

**FREMONT COUNTY
PLANNING COMMISSION MEETING MINUTES
August 6, 2024, AT 3:00 P.M.**

MEMBERS PRESENT

John Hamrick
Gardner Fey
Rudl Mergelman
Larry Brown
John Carper
Dale McCullough

STAFF PRESENT

Dan Victoria, Planning Director
Joanne Kohl, Office Manager

1. CALL TO ORDER

Chairman Hamrick Called the meeting to order at 3:00 pm.

2. PLEDGE OF ALLEGIANCE

Pledge of Allegiance was recited.

3. APPROVAL OF THE August 6, 2024, PLANNING COMMISSION AGENDA

Chairman Hamrick asked if there were any changes, additions or corrections to the August 6, 2024, Fremont County Planning Commission Agenda.

MOTION

Mr. Brown motioned to accept the August 6, 2024, Fremont County Planning Commission Meeting agenda.

SECOND

Mr. Fey second the motion.

Chairman Hamrick called for a roll call vote, and the motion passed unanimously. (6 of 6)

4. APPROVAL OF THE July 2, 2024, PLANNING COMMISSION MEETING MINUTES

Chairman Hamrick asked if there were any changes, additions or corrections to the July 2, 2024, Fremont County Planning Commission Meeting Minutes.

MOTION

Mr. Fey motioned for approval of the July 2, 2024, minutes.

SECOND

Mr. Brown second the motion.

Vice Chairman Hamrick called for a roll call vote, and the motion passed unanimously. (6 of 6)

5. UNFINISHED BUSINESS

None

6. NEW BUSINESS

Chairman Hamrick asks Director Victoria what the schedule is for replacing old chrome books for new chrome books for each of the board members.

Director Victoria states that the new chrome books are in, after this meeting the board members will turn in the old ones and IT will set up the new ones and members will be notified when the new ones will be available to pick up.

Chairman Hamrick calls Mr. Michael Bieniek to present the next item on the agenda.

1. SRU 24-001 VERTICAL BRIDGE WIRELESS COMMUNICATIONS FACILITY.

Mr. Bieniek states he is with a company called LCC Telecom services, located at 10700 West Higgins Rd. suite 240 in Rosemont, Illinois, and they represent Vertical Bridge and T-Mobile in this area and they are requesting to erect a 194' self-supporting lattice tower with a 5' lighting rod for a total height of 199'. States that it was mentioned to be 80' x 80' and actually, the tower will be located within a 60'x 60' ground area. Located at: 43340 US Highway 50, Canon City 81212. It is located approximately 73 ft. from the south property line for the tower. In the packet they included a fall zone letter, in the unlikely event of a failure, it will collapse in a coordinated manner. The fall zone radius is 50 ft. Lightning is actually not a problem for these towers, they have a 5ft. lightning rod on top and in fact towers do get struck quite a bit, they have a grounding bar that runs down in a grounding ring around the base of the tower, so it actually goes down into the soil. So, houses in the area are actually safer to have a cell tower in the area.

Chairman Hamrick asks Director Victoria for the staff report.

Director Victoria states that the applicant is requesting approval to erect a 194' self-supporting lattice tower with a 5' lightning rod for a total height of 199'.

The tower will be located within an 80'x 80' ground area. This parcel currently has a residential use with 1 single family dwelling.

ZONING/ LAND USE

PARCEL ZONING: Agricultural Forestry- Residential Use

NORTH: Agricultural Forestry- Residential Use

EAST: Agricultural Rural- Travel Trailer Park & Campground

SOUTH: Agricultural Forestry- Undeveloped

WEST: Agricultural Forestry- Undeveloped

Estimated traffic Count: Standard residential use traffic with 1 trip monthly for the tower
(amendment to current CDOT permit required)

Number of Access Points: 1

ACCESS: US HWY 50

Fire Protection: Tallahassee Fire Protection District

Floodplain: N/A

Water: N/A

Sanitation: None proposed.

Electric: Black Hills Energy

Refuse: Pack in/ Pack out

Natural Gas/Propane: N/A

Lighting: No lighting is proposed with this application as it falls below the 200' FAA threshold for lighting. (per application)

PUBLIC COMMENTS/CONCERNS:

None Received

AGENCY COMMENTS

Staff requested comments from various review agencies. Staff has incorporated comments received to date either in their entirety or in part into this staff report.

All comments received have been favorable.

Weed Management: Signed plan dated 4/10/2024.

Building Department: The applicant will need to apply for building permits.

Engineer: All concerns and comments have been addressed.

Fire Protection Authority: No additional improvements recommended.

WAIVERS:

1. Weed Management
2. Sanitation Plan
3. Refuse Plan
4. Landscaping Plan
5. Drainage Plan
6. Lighting Plan

RECOMMENDATION

Having found the application is in compliance with the requirements of the Fremont County Zoning Resolution, staff recommends **APPROVAL** of the Special Review Use Permit with the following contingencies/Conditions:

CONTINGENCIES:

Submittal of an amended CDOT permit.
Redline corrections on site plan.

CONDITIONS:

N/A

Chairman Hamrick asks the board if they have any comments or questions.

Mr. Carper asks if the Fremont County Airport was involved in any of this, were they made aware of this. Also that someone communicates to make sure the navigational maps are updated to show that on there.

Director Victoria states yes, the packet was sent to the Airport Manager and he can reach out to the helicopter company and let them know of this application.

Chairman Hamrick asks Director Victoria, the SRU is for the leased area or for the parcel.

Director Victoria states it will be for the leased area.

Chairman Hamrick states that is where he has a dilemma because the leased area is 80 x 80, but in the rules, the setback has to be 50ft. so with an 80 x 80 leased area, you can't achieve the setback. Just to note or put a flag noting this.

Mr. Fey states that isn't a tower kind of a hybrid structure as opposed to a garage or house.

Chairman Hamrick states, yes

Chairman Hamrick is open to a motion.

MOTION

Mr. Carper motioned to approve SRU 24-001 Vertical Bridge Wireless Communications Facility with the following Contingencies, Waivers and Conditions:

Waivers:

1. Weed Management
2. Sanitation Plan
3. Refuse Plan
4. Landscaping Plan
5. Drainage Plan
6. Lighting Plan

Contingencies:

1. Submittal of an amended CDOT permit.
2. Redline corrections on site plan.

SECOND

Mr. Fey second the motion.

Chairman Hamrick called for a roll call vote, and the motion passed unanimously. (6 of 6)

7. **ADJOURNMENT**

Chairman Hamrick adjourned the meeting at 3:18 p.m.



CHAIRMAN, FREMONT COUNTY PLANNING COMMISSION



DATE