

Parks, Energy and Environment Committee on 2020-09-11 9:00 AM - VIRTUAL MEETING

This meeting will be live-streamed on the County Legislative Information Center:

<https://milwaukeecounty.legistar.com/Calendar.aspx>

Meeting Time: 09-11-20 09:00

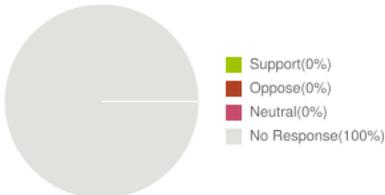
eComments Report

Meetings	Meeting Time	Agenda Items	Comments	Support	Oppose	Neutral
Parks, Energy and Environment Committee on 2020-09-11 9:00 AM - VIRTUAL MEETING This meeting will be live-streamed on the County Legislative Information Center: https://milwaukeecounty.legistar.com/Calendar.aspx	09-11-20 09:00	26	5	0	0	0

Sentiments for All Meetings

The following graphs display sentiments for comments that have location data. Only locations of users who have commented will be shown.

Overall Sentiment



Parks, Energy and Environment Committee on 2020-09-11 9:00 AM - VIRTUAL MEETING

This meeting will be live-streamed on the County Legislative Information Center:

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09-11-20 09:00

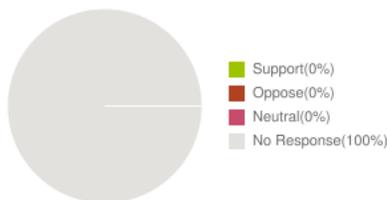
Agenda Name	Comments	Support	Oppose	Neutral
5 20-331 From the Interim Executive Director of Milwaukee of County Parks, requesting authorization to grant MCImetro Access Transmission Services a ten-year easement with two (2) ten-year renewals for an underground telecommunication system within Lincoln Memorial Drive (06/12/20 & 07/10/20: LAID OVER FOR ONE MEETING)	1	0	0	0
6 20-332 From the Interim Executive Director of Milwaukee of County Parks, requesting authorization to grant MCImetro Access Transmission Services a twenty-five-year easement with one (1) ten-year renewal for an underground telecommunication system within the Milwaukee River Parkway (06/12/20 & 07/10/20: LAID OVER FOR ONE MEETING)	1	0	0	0
7 20-420 From the Executive Director of Milwaukee County Parks, requesting authorization to grant MCImetro Access Transmission Services a twenty-five-year easement with one (1) ten-year renewal for an underground telecommunication system within the Root River Parkway. (06/12/20 & 07/10/20: LAID OVER FOR ONE MEETING)	1	0	0	0
8 20-487 From the Director of Milwaukee of County Parks, requesting authorization to enter into a license agreement with Cellco Partnership D/B/A Verizon Wireless for one small wireless facility at Veterans Park and one small wireless facility at McKinley Park for a term of ten years with five mutually agreeable five year renewals at a fee of \$270 per County pole annually and a ten percent fee increase permitted every five years.	1	0	0	0
12 20-35 E-Comments submitted via the County Legislative Information Center (CLIC). (INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)	1	0	0	0

*The Office of the County Clerk collects written comments submitted via CLIC, and appends these official public records to Reference File No. 20-35.

Sentiments for All Agenda Items

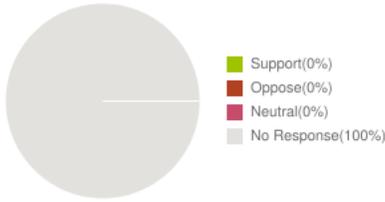
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Overall Sentiment



Agenda Item: eComments for 5 20-331 From the Interim Executive Director of Milwaukee of County Parks, requesting authorization to grant MCImetro Access Transmission Services a ten-year easement with two (2) ten-year renewals for an underground telecommunication system within Lincoln Memorial Drive (06/12/20 & 07/10/20: LAID OVER FOR ONE MEETING)

Overall Sentiment



Douglas Bomberg

Location:

Submitted At: 11:13pm 09-10-20

Oppose Item

Submittal does not include detailed drawings, etc. giving full scope of work. (I submitted Parks Dept. Open Records showing some of the drawings etc. in 12/10/2020 Matter 19-895 as "Distributed Materials" <http://milwaukeecounty.legistar.com/gateway.aspx?M=F&ID=ad4f7931-cf1d-45d9-a599-138143ac54f5.pdf> which contain detailed arguments as well).

Lakefront Development Advisory Council guidelines which both the County and City have adopted require Lakefront projects to show FULL SCOPE AND IMPACT. This proposal omits mention of UGLY Fiber Warning Markers (those orange /white poles), HandHoles, (which will be a pain to mow and trim around, increasing expenses), and other disturbances to Parkland.

