

REPORT OF THE PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE
TO THE COUNTY BOARD ON A HEARING FOR A CONDITIONAL USE PERMIT

TO THE COUNTY BOARD OF SUPERVISORS OF LA CROSSE COUNTY:

The La Crosse County Planning, Resources and Development Committee, having considered the application filed by:

**ALLTEL C/O PETER SCHAU, FMHC CORPORATION, 8600 BRYN MAWR W, SUITE 600N,
CHICAGO, IL 60631; ACTING ON BEHALF OF RICHARD & BARBARA SCHOMBURG,
W3679 COUNTY ROAD C, WEST SALEM, WI 54669**

and having held a public hearing on the 29th day of December 2008 for a Conditional Use Permit to
replace an existing 190-ft guyed communications tower approved under Conditional Use Permit No. 17, with a
new 141-ft monopole self supported tower (145-ft overall topped with a lightning rod) along with the installation
of six panel type antennas, the existing equipment shelter is adequate at this time, the existing guy wire anchors
will be removed on 2.5 acres of land zoned

TRANSITIONAL AGRICULTURE

in the TOWN of

HAMILTON

Lot 1 of Certified Survey Map No. 198 in Volume 1, together with a 20-ft wide ingress/egress easement from Tower Rd described as part of the W1/2-SE of Section 3, T16N, R6W commencing at the SE corner of Section 3; thence N00°18'42"W 1313.56' to the NE corner of the SE-SE of said Section 3; thence N88°55'13"W 1665.60' along the north line of the S1/2-SE; thence S01°04'47"W 200'; thence S88°55'13"E 8.47' the POB of the centerline of this easement; thence S66°39'43"W 199.19'; thence N50°29'51"W 274.54'; thence N43°22'09"W 151.43'; thence N18°27'49"W 111.90' to the easterly line of Tower Rd and the POT. Town of Hamilton.

And pursuant to s. 59.69 Wis. Stats. and s. 17.36 Zoning Code: the Committee did publish and receive proof of a Class II notice of the hearing; did receive receipts of mailing of the notices to the affected Town Clerk(s); did hold a public hearing to hear testimony or correspondence from the people; and, did receive and consider action from the affected Town Board(s). The Committee and the affected Town Board(s), under s. 17.36(4), have the authority to approve the application with integral conditions or to disapprove of the application. Having considered the entire record the Committee's recommendation is to: **Approve subject to 15 conditions.**

By a vote of 5 in favor, 2 excused – Keil & Mach, the Committee recommended approval of this permit subject to the following 15 conditions:

See attached EXHIBIT A

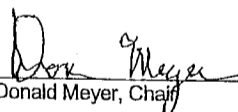
Any deviation or alteration of the conditions set forth in this permit shall constitute a violation of the terms of this Conditional Use Permit and shall be subject to prosecution and penalties under the terms of this Ordinance. A new public hearing and permit must be granted to extend or alter any of the conditions set forth herein.

Dated this 9th day of January 2009

ZONING, PLANNING AND LAND INFORMATION DEPARTMENT

BY 
Jeff Bluske, Director
Zoning, Planning and Land Information Department

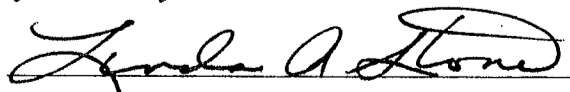
LA CROSSE COUNTY PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

BY 
Donald Meyer, Chair

THE COUNTY BOARD took the following action this 15 day of January 2009
Approved subject to conditions as outlined
Disapproved the application

