

Latah County Planning Commission
Minutes, 8 November 2000

Planning Commission [PC] Members: Skyler Schlueter [SS], John Hunt [JDH], Suvia Judd [SJ],
Kathleen Warnick [KW], James Hagedorn [JH], Janet Hohle [JanH], Louise Barber [LB];
Planning Director, Gerard Billington [GB]

Present/Absent: SS, KW, SJ, LB present; JanH, JDH, JH absent. Staff: GB, S. Moberly

Packet materials: agenda; minutes from 10-25-00; local planning guide for cellular towers.

Meeting:

GB informed the PC that S. Moberly has attended city meetings, done research on the cell tower issue. A draft is to be ready for the PC to peruse before 12/13/00. The present meeting is a public meeting to determine public's greatest concerns.

At present, a conditional use permit [CU] is required for a tower throughout the AG/F zone. KW: CUs a good idea.

Questions followed about using existing utility poles, grain elevators, etc., rather than building towers, density and the physical range of signals, size and amount of equipment, the health and safety problems (including proximity to peoples' homes, frequency emissions), aesthetic considerations/possibilities for regulation, and endangerment to birds.

GB: companies know where they would like to locate, but don't seem coordinated at this time; presently (and only including cellular service) up to six companies could try to locate in Latah Co., starting with the required positioning along Highway 95; there are two types of companies: servers (such as AT&T) and builders and renters of towers. PC has an obligation under FCC ruling to regulate for servers, but no obligation to renters.

Regarding towers: ten-foot vertical separation necessary between units on a shared tower; co-location is a possibility; is signal stronger on a tall tower, so fewer would be necessary; the FCC approves proposed installations based on emissions, range, etc.; does not deal with home proximity; distances between towers depends on safety, which is determined on a case by case basis. Companies now moving in direction of lattice type of tower. What goes up depends on community.

The meeting was opened to the public.

Don Comstock: has signed a 25-year contract with AT&T for a tower on company's choice of location on his land; proposed free-standing tower, no guy wires, ca. ½ mile from any home. The tower is to accommodate three other companies; a 3-legged tower, requiring 10 sq. ft. area on ground; by Hwy. 95 near Potlatch. No permits have been sought. FCC will have to approve. DC felt the PC was coming across negative, and felt this type of income might be what ailing farmers need; SJ assured him PC was not faulting him; simply inquiring.

Wayne Olson: are there different towers and antennae? County should keep track of it all to monitor the business. GB: registration will be necessary with county, and a public hearing would be required. WO also questioned emission standards. Answered that we simply don't know; FCC will regulate, presumably at application/proposal stage and at construction, but post-construction/installation inspection/monitoring routine or timetable by FCC unknown. WO questioned why a tower would be

located in a dip rather than a hilltop; why not two huge towers on hills/mountains? SJ: if PC is permitted to regulate aesthetically, why not require that they not be in someone's front yard; GB: location is always a problem for someone.

Dan Morris: Section 704 of the 1996 FCC act deals with safety and health issues, but only applies to specific applications. Can we prohibit digital TV, and future technologies, etc., and limit towers to phones (or communications)? Is planning for vendors possible? According to the FCC web page, "cellular industries are to police themselves." Commented further that even FCC has no idea what the measurements of emissions on tissue are. He wanted to know if the public could attend the meeting the PC is to set up with industry representatives in several weeks. Told yes.

Rita Bendl: radio, microwave transmissions are important. The topographical/location question important. Presently the proposed antenna on Jacksha Road would be at the level of three homes, with the tower in the valley. Wants to know how much the FCC knows about all this since the technology is so new. Towers along I-90 are spaced evenly every two miles all the way to Seattle.

Wayne Olson: why can't we locate towers where the county currently has towers now? SS: limitation does exist because of mileage of coverage.

Don Comstock: big towers are not necessarily the answer; hand-held phones won't reach that far in many cases.

Annette Olson: reminded PC of letter submitted by Wayne and Annette Olson; letter also submitted by John and Rita Bindl; both on record.

Margaret Dibble: neighbor's property value is an important consideration; tower within 1000 feet of a home is not popular with her.

Rita Bindl: lights on the tops of towers another problem; strobe lights are particularly offensive. SS responded that the FAA requires certain lights within airport proximities; SJ: we could regulate that there be no lights; GB: if we regulated that there be no lights, no towers could exceed 150 feet. There must be consideration of safety for crop dusters. Questioned whether there would be notification of tower locations to aerial applicators. GB: PC must look at this type of consideration and could prohibit towers that would be detrimental to aerial application.

GB wanted to know how the public felt about placing antennae on power poles; utility companies will consider allowing poles to be used; more income from this arrangement.

Margaret Dibble: would removal when obsolete be part of the standards? Chain link fences an eyesore. Don Comstock responded that AT&T would remove their materials to a depth of 3 feet below ground.

Rita Bindl: lights for safety not a problem with her, but the annoyance factor should be considered. Would like to see the hilltops used rather than the valleys. It would cost less to power them.

Don Morris: is the proposed grid available from the companies? GB: right now, Jacksha and Kluss Road, and Mill Road/fire station are proposed locations. The companies appear not to be talking to each other at the present time. There are five or six telephone companies possibly looking to locate in Latah County, but renting companies are in this picture, too.

Wayne Olson: can neighbors/public be notified about the potential contracts for towers? No, since these are essentially private, but public hearings would be noticed. GB: PC could require notification to surrounding landowners.

Rita Bindl: will the PC/PD be able to say "no" to this and that? GB: without an engineer, county is quite limited to what we can and can't order/enforce.

Wayne Olson: what happens to property values in relation to multiple towers? SS: someone's house is always affected.

Don Morris: why not have antennae on every pole and spread the wealth? GB: there may be reasons why poles cannot be used; PC must formulate ordinance that allows for coverage with the fewest exceptions. SS: PC will attempt to formulate the ordinance to do the least damage to property values, aesthetics, etc. There will have to be consideration of no towers within certain areas vs. tower forests to minimize impact. The PC is not anti-tower, but desires the least impact. It is possible that taller towers would be the way to go. Information will be gathered.

John Bindl: what has been the situation in the past? Any applications before the moratorium on new applications had to go through the CU/zoning commission/public hearing process. If we don't draft a new ordinance in time, the old process would remain in place. LB: how does the county know we are not being jerked around? GB: we try to do the best we can. SS: County could require renewals of any CU every two to three years since technology changes so quickly. GB: the "takings" issue is always in the picture.

SJ: has articles on birds and guy wires; will be available in next packet. GB: industry representatives will be contacted so an information meeting can be set up. At present time, a proposed draft will be ready before the public hearing proposed for 12/13/00.

Minutes of 25 October 2000 meeting passed.

Next meeting, proposed cellular industry representatives to meet with PC, to be announced; 13 December 2000, at 5:30pm, County Courthouse, 2-B.

Submitted by: _____ 5 December 2000
Louise D. Barber