

MORGAN COUNTY PLANNING COMMISSION
September 11, 2017 MINUTES

The Morgan County Planning Commission met on Monday, September 11, 2017, at 7:00 p.m. in the Assembly Room of the Morgan County Administration Building. Answering roll call was: Joe Ewertz, Bob Elrick, Robert Pennington, and Nathan Troudt. Also present were Pam Cherry, Planning Administrator; and Jody Meyer, Planning Assistant and Laurie Cromwell, Planning Assistant.

The meeting was called to order by Chairman Robert Pennington.

It was moved by Nathan Troudt and seconded by Joe Ewertz to approve the minutes of the August 14, 2017 meeting as presented. Motion carried 4-0.

It was moved by Nathan Troudt and seconded by Joe Ewertz to approve the minutes of the August 21, 2017 meeting as presented. Motion carried 4-0.

It was moved by Joe Ewertz and seconded by Bob Elrick to approve the agenda as presented. Motion carried 4-0.

Robert Pennington reviewed the hearing process for tonight's hearing.

NEW BUSINESS:

APPLICANT: Roggen Enterprises Broadband LLC
LANDOWNER: Keith Miller

Peggy Manino and Will Young from Roggen Enterprises Broadband LLC, 519 Front St., Roggen, CO were present to represent this application.

Pam Cherry, Planning Administrator, presented the file as follows:

This application is for a Conditional Use Permit is to construct an eighty foot (80') self-supporting communications tower. The tower will be constructed in the NE¹/₄ of the NW¹/₄ of Section 14, Township 3N, Range 60W of the 6th P.M. Morgan County, Colorado; Parcel Number 1223-142-00-015. The property is also known as 105 Karen St, Wiggins, CO 80654. The property is zoned Commercial where the Zoning Regulations pursuant to Section 3-320(F) Communication facilities where height limits are exceeded is a Conditional Use. The tower proposed will be eighty feet (80') tall where the permitted height is fifty feet (50').

This application was originally submitted for administrative review and approval. However, objections have been received regarding the proximity, visual and safety impacts to neighboring residential uses. In cases where objections are received the application must go through the public hearing process.

Roggen Enterprises Broadband LLC as applicant seeks approval for a Conditional Use permit on property owned by Keith Miller in Wiggins. The footprint at the base of the tower will be 20'x20' and will be secured with a galvanized chain link fence, six feet in height, topped with one foot of barbed wire for security. Equipment mounted will be 5Ghz and 11Ghz FCC licensed communication radios to provide Hi-Speed Wireless Broadband Internet service to existing and new business and residential customers. The purpose of the tower is to replace an existing communication facility located at Wiggins Grain Elevator where it has been located since 2003. That tower will be demolished in the near future.

The current tower provides service to the Wiggins area and back hauls to the Weldona communications tower that provides internet service to Weldona, Goodrich and Orchard, including Jackson Lake. Without the upgrade 150 residential and business customers in the area will be impacted. In addition the improvement of technology requires the upgrade of the tower to continue to service existing and future customers.

Criteria for review of a Conditional Use:

- A. The application documents are complete.
- B. The Site Plan was attached to the application.
- C. There are no off-site impacts imposed by the conditional use proposed that require additional infrastructure or upgrade by the County.
- D. The site plan shows the tower is adequately setback as necessary to prevent damage to adjacent properties. There has been concern and objection due to visual impact, safety and the proximity of the tower to residential uses.

Suggested conditions of approval:

1. All federal and state approvals for the tower shall be forwarded to the Morgan County Planning Department upon receipt for our files.

Pam Cherry recommended granting the Conditional Use application subject to the condition stated.

Peggy Manino, Roggen Enterprises Broadband, LLC gave an overview of their application stating they will be 80' to 100' inside the property lines. Will Young presented a slide show to the Planning Commission discussing fencing, and pre-existing access. He explained that the old tower on the grain elevator would be coming down and that is the reason for this application. He addressed co-location on other towers, but said that would not work because they are on the same frequencies. The new tower will help with speed. No lights are needed on an 80 ft. tower according to the study.

OPEN PUBLIC COMMENT

Those in Favor: None

Those opposed:

Nicole Kammerer, 4350 Co Rd Q, next to Wiggins Electric had the following concerns: change in property value 15%-20% decrease; why place tower in this location; concern for health of family (cancer already in family). They have lived there since 2002.

She asked if their zoning would change and was told no.

Peggy Manino told her they picked this location because it was on a hill, it was free standing and there were no guy wires. Will Young noted that this tower will be inspected every 5 years. The person has to be certified to service the tower. If problems arose, people could call Roggen Enterprises.

There was discussion on health risks of this tower. Nicole Kammerer was most concerned with this as her husband has undergone cancer treatments.

Joe Ewertz wondered if he should recuse himself due to connections with the _____ and Pam Cherry said no, that wasn't a problem.

CLOSE PUBLIC COMMENT

It was moved by Joe Ewertz and seconded by Nathan Troudt to approve this application for Roggen Enterprises Broadband as applicant and Keith Miller as landowner for a Conditional Use Permit to construct an eighty foot (80') self-supporting communications tower. The tower will be constructed in the NE¼ of the NW¼ of Section 14, Township 3N, Range 60W of the 6th P.M. Morgan County, Colorado. The property is also known as 105 Karen St, Wiggins, CO 80654, and send it on to the Board of Morgan County Commissioners with the following conditions:

- 1. All federal and state approvals for the tower shall be forwarded to the Morgan County Planning Department upon receipt for our files.**

Motion carried 4-0.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Jody Meyer, Planning Assistant

Discussion – length of time to take tower down if not used
Condition on CMRS facility – can make it a condition