



## **LOUISBURG PLANNING COMMISSION MEETING MINUTES** **Wednesday July 28, 2021**

The Planning Commission of the City of Louisburg, Kansas met at 6:30 p.m. in the City Hall Council Chambers with Vice Chairperson Lee Baer presiding.

### **ATTENDANCE:**

Commission Members:	Nate Apple, George Bazin, Rick Phillips and Michelle Olson
City Administrator:	Nathan Law
City Council:	Sandy Harris
City Staff:	Jean Carder
Recording Secretary:	Rusty Whitham
Visitors:	Rick Wagner, Bradley Bramell and Emily Roseberry

### **ITEM 1: ROLL CALL**

### **ITEM 2: ADOPTION OF THE AGENDA:**

A motion was made by Nate Apple to adopt the agenda. The motion was seconded by George Bazin. The motion passed 5-0.

### **ITEM 3: APPROVAL OF THE MINUTES:**

A motion was made by George Bazin to approve the minutes from the June 30, 2021 meeting. The motion was seconded by Rick Phillips. The motion passed 4-0-1. Michelle Olson abstained.

**ITEM 4: PUBLIC COMMENTS:** Persons who wish to address the Planning Commission regarding items not on the agenda may do so at this time. Speakers will be limited to three (3) minutes. Any presentation is for information purposes only.

None

### **PUBLIC HEARING BUSINESS ITEMS:**

**Item 5: 21003-SUP (Special Use Permit) – Eighty Foot Communications Tower at 1007 West Amity (Parcel ID: 1093102001005000)**

Vice Chairperson Lee Baer opened the discussion for public comment. No public comment was made. The public comment of this discussion then closed.

Rick Wagner (property owner and owner of GoBrolly) explained that GoBrolly is the largest Internet Service Provider (ISP) in Miami County. GoBrolly is requesting an 80-foot distribution tower that will provide our community with greater bandwidth. Currently the GoBrolly building located at 1007 West Amity has the capability to produce 10 gigabyte fiber service. GoBrolly would like to distribute this bandwidth throughout the community via five water towers. Two of those water towers are within the City of Louisburg. These water towers currently have communications

equipment attached at the top of them. Rick Wagner placed the proposed 80-foot-high tower into perspective. He said that the old "tin-man" water tower located behind City Hall is approximately 90-feet in height and typically cell phone towers are 190-feet tall. In comparison the proposed tower is not that tall. The proposed 80-foot tower will be just high enough to clear the tree line so that the trees don't interfere with the transmission of service. Line-of-sight between towers is important to provide adequate internet service, he said.

Wagner then mentioned that he would like to have a lattice style tower because it will allow his maintenance crews to safely climb it without specialized equipment. A monopole would require a renting a bucket truck to access the pole for maintenance. No additional equipment will be required for a lattice tower.

Wagner said he selected the S/W corner of his parking lot as this location is less visible as seen from K68/Amity.

Wagner also stated that he wants to install skirting at the base of the tower to deter people from climbing on the structure.

Wagner ended by saying this tower will bring faster internet to Miami County and in particular to the residents of Louisburg.

Nate Apple asked if a 100-foot tower would be better. Rick Wagner said yes. Apple then asked if the proposed tower would be a monopole design. Wagner said no. The proposed tower will be classified as lattice in design. Apple then asked if the lattice tower will require guywires. Wagner said no. He added that the proposed lattice style tower would be triangle construction, fully self-supporting, and would have no guywires. Apple ended his questioning by asking if any other communication companies be allowed to use this new tower. Wagner said he has offered bandwidth to local competitors in town.

George Bazin asked why the S/W corner of the parking was selected for the proposed tower site. Wagner said its on his property and far enough away from the existing building and still have a line-of-sight to all the other towers in the area.

George Bazin asked if this new tower will affect the potential development of adjacent properties. Wager said the properties located to east will not be affected by the tower. The vacant property to the west will not be adversely impact. The cemetery located to the north will not have undesirable affects with the tower. Lastly, the vacant land located to the south will not have any issues associated with the tower.

