

Minutes - Woodbury County Board of Adjustment Meeting – August 2, 2021

The Board of Adjustment (BA) meeting convened on the 2nd of August at 6:00 PM in the first-floor board room of the Woodbury County Courthouse. The meeting was also made available for public access via teleconference.

BA Members Present: Tom Thiesen; Ashley Christensen; Bob Brouillette; Daniel Hair; Pamela Clark
County Staff Present: Dan Priestley; David Gleiser
Public Present: Donovan McCain; Rex Todd; Jennifer Todd; Allen Todd; Shirley Todd

Call to Order

Chair Tom Thiesen formally called to meeting to order at 6:00 PM.

Public Comment on Matters Not on the Agenda

No public comment for non-agenda items.

Public Hearing: Conditional Use Permit Telecommunications Tower Proposal – Verizon Wireless

Priestley read the final report and staff recommendation into the record. Donovan McCain (agent for Verizon Wireless) addressed the BA by offering testimony that the new communications tower would improve service for the area and that they were sensitive to the selection of the location. Thiesen inquired about the distance the tower would be from the road. McCain replied that the tower would be 181 ½ FT from the edge of the right-of-way. Property owner Rex Todd (4716 170th Street) asked what other sites in the area were considered including the locations on Randall Dau's property. Todd is concerned about the location of the tower relative to his property just across 170th Street to the south. He indicated that there would be other sites that would meet the elevations. Brouillette asked for clarification if the map on page 10 of the final report was included with the letter of opposition on page 9. Priestley indicated that the map came in the same envelope with the letter from Allen Todd and Shirley Todd. Property owner Allen Todd (1823 Union Avenue) clarified that he owns land on the east side of Union Avenue and had not been contacted by the applicant about a prospective location for a tower. Todd offered concerns about the tower's impact on the property value of his son's house as well as the impact of 5G on his family. He mentioned that he sees it as possible to have the same benefits with another location selected for the tower. Hair inquired about who had been contacted in the area. McCain indicated that he had passed off business cards to area property owners. He had heard from some and others did not meet the needs of Verizon. Brouillette asked what the top three choices for the tower were. Director Gleiser stated that federal and state regulations including Iowa Code 8C which indicates that an application cannot be rejected based on the perceived or alleged environmental effects of radio frequency emissions. Local governments also cannot dictate the type of transmission equipment or technology to be used, or discriminate between different types of infrastructure or technology. Brouillette withdrew his question. McCain stated that Verizon adheres to the Federal Communications Commission regulations. Thiesen inquired if the existing field entrance would be used for the driveway to access the tower. McCain indicated that it would be. Motion to close the public hearing: Brouillette. Second: Christensen. Vote 5-0. Motion to approve the application as proposed: Christensen. Second Brouillette. Motion approved 3-2 to grant the conditional use permit. Aye: Clark, Hair and Christensen. Nay: Brouillette and Thiesen.

Public Comment on Matters Not on the Agenda

None.

Staff Update

Priestley offered updates about the status of the floodplain development ordinance, the Comprehensive Plan for 2040 survey, and possible future policies of teleconference access at commission meetings and future agenda items.

Board Member Comment or Inquiry

Brouillette asked about the survey response rate. Director Glesier indicated that at the beginning there were around 30 responses. Christensen discussed ways to increase it including maybe contact the cities or promote the survey at the Woodbury County Fair. It was indicated that the survey is available online via a website and through Facebook. Clark asked if staff will provide the link to the Board. Priestley stated that he would send a link. Christensen commented on the quality of audio via the teleconference. Director Gleiser indicated that the acoustics in the boardroom may negatively impact the audio. He mentioned that the Law Enforcement Center (LEC) conference room might be an option. He also indicated that he has discussed upgrading the audio equipment with the IT department through the use of individual microphones. Clark inquired if there has been any consideration to using Zoom. Priestley stated that Zoom has been considered but we have previously elected to use Microsoft Teams so that the public has access to a local phone number.

Adjourn

Motion to adjourn: Brouillette. Second: Christensen. Motion passed 5-0. The meeting concluded at 6:45 PM.