Disturbance of Lay Of The Land presents hazards to the Safety and General Welfare of the Public who uses the land for its primary purpose: PARK RECREATION etc. A frisbee catcher, off-path jogger, bicyclist, etc. should not be subject to disturbances to the surface - - trip hazards, run into Warning Poles, etc.

Easements are specifically for use of Small Wireless Facilities, which should also be opposed.

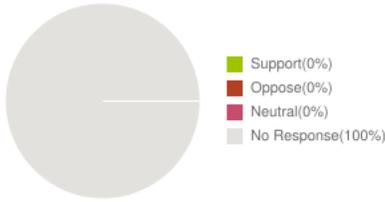
Lincoln Memorial Drive is a scenic drive built upon landfill. Experts familiar with the topography, including having hands-on knowledge of past projects on L.M.D., report UNCLEAN FILL (which may present significant C.E.R.C.L.A. Environmental Hazards); lands should remain undisturbed by borings/excavations etc. so as to avoid probable environmental hazards.

LMD as Made Lands is subject to Public Trust Doctrine (a finding of Federal Courts stemming from the Federal "NorthWest Ordinance", which is in further enshrined in State Statute, DNR Regulation, and the State Constitution, requires that the lands be FREE AND OPEN TO ALL. Proprietary, Private, for profit, only to Paying Customers of a single telecomm provider, do not fit this legal requirement.

County should join Fed Appeals with HUNDREDS of other Jurisdictions against the FCC rules RE Public Land

Agenda Item: eComments for 6 20-332 From the Interim Executive Director of Milwaukee of County Parks, requesting authorization to grant MCImetro Access Transmission Services a twenty-five-year easement with one (1) ten-year renewal for an underground telecommunication system within the Milwaukee River Parkway (06/12/20 & 07/10/20: LAID OVER FOR ONE MEETING)

Overall Sentiment



Douglas Bomberg

Location:

Submitted At: 11:30pm 09-10-20

OPPOSE ITEM

See also submittal on 20-331 and Submitted Materials from 19-895.

In addition to traversing Parks, which are protected in OTHER WISCONSIN STATE LAWS AND FEDERAL GRANT MONIES, Project runs through what otherwise would be Single Family Residential Areas (in which case Rules allow more opposition. So, what had been the Emerald Necklace of County Parks is now Emerald Noose, choking aesthetic beauty, Safety and General Welfare of the Public, Right to determine use of the Parkland, etc.

Footnotes of Wisconsin Statutes 66.0404 and 66.0414 include impact of recent Wisconsin Court findings which give jurisdictions some power back.

See <https://docs.legis.wisconsin.gov/statutes/statutes/66/IV/0404> and [.../0414](https://docs.legis.wisconsin.gov/statutes/statutes/66/IV/0414)

Specifically:

History: 2013 a. 20, 173; 2019 a. 14.

An ordinance that prohibits a mobile service support structure where the structure is not compatible with the adjacent land's current use does not violate sub. (4) (c). *Eco-Site, LLC v. Town of Cedarburg*, 2019 WI App 42, 388 Wis. 2d 375, 933 N.W.2d 179, 18-0580.

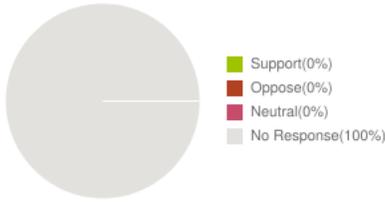
Denial of a conditional use permit on the basis of lost property values and the detrimental effect on public health and safety and general welfare does not equate to a denial based on aesthetic concerns, which is prohibited by sub. (4) (g) if it is the sole reason. *Eco-Site, LLC v. Town of Cedarburg*, 2019 WI App 42, 388 Wis. 2d 375, 933 N.W.2d 179, 18-0580.

The County has formed a workgroup to study the matters of Small Wireless Facilities and associated Backhauls; the Workgroup has barely started and therefore has yet to help the Board in its policy-making. They should be allowed to continue and finish their work to assist, despite Verizon's noise.

County is in control of its property (held IN TRUST FOR PUBLIC); there are significant conflicts with other State and Federal Laws which should be resolved. Intergovernmental Affairs Committee/Board should communicate with State and Fed lawmakers on the matter.

Agenda Item: eComments for 7 20-420 From the Executive Director of Milwaukee County Parks, requesting authorization to grant MCImetro Access Transmission Services a twenty-five-year easement with one (1) ten-year renewal for an underground telecommunication system within the Root River Parkway. (06/12/20 & 07/10/20: LAID OVER FOR ONE MEETING)

Overall Sentiment



Douglas Bomberg

Location:

Submitted At: 11:32pm 09-10-20

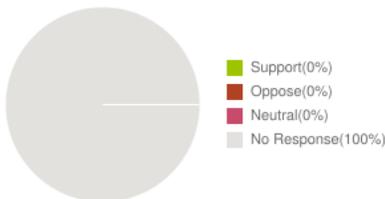
OPPOSE ITEM

See also comments on 20-331 and 20-332, including emails to Committee from prior months' sessions.

