

Unapproved Minutes  
Vermillion Planning Commission  
Monday, April 22, 2019 Regular Planning and Zoning Commission Meeting

The regular meeting of the Vermillion Planning and Zoning Commission was called to order in the City Council Chambers at City Hall on April 22, 2019 at 5:30 p.m.

1. Roll Call

Present: Fairholm, Forseth, Manning, Muenster, Wilson, Iverson.

Absent: Kleeman, Gestring, Tuve.

Staff present: José Domínguez, City Engineer; James Purdy, Assistant City Manager

2. Minutes

- a. April 8, 2019 Regular Meeting.

Moved by Commissioner Wilson to adopt April 8, 2019 regular meeting minutes as printed, seconded by Commissioner Manning. Motion carried 6-0.

3. Declaration of Conflict of Interest

Commissioner Muenster noted that he owns investment property.

4. Adoption of the Agenda

Moved by Commissioner Forseth to adopt the agenda as published, seconded by Commissioner Wilson. Motion carried 6-0.

5. Visitors to be Heard

None.

6. Public Hearing

- a. A request for a Conditional Use Permit (CUP) to construct a telecommunications tower at 105 Market Street (described as the east half of lot 3, block 22, original town of Vermillion, Clay County, South Dakota).

José Domínguez, City Engineer, provided background regarding the two-step process adopted by the City Council for the construction of cellular towers. Mr. Domínguez noted that the applicant completed the first step of the process on November 26, 2018. At that time, the Commission granted an exception for the proposed tower to be constructed on land within 300-feet of a residentially zoned or used property and approved the design and aesthetics of the proposed tower. Domínguez further explained that the second step of the process is for the applicant to apply for a Conditional Use Permit noting Staff received the applicant's request on April 5, 2019. This permit would be specifically for the construction of a telecommunications tower in the Central Business District. The Commission should consider the criteria noted in the published memo when

making their decision. After reviewing the application, Staff note that it meets several goals of the City's Comprehensive Plan.

The applicant has requested that the item be continued to a later date as several governmental reviews are still pending. Staff recommended allowing the public to provide comment and continuing the item to a later date, no sooner than Tuesday, May 28.

Commissioner Iverson opened the floor for Public comment noting no decision would be made.

Elizabeth Smith, 110 Austin Street, asked if FAA approval has been obtained. Mr. Domínguez noted that FAA is one of the governmental reviews still pending. She stated she does not believe the proposed tower meets the goals of the Comprehensive Plan such as: A thriving central business district; and Maintain neighborhoods that are safe, healthy, livable, and compatible with adjacent land uses. She requested that the Commission deny the permit. Discussion followed.

Harry Scholten, 118 Austin Street, would prefer that the ordinance increase the setback beyond the 300-foot from residence to decrease the risk of exposure to radiation.

Thomas Marshall, 102 Austin Street, agrees with the comments provided by Mrs. Smith and Mr. Scholten. He believes that this construction is reasonable in an industrial area. Expressed concern about the possibility of the FAA requiring a flashing red light.

Reda Brewer, 604 W Broadway (below the bluff), states that service is difficult and calls are often dropped. She states that the tower will be beneficial to residents who live below the bluff who need to get in touch with emergency services.

Paul Hasse, 415 Sterling, states that 5<sup>th</sup> generation will be detrimental to the health of residents and nature. He believes that the commission should research the health impacts of 5G and request that the CUP be denied.

Rich Holland, 902 Ridgecrest Drive, noted that Verizon is willing to allow improvements to aesthetics. Holland stated that property value is likely to go up rather than down. Regarding radiation, Holland stated that radiation is minimal at ground level further explaining that the proposed tower is to extend current service and is not for 5G. He questioned the validity of studies mentioned previously and asked that people pay close attention to the authors/sponsors of said studies. Mr. Holland explained that zoning will not change to become industrial etc... He concluded that faster communication is needed for safety, businesses and university. Discussion followed.

Moved by Commissioner Wilson to continue the item to no sooner than Tuesday, May 28, 2019 as requested by the applicant, seconded by Commissioner Fairholm. Motion passed 6-0.

7. Staff Report

None.

8. Adjourn

Moved by Commissioner Fairholm to adjourn, seconded by Commissioner Manning. Motion carried 6-0. Commissioner Iverson declared the meeting adjourned at 5:58 p.m.