ELBERT COUNTY
Meeting Minutes
PLANNING COMMISSION HEARING
Elbert County BOCC Hearing Chambers
215 Comanche St., Kiowa, CO 80117
March 7, 2017

Note: These meeting minutes are only a summary of the meeting. Duplication of the audio recording is available, for a fee, by contacting Community & Development Services.

The Planning Commission Meeting was called to order at 7:00 p.m. by Chairman, Dan Rosales.

PLEDGE OF ALLEGIANCE

ROLL CALL

Commission members present: Dan Rosales, Ron Turner, Brian Harris, Paula Wilderman, Jim Keen, Dan Michalak (arrived at 7:36), Bob Lewis and Justin Klassen.

Staff present: Faith Mehrer, Office Manager CDS; Tracey Aaron, Technical Coordinator CDS; Vince Harris, Baseline; Jaxon Fagan, Baseline

STAFF REPORT ON BOARD OF COUNTY COMMISSIONERS ACTION(S)

A. No items to report. Faith Mehrer read a statement from Director, Kyle Fenner, to the Planning Commission explaining her absence.

CONSENT CALENDAR

A. Approval of meeting minutes for February 21st, 2017

1. Jim Keen made a motion to approve the February 21st meeting minutes. Paula Wilderman seconded the motion. Meeting minutes were approved with one change; Jim Keen abstained on the vote to approve the February 14th minutes; in the February 21st minutes it was mistakenly written that Jim Keen abstained on the vote because he wasn’t at the February 14th meeting; he did abstain, but he was in attendance at the February 14th meeting. Motion passed 7 to 0.
B. SU-16-0038 Kochis Temporary Asphalt Plant

1. Ron Turner made a motion to continue the Kochis Temporary Asphalt Plant to a date certain of 4/4/2017. Justin Klassen seconded the motion. Motion carried 7 to 0.

COMMUNITY INPUT:

A. Stuart Zimmerman made comments about the home town feeling in Elbert County and asked the PC to consider roads and water in their decisions on upcoming developments. Development without infrastructure may make Elbert County a miserable place to live.

1. Dan Rosales invited Stuart to join the public meetings for the development of the Master Plan.

PUBLIC HEARINGS / WORKSHOPS

A. SU-16-0023 Comnet Four Corners Tower Use by Special Review.

1. Vince Harris (Baseline) presented the proposal for SU-16-0023. This is a proposal for one cellular communication facility support tower on a portion of Section 12, Township 1 South, Range 64 west of the 6th PM in Elbert County. The purpose of the tower is maintain communication services within Comnet’s existing service area.
2. The facility will consist of one support tower and 12 panel antennas to be located near the top of the tower, approximately 199’ above the base support slab. One additional microwave dish antenna located approximately 100’ above grade.
3. Referral comments were as follows:
   a. ECCA requests that space be provided on the tower for ECCA antennas at no cost to ECCA; a ten foot portion of the tower at an elevation of 160’ from the ground level to place two four foot diameter microwave dishes; within that ten foot portion, three 700/800 MHz omni-direction antennas; Space within the enclosing fence for a two foot by four foot data cabinet for equipment.
   b. Elbert County Engineering (Baseline Corp) had no objections
   c. Mountain View Electric Association reminds applicant that MVEA has existing facilities near the property but has no objections.
4. Staff recommended that the Planning Commission recommend approval, with six conditions, of the application upon finding that the proposal is in general conformance with the Elbert County Master Plan, It meets the criteria for approval in the Elbert County Zoning Regulations, the proposed land use is compatible with existing allowable land uses in the surrounding area and the proposed land uses will not result in significant impact to the health, safety and welfare of the residents and landowners of the surrounding area.

5. The Public was invited to comment on the proposed application:
   a. Elaine Cain asked who determined there were no effects on the health of the residents.
b. Burnadette Decoke asked if the board was given a letter she had written in opposition. She stated that the signage was not seen by many neighbors. Her mailbox is approximately 630′ feet from the proposed tower and she is not pleased with the proposed placement. Asked why not use the existing tower. She addressed concerns with microwave dishes and explained that the tower could affect their livelihood, as they run their business from their home. Property value concerns. Objects to tower.

c. Jim White Chairman of ECCA spoke in favor of the tower as it would provide space for their equipment, improving emergency communications.

6. **Vince Harris and the applicant answered public comments:**
   a. Signage met Elbert County Zoning Regulation requirements; There is no evidence that this will affect property values. Regarding health and safety; the body that regulates emissions for towers is the FCC (Federal Communications Commission). Comnet wireless is in compliance with the regulations set forth by them.

7. Ron Turner made a motion to approve SU-16-0023 subject to the conditions listed in the staff report. Paula Wilderman seconded the motion. Motion carried 7 to 0 with 1 commissioner abstaining: Dan Michalak, who was not present during the first part of the presentation.

B. **SU-16-0039 ECCA Silo Tower Special Use by Review**
1. Jaxon Fagan (Baseline) presented the proposal for SU-16-0039. This is a proposal for the construction and operation of an antenna support structure (tower) to be used non-commercially for the purpose of providing communications services to Elizabeth Fire Protection District, Elbert County Road and Bridge and Law Enforcement agencies.
2. The project site is located on a portion of Section 33, Township 8 South, Range 64 West of the 6th PM, approximately 3.5 miles south of Elizabeth on a parcel that is owned by Elbert County.
3. Referral Comments were as follows:
   a. Elizabeth Fire Protection District will require a final site plan showing propane tank size and location, that NFPA 704 placards are installed on the propane tank and the battery storage building, combustible materials must be kept a minimum of 10’ from the propane tank and that the fire department has access to the tower.
   b. Intermountain Rural Electric Association reminds the application that IREA has existing overhead electric facilities on the property and that IREA plans to maintain them as is. IREA requests permission to attach communication equipment to the tower.
   c. Elbert County Health and Human Services has no objections.
   d. Jim White, Chairman of ECCA elaborated on the importance of the project for Emergency communications.
4. Staff recommended that the Planning Commission recommend approval of the application, with 7 conditions, upon finding that the proposal is in general conformance with the Elbert County Master Plan, It meets the criteria for approval in the Elbert County Zoning Regulations, the proposed land use is compatible with existing allowable land uses in the surrounding area and the proposed land uses will not result in significant
impact to the health, safety and welfare of the residents and landowners of the surrounding area.

5. The commissioners discussed condition 5, “the applicant shall allow IREA to attach communications equipment to the tower pursuant to IREA’s referral comments dated January 24, 2017.” Jim White stated that he had no issue with this condition.

6. Bob Lewis made a motion to approve SU-16-0039 with the conditions listed in the staff report. Brian Harris seconded the motion. Motion carried 8 to 0.

C. Dan Rosales wished to discuss and re-affirm the appointment of the Citizen Task Force members.
   1. Ron Turner made a motion to re-affirm the appointment of the 13 CTF members;
      Elain Cain
      Stephanie Denne
      John Dorman
      Brad Henderson
      Greg hinds
      Shelly Rodie
      Soquel Ross
      John Spracklen
      Wendy Walp
      Chris Ware
      Scott Wills
      Paula Wilderman
      Chris Richardson
      Bob Lewis seconded the motion. Motion Carried 8 to 0.

D. Dan Rosales wanted to discuss bylaws for the CTF. After much discussion amongst the Planning Commissioners and the Chair Person of the CTF, it was decided that they would discuss this item first with the Elbert County attorney. A vote was not made.

Meeting adjourned at 10:05 PM