

Planning Commission Hearing  
Aug 20, 2013

I. CALL TO ORDER

Vice-Chair Vernon McCallister called the meeting to order at 1:35pm; other members in attendance; Mike Mitchel, Gene Glover, Leonard Brown, Grover Hathorn and Rose Vanderpool, Secretary.

Members absent: Dwight Freeman

Others Present: See Attached List

II. Acceptance of Agenda: Mike Mitchell moves to approve the Agenda as amended; seconded by Grover Hathorn; motion carried unanimously. The May 21, 2013 Minutes we read and approved motion was made by Mike Mitchell seconded by Gene Glover; motion carried unanimously.

III. New Business: Michael D. Cooper/AT&T Conditional Use for a 95' telecommunication tower and equipment to be located in the NW¼SW¼ of Section 33, Township 40N, range 3E, MNPM, Rio Grande County zoned rural residential. Vice-Chair gave general guidelines as to how the meeting would proceed, giving the applicant representative Geoff Squire and Mr. C.W. Rech the floor first; questions from the Planning Board and then he would open up for public comment and rebuttal.

Mr. Squire stated that his company AT&T is in negotiation with Mr. Cooper to allow the installation of a 95' telecommunication tower on property owned by Mr. Cooper. This would be a single standing pole about 4' wide by 95' high. AT&T would need to run power from an existing transformer located at the bottom of the property on Aspen Drive. This tower is not a lattice type structure that requires guide wires, this is a single standing pole that would be engineered to set on a concrete base and will be geo surveyed to ensure structural integrity. Our initial thought was to monopine the tower; but since submitting the application and further review of the area the tower would be set below ridgeline and probably a monopine would not blend in as we originally thought. This location was chosen because the current tower, which is located on Agua Ramon has limited line of sight due to the Bear Creek Ridge that shadows the signal. This location would allow a better line of sight with the current tower and the end result is better service for AT&T customers.

The planning Commission asked if there are other alternatives. Mr. Rech stated they have engineers who determine the best locations before ever coming to the county. Extensive research is done months ahead of time. This is the best location to serve the Town Center and up river. Mr. Squire addressed access issues. Mr. & Mrs. Sorenson who own property just to north of the easement that goes up to Coopers parcel stated that they own the easement and Mr. Cooper does not have the authority to allow others to use it. Mr. Squire stated that they do have access; 1991 Deed for Mr. Cooper has full rights/ownership of the 30' easement ingress/egress; we would not proceed with this if we did not have full rights to use the easement.

Mr. Squire stated that he spoke with Mrs. Sorenson and she told him she really has no issue with the tower it is the easement and possible damage to her property. Mr. Squire told her they would offer to protect her well with banisters to keep the well from incurring any damage during construction of the tower. Impacts will be minimal, there will be no snow plowing on this easement in the winter.

Mr. Hathorn stated that he did not think it was a good idea to disguise this tower, it's not going to be above ridgeline – the trees are 40 to 55 foot high it won't be a huge visual impact. Mr. Squire stated that we are offering to monopine if you want but we don't think that is a good idea in this area.

Ms. Randi Young presented the Board with a petition of 61 signatures (attached) opposing. Letters received in support and opposition were read into the record. (Attached)

The property is zoned rural residential the setback are 25' front; rear and sides. Per the Rio Grande County Development Code; Article XII. Telecommunication towers have a setback of 1:1. Mr. Squire says that will meet that requirement.

A discussion was held in regards to Sentinel Mountain being at least 10, 261 high, that could still block coverage. The audience wants to know why in a very high density residential area that is the bottom line. Mr. Rech stated that the RF Engineer take into effect where existing coverage already is and where additional coverage is needed we need it on the side to enhance service. If we put it on the ridge by the river it won't work, we don't want to be shooting back and forth and cause interference with other providers or service. A thermal imagery based on the contour of the land is a pretty reliable source and this is where the best location will be. We spend a whole lot of money of RF Engineering.

Other concerns are lower property values and health concerns and safety; lighting strikes, the tower will be grounded lightning will hit the mountain before it hits a tower but if it did the tower will be grounded. There are perceived theories in regards to devaluation of property. Mr. Hicks stated that as a Realtor and Appraiser some areas could devalue but for the most part in this area because it is a need, he does not see the tower effecting property values. Mr. Mitchell stated that for the most part it is a not in my backyard issue and wants proof as to the allegations of lower property values and/or health hazards and safety. A Ponderosa Estate resident stated that they did not buy their home to have a tower in the neighborhood. We are a NIMBIY culture and there is nothing wrong with that. Mr. Cooper will be the one to benefit financially at our loss. Vice-Chair McCallister stated that during WFC Fire he was told by fire fighters that they were thankful for the temporary cell service they were provided so that they could call their families while fighting the West Fork Complex Fire. We do need upgraded services in the area. Mr. Hicks explained that we need cell service and if this is the best location, the only location then this is where it should be, but if there are alternatives then those areas should be further investigated. Baxter Hill was discussed, as well as other areas. A few residents did not receive the 911 notification to evacuate because AT&T service is blocked in various areas. Communication is paramount, and there is economic value with towers. The audience asked the Board to take into consideration working with the Town of South Fork, this will effect so many could the county work with the Town of South Fork and follow the Towns regulations, they are

so much stricter. The Town of South Fork were sent notification and a complete packet for comment and to date nothing has been received.

A resident asked if letters opposed and the petition of 61 signatures will have any bearing on the decision. Vice-Chair McCallister explained it's definitely is taken into consideration but our job is to weigh all negative and positive impacts, telecommunication is a need, so many people rely on cell phones and internet for communication/work that we need to work together to find a solution for progress.

Randi Young stated that they are not opposed to the tower-there might be a better place for it.

Vice-Chair McCallister entertains a motion; Mr. Glover stated the applicant has not provided enough information and therefore wishes to table to give the applicant time to submit the following information;

1. RF Map
2. Topography Map
3. Research other locations (Baxter Hill or ANY other location)
4. Line of Sight
5. Provide evidence of property devaluation due to towers as well as 2- opinion letters from a licensed independent Appraiser and a Licensed Realtor

Mr. Hathorn seconds motion; Motion carried unanimously.

The Next Meeting will be held at a regular Meeting of the Planning Commission September 17, 2013 at 1:30Pm.

IV. Old Business: Land Use Administrator Rose Vanderpool updated the Planning Board the status of the Dan A Hughes/San Francisco Creek Oil and Gas project. BLM deadline for public comments ended August 18, 2013. Due to number of comments received, BLM will not complete the assessment until the end of October so the county probably will not get an application from DAH until the first part of the year.

V. Adjournment: Meeting adjourned at 3:30pm.

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Secretary

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Chairman