City Administrator Nathan Law noted that there will most likely be a public trail constructed to the west of the proposed tower in the future. Law said that there is some safety concern about the fall radius of the tower and dropping ice landing on the future trail causing potential injury to pedestrians. Law suggested that the property owner should include the City of Louisburg as an additional insurer on the owner's insurance policy. Law also asked that the fall radius be identified in the construction design plans.

George Bazin asked if fencing will be required around the base of the tower. Rick Wagner said that chain-link fence with barbwire attached at the top is typically installed around towers to prevent people from climbing on them. In his experience this does little to stop someone from climbing on the tower. Wagner explained that he wishes to install skirting at the bottom of the tower to deter a climber. Wagner concedes if someone is determined to climb a tower nothing that can be installed will completely prevent them from doing so. Wagner suggested that a fence would do little to stop climbers and he would rather not hide the tower. It's Wagner's opinion that fences seem to invite climbers to the tower not deter them.

Lee Baer asked why a 100-foot tower wasn't requested if it's more beneficial. Wagner said that he was worried that a 100-foot tower may have been more difficult to get approved by the Planning Commission and City Council. Wagner explained that an 80-foot tower is the minimum height needed to clear the tree line for line-of-sight. He said that a 100-foot tower would be more beneficial because it would guarantee the line-of sight needed for the tower and compensate for future tree growth.

Wagner mentioned that there is currently no requirement for him to install lighting at the top of the tower. Apple asked at what height is a lighting system required. Wagner said towers 200-foot and taller requires a lighting system to be installed. Wagner told the Planning Commission that the parking owned by First National Bank (1201 West Amity) has been designated as an emergency medical helicopter landing area. Wagner said if installing a lighting system at the top of the proposed tower improves flight safety, he is agreeable to having one installed. Apple recommended a light that can be activated by the police, EMS, or the medical helicopter may be best course of action.

The Planning Commission then discussed the Eight Golden Factors outlined in the staff report. After a brief discussion it was determined that this request meets the conditions within the Golden Factors. After additional discussion, George Bazin made a motion recommending approval of a 100-Foot lattice style communications tower at 1007 West Amity. This Special Use Permit will be contingent on the following Stipulations:

- 1. The City of Louisburg shall be listed as an additional insured party on the property owner's insurance policy. The owner's insurance policy shall cover the City of Louisburg for all incidents associated with the communications tower.*
- 2. The property owner shall voluntarily install an activated light located at the top of the tower. This light is not required to always be illuminated. The Fire Department, EMS, and medical helicopter shall have the ability to activate the light as needed when technology is available.*
- 3. The property owner shall be responsible to remove and/or dismantle the tower when it is no longer in use, structurally unsound or when it has been abandoned.*
- 4. Skirting shall be installed the base of the tower to deter people from climbing on the structure.*

The motion was seconded by Michelle Olson. The motion passed 5-0. The item and Planning Commission will be forwarded to the City Council for further consideration on August 16, 2021.

**NON-PUBLIC HEARING BUSINESS ITEMS:**

**NEW BUSINESS:**

**Item 6: 21002-SP (Site Plan) – Generator System to Support Communications Equipment Attached to the Water Tower Located at 320 Harvest Drive (Parcel ID: 1093200000001300).**

Emily Roseberry representing T-Mobile explained the site-plan requested and answered questions.

After a brief discussion George Bazin made a motion to approve the site-plan for a new generator system at 320 Harvest Drive as submitted. The motion was seconded by Rick Phillips. The motion passed 4-1. Nate Apple opposed the motion.

No further discussion or action was taken by the Planning Commission concerning this topic.

**Item 7: Discussion concerning Manufactured Homes Requirements outlined in section 505 of the Zoning Regulations.**

After a brief discussion the Planning Commission recommended that additional requirements for Manufactured Homes be discussed and directed staff to present information at a future meeting. Staff agreed. No further discussion occurred.

**OLD BUSINESS:** Any old business the Commission may wish to discuss

**Item 8:** None

**Item 9: ADJOURNMENT:**

A motion was made by Nate Apple to adjourn the meeting. Second was made by Michelle Olson. The motion passed 5-0. Meeting adjourned at 7:29p.m.

**Submitted by Rusty Whitham**