STATE OF WISCONSIN
COUNTY OF LA CROSSE

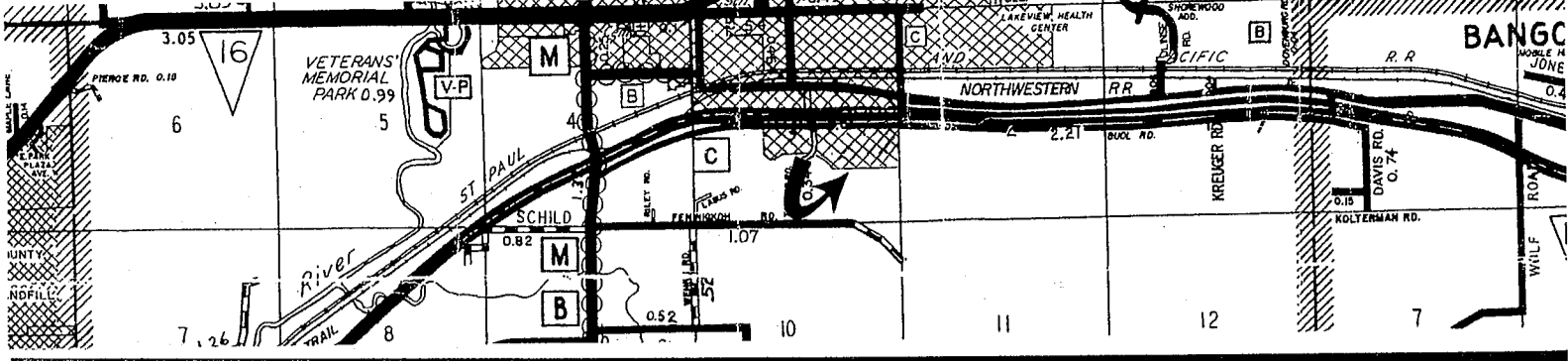
I, Linda A. Stone, County Clerk of La Crosse County do hereby certify that this document is a true and correct copy of the original conditional use permit required by law to be in my custody and which the County Board approved on the 15th day of January 2009.



