

**The Town of Cedarburg, Wisconsin**

IN THE NAME AND BY THE AUTHORITY OF THE TOWN OF CEDARBURG, WISCONSIN  
**RESOLUTION #2016-11**

"Resolution to Approve an Extension of Time to Consider the CUP Application by Eco-Site for a New Mobile Service Support Structure and Facilities located at 4628 Cedar Creek Road"

**WHEREAS**, the Town of Cedarburg ("Town") is a political subdivision as a body corporate and politic within Ozaukee County, Wisconsin;

**WHEREAS**, on September 28, 2016, the Town is in receipt of a complete conditional use permit ("CUP") application submitted by Eco-Site, Inc. (its agent Joe Coyle of Pyramid Network Services, LLC) ("Applicant") for a new mobile service support structure and facilities for T-Mobile on property owned by Scott and Patricia Akerlund and located at 4628 Cedar Creek Road in the Town of Cedarburg;

**WHEREAS**, Town Code Sec. 320-107 VII (5) and Wisconsin State Statute Sec. 66.0404 (2) (d), both provide that, "[w]ithin 90 days of its receipt of a complete application, a political subdivision shall complete all of the following or the applicant may consider the application approved, **except that the applicant and the political subdivision may agree in writing to an extension of the 90 day period:**" (emphasis added);

**WHEREAS**, the Applicant is considering an alternative site(s) outside of the Town to potentially locate its new mobile service support structure and facilities;

**WHEREAS**, the Applicant and Town Board seek an extension of said 90 day period to allow Applicant additional time to explore an alternative site(s);

**NOW THEREFORE, BE IT RESOLVED** by the Town Board of the Town of Cedarburg, Ozaukee County, Wisconsin, does hereby approve the attached Agreement between the Town and Applicant, and the Town Administrator is authorized to execute the Agreement for the extension of the 90 day period not to exceed an additional 60 days.

Approved and Adopted this 2<sup>nd</sup> day of November, 2016.

  
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David M. Valentine, Town Chairman

  
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Eric Ryer, Asst. Administrator /Town Clerk