

## **MINUTES OF THE ZONING BOARD OF APPEALS MEETING HELD ON OCTOBER 15, 2020**

The meeting was called to order by Chairman Hartman at 7:33 PM.

Roll call was taken: **Present: Goessling, Hagenow, Loerch, Gibbs, Poettker and Hartman, Boothman**

Chairman Hartman asked if there were any additions or corrections to the minutes of the June 11, 2020 meeting. Mr. Gibbs noted that Mr. Chairman was listed on page two as a comment. This was changed to Mr. Hartman. The minutes were unanimously approved.

The Chairman asked if there were any citizens to address the Zoning Board of Appeals. There were none.

The Chairman also asked if there were any corrections or deletions to the agenda. Mr. Nagel mentioned that two petitions were notified late and therefore have been withdrawn from this meeting.

### **OLD BUSINESS:**

The Chairman asked if there was any old business. There was none.

### **PETITIONS:**

**Z-20-10-01 A Petition by Clearwave Communications for a Special Use Permit to allow construction and operation of Fiber Optic Network Hub at 205 Bellefontaine Drive. (Parcel # 07-25-234-014-000)**

Bob Hathaway an engineering technician with Clearwater Communications spoke in favor of the petition. At the given property Clearwater Communications plans to put a hub or building that is similar to a substation for an electrical grid. Clearwater sets up their lines underground with backups within these hubs. If they get hit by a backhoe for example, this hub will allow them to reroute themselves. The hubs also help with processing information. Structurally it is a concrete cube with gravel coating, 10 ft x12 ft with backup generator. The generator runs at 71 decibels. Clearwater plans to put a black wrought iron style fence around the perimeter of the property. Traffic to and from the hub would likely be once or twice a week at the most. Clearwater has been running fiber optic cables through town. They only provide data for commercial data lines often using lines already set by AT&T and Verizon. Due to their commercial only clients, Clearwater won't be going throughout the community connecting residential locations.

Ms. Poettker asked how long install would take. Mr. Hathaway estimated that start to finish would take roughly three weeks. Mr. Hathaway mentioned that they could change the driveway from 10 ft wide to 12 feet wide. If that is the case, due to the style of the fence, it would likely have an open gate for a short time while a custom gate is created.

Mr. Gibbs asked for more details on the generator. Mr. Hathaway indicated that it would have a backup switch to the city and that it is tested once a week. Generator has three hours wide open run time, but they expect 6 hours based on their needs. Mr. Gibbs asked for more details on the

company. Mr. Hathaway responded that Clearwave is based out of Harrisburg and was originally started as a telephone company. About 10 years ago they received a grant to connect Southern IL with fiber technology. Clearwater's version of this technology is always installed underground and they often link with Verizon and AT&T to avoid redundancies. They are providing internet to companies, medical facilities and government institutions where reliable internet is not available. The product Clearwater provides is more expensive because they provide a specific fiber to each client. Mr. Gibbs asked how the company found this small piece of property. Mr. Hathaway responded that Clearwater needed property on that end of town so he looked for one that was small enough for their needs. Mr. Hathaway actually drove around the community to see what was available. He found the owner of the property via tax filing information. Mr. Hathaway went to the owners' personal residence to ask if the company could purchase the property at 205 Bellefontaine Drive. The owner sold it to the company after being approached by Mr. Hathaway. Mr. Gibbs commented that the size of the property limits the amount of development.

Mr. Nagel mentioned that research done during the meeting showed that normal conversation is between 60 and 70 decibels and a household vacuum runs at 75 decibels.

Mr. Nagel mentioned that the zoning board can put restrictions on any special use permits. Additionally, Clearwater will be installing the ornamental fence rather than a chain link fence due to a request from city council. Mr. Nagel also mentioned the letter from a neighbor requesting a vinyl privacy fence to provide both a visual and a noise barrier. Mr. Hartman asked what cycle the generator would run on and how long. Mr. Hathaway responded that it would run for roughly 10 minutes at whatever time is preferred by the city, but the company typically sets it to run at 8am on Mondays.

Mr. Boothman asked if there was consideration to add a sound barrier closer to the generator. After discussion, Mr. Hathaway responded that they could consider it, but it has not been approached yet. Mr. Boothman asked how many hubs they have in residential areas. Mr. Hathaway cited one other hub in a residential area. Mr. Hathaway mentioned that he has not gotten complaints on that location.

Mr. Hathaway mentioned that they could be open to a complete vinyl fence around the generator, but that the wrought iron fence is their preference.

Mr. Gibbs asked about moving the direction of the concrete pad to allow the building to provide a noise barrier. Mr. Hathaway and Mr. Nagel mentioned that moving the concrete pad would increase the issues with the setback variance.

Mr. Hartman asked if they could put the vinyl fence around the building to provide the visual and sound barrier for the generator and then put the decorative fence around the property. Mr. Hathaway responded that Clearwater would be open to that option.

Mr. Loerch asked about moving from 10 ft drive to 12 ft drive. Mr. Hathaway responded that they would likely move to the 12-foot drive to allow for ease of use for their access purposes.

Mr. Hartman asked if there were any other questions. There were none.

Mr. Hartman asked if there was anyone to speak for or against the petition. There were none.

Mr. Hartman opened the petition to board discussion. Mr. Gibbs mentioned that we need to discuss noise options and if the fence should be around the generator. Mr. Loerch asked for confirmation that we would get a vinyl fence around the generator for noise reduction as well as a vinyl fence to the west per the request from the neighbor and the remaining sides of the property would have black decorative wrought iron fence. Mr. Nagel noted that the six-foot vinyl fence on the west side will require approval from City Council due to the proximity to the alley.

Mr. Gibbs moved to approve a special use permit with stipulations that there is a 6 ft vinyl fence on the west side of the property as suggested by the adjacent property owner, a 6 ft fence around the generator or building encompassing the generator and a 6 ft decorative fence around the remaining property. Mr. Goessling seconded the motion

**Approving members: Gibbs, Goessling, Hagenow, Loerch, Poettker, Boothman and Hartman.**

Mr. Nagel asked if the members were available for a meeting on 11/5/2020. Upon confirmation, Mr. Nagel confirmed that petitions withdrawn will be heard at a special meeting on 11/5/2020 which will be the only meeting in November as no other petitions have been received.

**NEW BUSINESS:**

The Chairman asked if there was any new business. There was none.

**COMMENTS:**

The Chairman asked if there were any comments. There were none

**Motion to adjourn the meeting at 8:28PM was made by Mr. Loerch and seconded by Mr. Boothman.**

Respectfully Submitted,  
Lauren Poettker