns of the community, but it seems we are limited on what we can do. Other sites need to be explored, put in a request from the County to use their tower, delay the vote until we get documentation.

DeMaster: The applicant has rights to have their request approved or denied within 90 days of applying. They have met all the requirements from the state.

Yuang Hwang: I am requesting the commission delay the vote until they can demonstrate that this is the ideal site for this tower, do more research for other sites, and have the County provide in writing that their tower is not available.

3. **Adjourn. Motion made by Dale Noll to close the Public Hearing, Second by Schlenvogt. Motion passed unanimously.**

Heather Krueger, Clerk