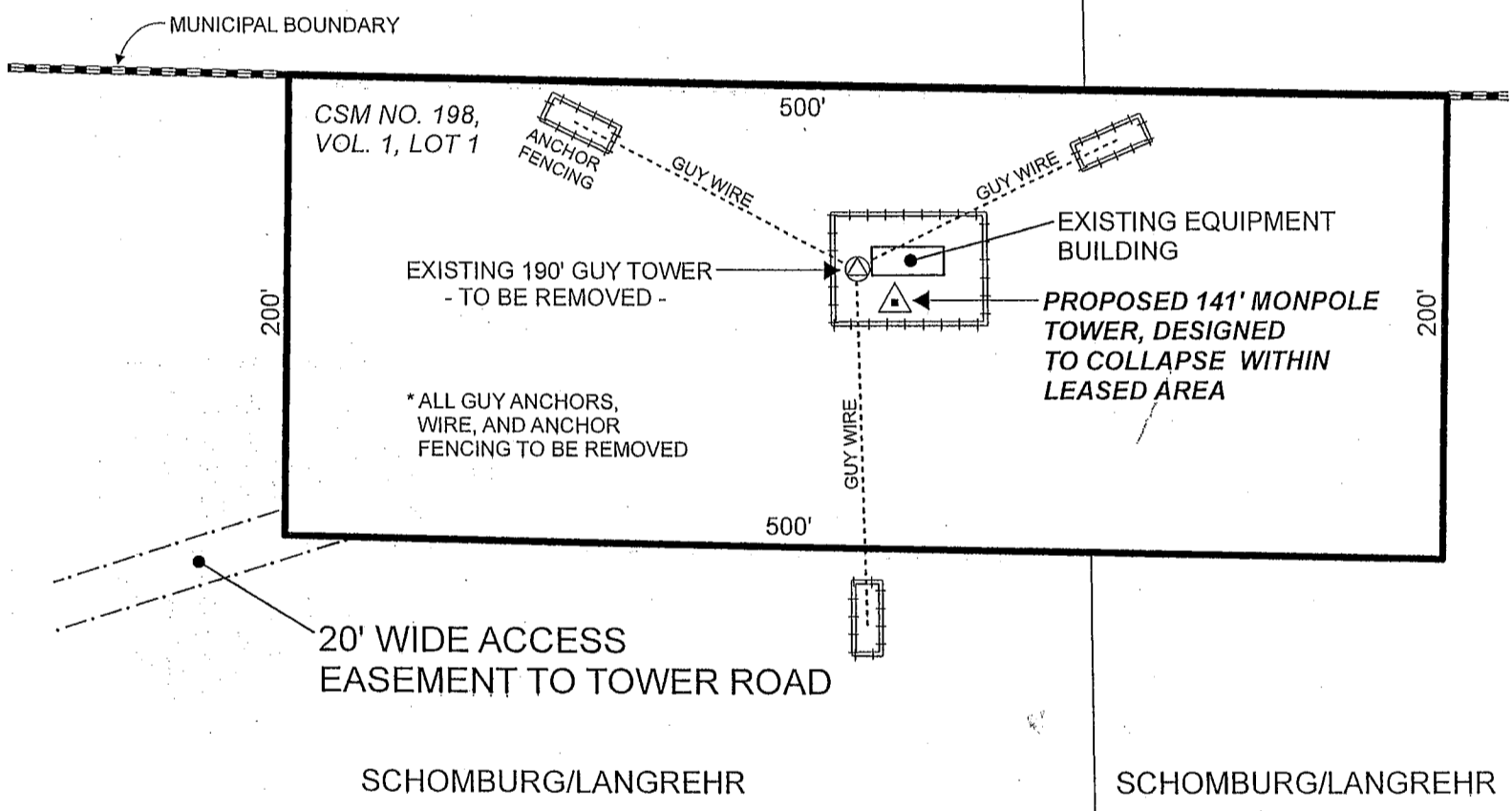
Linda A. Stone, La Crosse County Clerk

EXHIBIT A

1. Alltel is granted a permit for one 141' (overall height 145' with lightning rod) monopole-type communications tower with related equipment and 6 panel type antennas.
2. Tower may be constructed to be expanded in height by an amendment of this conditional use permit.
3. The tower will be designed to handle three additional carriers for future co-location.
4. The tower area with sheds shall be fenced to a height of 8-ft with barbed wire top and existing vegetation may be used for screening and landscaping.
5. The owner of the telecommunication facility shall completely remove the facility, including subsurface structures, and restore the site to its pre-construction state when the facility is no longer used for its permitted purpose.
6. The existing 190' guyed tower shall be removed, along with guys and concrete guy anchors.
7. A bond, letter of credit or other suitable financial guarantee shall be filed with the La Crosse County Zoning, Planning and Land Information Department, in the amount of \$10,000.
8. The owner of the facility shall file a yearly report pursuant to Section 28.10 of the Telecommunications Ordinance.
9. No hazardous materials may be stored on site other than batteries and items normally found in such facilities, such as propane.
10. The tower will be colored gray because of its placement in trees.
11. This permit is transferable per Section 28.14.
12. The access easement shall be kept clean and open in case of any emergency.
13. No advertising will be allowed on tower.
14. No vendors, no concession stands, no camping, no standing and no seating will be allowed within the tower drop zone.
15. One sign attached to the fence with contact information and phone number in case of emergency.



- VILLAGE OF WEST SALEM -



- TOWN OF HAMILTON -

- ALL PROPERTIES IN TOWN OF HAMILTON DEPICTED ARE ZONED TRANSITIONAL AGRICULTURE -

Conditional Use Permit # 787 Schau o/b/o Schomburg 2.3 Acres
Town of Hamilton
CONDITIONAL USE PERMIT TO: Construct a replacement telecommunications tower
SOIL DATA: 100% Class V-VIII Soils LAND CLASS: Woods 78%
Idle 22%

FARMLAND PRESERVATION 91.77 Ordinance Revisions 1) A county, city, village or town may approve petitions for rezoning areas zoned for exclusive agriculture use only after findings are made based upon consideration of the following: (a) Adequate public facilities to accommodate development either exist or will be provided within a reasonable time. (b) Provision of public facilities to accommodate development will not place an unreasonable burden on the ability of affected local units of government to provide them. (c) The land proposed for rezoning is suitable for development and development will not result in undue water or air pollution, cause unreasonable soil erosion or have an unreasonably adverse effect on rare or irreplaceable natural areas. (2) Land which is rezoned under this section shall be subject to the lien provided under s. 91.19 (8) to (10) for the amount of tax credits paid on the land rezoned. If the rezoning occurs solely as a result of action initiated by the governmental unit, any lien required under s. 91.19 (8) to (10) shall be paid by the governmental unit initiating this action. (3) The department shall be notified of all rezonings under this section. History: 1977 c.29,169; 1983 a.311