Single Family Residential Area.

Agenda Item: eComments for 8 20-487 From the Director of Milwaukee of County Parks, requesting authorization to enter into a license agreement with Cellco Partnership D/B/A Verizon Wireless for one small wireless facility at Veterans Park and one small wireless facility at McKinley Park for a term of ten years with five mutually agreeable five year renewals at a fee of \$270 per County pole annually and a ten percent fee increase permitted every five years.

Overall Sentiment



Douglas Bomberg

Location:

Submitted At: 11:49pm 09-10-20

OPPOSE ITEM

See also comments from 20-331, 20-332, 19-895 Submitted Materials, et al.

Verizon has specifically been asked by the Parks Department to move its proposed Veterans Park Tower a mere 100 feet across Lagoon Drive to reduce the direct threat to the Safety and General Welfare of the Public (especially due to Kite Flying in the immediate vicinity); however, the Mobile Network Operator (MNO) has refused the request. If MNO is unwilling to make REASONABLE ACCOMMODATION, County should be refuse to allow Tower.

A major flaw in Item 20-487 Verizon License (Contract) is that its "Exhibit A, List of Sites/Poles" is blank, with neither descriptions nor drawings of the exact sites. How can the Board approve of a contract for which it has no Official Information as to the specific exact impacts upon The Community?

Exhibit C "Equipment" is likewise devoid of any material showing what the projects would look like.

Contract Term is TOO LONG. Rules may change; MKE needs a faster exit.

Open Records Data from Parks Dept. RE: McKinley Marina North Parking Lot show plans which DO NOT REFLECT the whole parking lot redesign which has been constructed this past year. How can Board approve something they don't even know the full details of?? No Blank Check/Blank Canvas!

Green Space Matters. Olmstead's vision of Parks was as a REFUGE FROM DYSTOPIAN INDUSTRIALIZATION. County required by Public Trust Doctrine, State Law, Property Deed Restrictions over the past 150 years, etc. to uphold that vision.

Part of this whole mess is because County Workers don't want to cap off current lights with antennae - - that probably needs to be revisited.

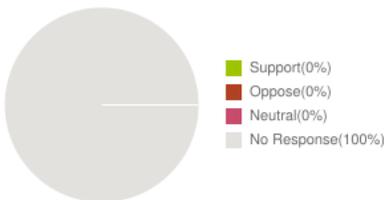
Almost ALL COUNTY PARKS are defacto "Underground Districts", because Parks Director controlled the land to ensure good visual sitelines, etc. County should FORMALLY DECLARE PARKS as Underground Districts, which are exempted from SWF rules.

Sites have Potentially Restorable Wetlands per DNR, are in Historic Districts, etc.

Agenda Item: eComments for 12 20-35 E-Comments submitted via the County Legislative Information Center (CLIC).
(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)

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Overall Sentiment



Douglas Bomberg

Location:

Submitted At: 12:04am 09-11-20

This new GranicusIdeas.Com, with its artificial limit of 2000 characters, does not allow full expression of comments. Prior months' method of EMail submission allowed more complete sentences, etc. Also, GranicusIdeas.Com shows 3000 character limit, in conflict with the Agenda Announcement of 2000 chars. - - the discrepancy should be fixed.

The public realtime simultaneous broadcasts of the Teams/Zoom sessions DO NOT WORK ADEQUATELY when re-piped through the "MilwaukeeCounty.Granicus.Com" service the County uses. The County should allow public to have View Only access to the actual Team Meetings to make it more reliable. There also should be a telephone call-in number (more reliable, and also less discriminatory to those who may be technology impaired).

These ideas are promoted by Wisc. State Dept. of Justice Open Meetings pronouncements under COVID regime it certainly seems that the County must facilitate SOME KIND of REAL TIME access. This is most recently reinforced by the Wisc. DOJ guidelines at <https://www.doj.state.wi.us/news-releases/office-open-government-advisory-additional-information-regarding-covid-19-and-open>

Note for SWF Matters: The "easements" include the border of Lake Park, and permeate National Register of Historic Sites, City Historic Preservation Districts and Overlay Zones, Designated Wetlands, and Federal- and State-Funded Trailways (e.g. MKE 76 Bike Trail) (which have specific restrictions on Acceptable Use). Some borings may disturb old CERCLA-Environmentally-questionable landfill materials, and may occur in geography which may have incomplete underground mappings which are NOT part of Diggers' Hotline (thereby exposing the County to significant liability).