

**Town of Porter**  
**Board of Zoning Appeals**  
**Meeting Minutes**  
*August 16, 2006*

**A. The meeting was called to order at 7:00 p.m.**

**B. Pledge of Allegiance**

**C. Roll Call / Determination of Quorum**

Present: Mr. Bell, Mr. Donley, Mr. Huyser, and Mr. Stinson and Mr. Snyder

Absent: None

Also present was Mrs. Mitchell, Mr. Mandon, and Mr. Lyp

**D. Consideration of Minutes of Previous Meeting**

Motion to approve the minutes of the July 19, 2006 regular meeting was made by Mr. Bell; second by Mr. Huyser. Motion approved by voice approval.

**E. Audience Participation**

r. Huyser. Motion carried via voice approval 5 – 0.

None

**F. Old Business and Matters Tabled**

None

**G. Preliminary Hearing**

*Application for use variance for Radio Broadcast Facility made by the WBEZ Alliance, Inc., on behalf of Aqua-Land Communications, Inc.*

Mr. Bell dismissed himself from the board due to his personal involvement in the radio tower location.

Mr. Richard Riley of Aqua-land Communications made a presentation to the Board. The board was previously given a large binder containing information about the proposed tower.

The proposed tower would be located at the intersection at the southwest corner of Route 20 and Route 49 in Porter. Mr. Riley explained that there is a need for the tower because the Michigan City tower is no longer suitable. They would like to improve their signal quality.

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Mr. Torey Malatia of 89.5 WBEW was also present to address the Board. He would like to see more of Northwest Indiana included in the broadcast. He explained that the FCC has set up regulations that make them more responsible to the community. He wants to improve the quality of life for Northern Indianans. Their plan is to use the resources of 91.5 and include more local (Northern Indiana) stories by April of 2007.

Mr. Joe Grossbauer also addressed the Board. He is a resident of Westchester Township. He is the President of the Community Advisory Council. He and his Council have concerns that Northwest Indiana is not heard or known. He believes that if the proposed tower is built the audience potential would be 4.5 million people.

Mr. Terry Heistand is the attorney representing Mr. Tittle, the landowner. Both were present at the meeting.

Motion to set the above application for Public Hearing on September 5, 2006 at 6:00 p.m. was made by Mr. Stinson; second by Mr. Huyser.

Mr. Snyder proposed several questions to Mr. Riley. He was concerned about the amount of "bleed over" affecting the other radio stations. Mr. Snyder would also like to see a blown up plat of the property. He would like to see examples of other towers comparable to the proposed tower. Mr. Snyder asked Mr. Mandon to have the TAC draw up a report for the public hearing. He asked Mr. Riley why they had chosen the proposed sight. Mr. Riley explained that several other sights had been considered, but that this sight best fits with their plan. He stated that they would further explain why they had chosen this sight at the Public Hearing in September.

Mr. Riley further explained that they are interested in installing a web cam on the tower as well as other amenities. Mr. Mandon asked that Mr. Riley bring these matters up at the next TAC meeting.

**H. Public Hearing**

None

**I. Finding of Fact**

None

**J. Update from Board of Zoning Appeals Attorney**

Mr. Lyp stated that the Dines hearing did go well. It is now in the judge's hands.

**K. Requests from Board of Zoning Appeals Secretary**

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None

**L. Adjournment**

Motion to adjourn was made by Mr. Stinson; second by Mr. Huyser. The meeting was adjourned 7:48 p.m.

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Bruce Snyder  
Chairman

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Kara Mitchell  
Secretary