



## City of Donnelly

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### Planning & Zoning Commission Meeting

Monday, November 6, 2017 at 6:00 pm

AT

Donnelly Community Center  
MINUTES

**Roll Call:** 6:00 p.m. Sally Gilbert, Gene Tyler, and Maggie Bryant. George Dorris arrived at 6:05 p.m. Larry Mangum was absent. Quorum exists. Clerk Cami Hedges and Administrator Delta James were present.

#### **Previous Minutes – October 2, 2017**

**Motion by Bryant, 2<sup>nd</sup> by Tyler** to approve the minutes as corrected. Motion carried.

#### **PUBLIC HEARING:**

#### **Conditional Use Permit (CUP) 17-01 Horizon Towers Cell Tower**

Application calls for the installation of a 100-foot mono-pine wireless cell tower. The proposed location is 550' West of Highway 55/Main Street, know as N Corbett Street on City of Donnelly owned property.

Administrator went over staff report in packet. Administrator asked that applicant give additional information that was requested. Administrator advised that staff create an amendment to the Light Industrial zone to include free standing cell towers to the code with a conditional use permit. Gilbert added that our code 18.37.040 requires underground power and would like that to be added to requirements.

Application – Zack Williams, representing Horizon Towers

Went over conditions of approval and staff recommendations to include that the following be made upon condition of approval: grading and drainage plans and report prepared by registered professional engineer, erosion control and dust abatement during construction, construction plans, & fire suppression plans. Initially proposed 100 ft to optimize coverage but if need be they can reduce the size to 85 ft, which staff recommended 75 ft. The structure will have a tapering structure and will be revised in submitted plans. Asking to move cladding to begin at 21 ft and branches at 20 ft, which is different than staff recommendation. Branch density will be as recommended at one at every 1 vertical foot. They agree on placing socks on antennas and the structure will have no climbing pegs. The entire pole will be painted and agree on planting 2 additional pine trees that are 20 ft in initial height. Testing on will between 9 and 5 pm. And not more than once per month. Applicant is okay to add the underground

power. Applicant indicated that each service provider will have its own generator therefore it is possible to have 3 generators.

Commissioner Tyler asked applicant what the decibel rating was on each generator. Applicant did not have this information and would provide to Commission.

Dorris would like to see a noise footprint to know what the noise would be with all 3 generators running at this time.

Administrator asked if they could coordinate all 3 carriers to test the generators at the same time each quarter.

**PUBLIC TESTIMONY:**

**Commissioner Gilbert asked for those IN FAVOR to speak:**

Susan Dorris – Eld, Donnelly - Resident, business owner – is great for a the industrial setting and interconnected with technology. It will increase reception for businesses, residents and visitors. Tried to go with another carrier and went back to Verizon. Family has problems connecting when in the area. Would be nice to have better reception.

Scott Pressman – Homer, Donnelly - Arrowhead Point Area Resident – Representing the homeowners in the area which include about 40 properties. There are more full-timers now which meant that the internet use increase and the reception decreased. Summer times are bad. They appreciate the tower proposal and with the pine tree to blend in is good.

Liz Jones – Norwood, Donnelly – Likes the idea to help keep technology ahead instead of behind of times, especially during tourist season. She sees people walk around when they can't get service and sees them get frustrated. Would like to see the expanded services. Also as a previous disease investigator, she provided documents from the Cancers society that shares information that cell towers are not dangerous to your health.

**Commissioner Gilbert asked for those that are NEUTRAL to speak: There were none.**

**Commissioner Gilbert asked for those that are AGAINST to speak:**

Jean Keyes – Black Pine Road, McCall – Acknowledge the need of the additional tower in the area. She has 2 children in the Donnelly Elementary school. Her concerns are who regulates the towers and look at them in regard to height and enhancements to the tower. In general, what the health impacts within 400 meters of homes have caused been known to cause cancer and has documentation to support this. The elementary is just under a ¼ mile from the proposed tower and her children attend the school Monday through Friday from 8 to 3. She realizes the need just would like to see a different location that is not close to schools or housing communities.

**Clerk read written comments into record:**

John Lance – Payette Street, Donnelly – I am in favor of the new cellphone tower in Donnelly, the tree design I think will fit the area. It will make our reception better. If other carriers use it, it will give us more variety in choice of cell phone providers.

Julie Shain – Wagon Wheel, Donnelly – Please vote yes. I live in Wagon Wheel and would greatly appreciate increased cell service in our area.

Cec Lojek – Donnelly – Although we are not full-time residents of Donnelly, we do own property and pay taxes there. We are very much in favor of the cell tower as improvement in this service allows us to spend more time at our second home as it is easier to conduct business. We have seen a cell tower “tree” in Boise and for a cell tower it is quite well done. One yes on the cell tower!

Bruce Anderson – Arrowhead Point Homeowners Assoc. – As President of the Arrowhead Point Homeowners Association, and representing those 40 property owners, I fully support the erection of a cell tower in the described location in Donnelly. We look forward to improved cell service for the entire area.

Mark Johnson – Main Street, Donnelly – Asked the question if it is worth consideration of the cell tower to provide the City with temp power during Idaho Power outage.

Commissioner Gilbert asked for Applicants Response:

Applicant responded. Horizon’s towers are regulated by the FRAA and FCC. Donnelly Planning & Zoning controls all of the process and design. As part of the coverage, even though it may seem better to have the tower further away, it needs to be where the people need it that is why they chose the Donnelly location. All emissions are federally regulated.

Administrator added that the towers are regulated by the FCC and it prohibits Cities to use health concerns as a factor in a reason for denial. Secondly, you could place a condition that the tower is inspected every so often to make sure that it is maintained, if this is a concern to the Commission. Also, all additional providers will have to abide by the conditional use permissions.

Commissioner Tyler stated that the company is responsible for the tower and are liable. Tyler built communication towers for his job and he has a NIH study that states that they can not be linked to cancer.

**Commissioner Gilbert closed the public hearing at 6:46 p.m.**

Administrator recommends that the Commissioners continue the application until the next meeting with the additional information to be provided from the applicant and to request staff

to draft an amendment to the Light Industrial Zone section to include free standing cell towers as a conditional use.

Commissioner Dorris asked Clerk if the Water Engineers has approved the location of the proposed cell tower. Also, would like to require the applicant provide a decibel noise circle for the generator uses. Also asked Administrator if there was any restriction for the Scenic Byway.

Administrator responded that there are not any restrictions to having a tower, however should be considered and with the mono-pine design it does conform in design.

**Motion by Dorris, 2<sup>nd</sup> by Bryant** to table CUP 17-01 Horizon Cell Tower Application until the applicant provides the additional information requested.

*Discussion:* Commissioner Tyler asked if the commission was okay with the concept. So that the applicant doesn't have to jump through hoops and get denied. Administrator does not recommend making that determination until additional information was provided to commission. Commissioner Dorris said that the Commission had previously approved a cell tower application a few years back that did not move forward. Administrator does not believe that the Commission should make a land use decision without going through the correct process. **Motion carried.**

#### **General Business:**

2018 Planning & Zoning Calendar

**Motion by Tyler, 2<sup>nd</sup> by Dorris** to approve the 2018 Planning & Zoning Calendar. Motion carried.

#### **Staff Updates:**

City Clerk Treasurer – Public notice from Valley County Planning & Zoning on updating their code to include Tiny Houses. They are adopting the International Building Code. December 13, AIC training for elected and appointed officials. Temporary Occupancy to the apartments this week for 12 units. Also North Lake Sewer District will be holding a public hearing on November 17<sup>th</sup> in regards to a sewer rate increase.

Tyler – Chamber Christmas in Donnelly, Saturday December 2nd at 4:30 – 6:30 p.m. at the Community Center. Santa, Chili Cookoff, Cookie Decorating. Also, the kids at the elementary will be designing ornaments for the tree at the Festival of Trees in McCall. There will be an awards presentation at the school. Halloween in Donnelly had over 300 participants and Karen Smith won the best decorated trunk. There were a haunted alley and a haunted entry way which the haunted entry way would have won, however she would not accept.

Administrator – Reviewing a sign application for NWP Apartments.

**ADJOURN**

**Motion by Bryant, 2<sup>nd</sup> by Tyler** to adjourn until the next regular scheduled meeting at 6:00 p.m.  
December 4, 2017. Motion carried.

Adjourned: 7:25 p.m.

Approved: December 4, 2017