

PICKENS COUNTY PLANNING COMMISSION

MINUTES

of

September 9th, 2013

6:30pm

**PICKENS COUNTY ADMINISTRATION BUILDING
Main Conference Room**

MEMBERS PRESENT:

Jim Wilkie, Chair
Bill Cato
Weldon Clark
Dennis Reinert
Henry Wilson
Bob Ballentine

STAFF PRESENT:

Chris Brink, Community Development Director
Marshall Brown, County Planner

Welcome and Call to Order

Mr. Wilkie, presiding official, called the meeting to order at 6:35 p.m.

Mr. Wilkie proposed to the members of the Planning commission a change to the agenda; that item IV, the Election of Officers, be moved after item VI, New Business. The item was moved by unanimous consent.

Mr. Cato provided the evening's invocation at the invitation of Mr. Wilkie. Mr. Wilkie led the recital of the Pledge of Allegiance.

Mr. Wilkie led the introduction of members of the Planning Commission and the County Council representatives whom they represent.

Approval of Minutes

Mr. Wilkie asked for a motion regarding the minutes of the August 12th, 2013, meeting. No motion was asked for; Mr. Wilkie called for a vote on their approval; the approval passed unanimously.

Public Hearings

Mr. Wilkie opened the public hearing portion of the meeting and asked staff to give a brief overview of the hearing procedures.

Mr. Wilkie asked staff to announce the first public hearing.

1. LU-13-004 Land Use request for a 250' telecommunications tower on Pumpkintown Highway, Pickens.
Tax Map # 5104-00-25-3298

Mr. Wilkie opened the public hearing and asked if the applicant was present.

The applicant, Martin Deputy, representing the applicant, Optima Towers, LLC, appeared before the commission and gave an overview of his request; his company is proposing a wireless communications 250 foot guyed tower; that his company appeared before the Planning Commission several years with proposed towers along SC 11; that the proposed property is a large tract; that the facility will be totally fenced and landscaped according to county codes.

Mr. Deputy stated that an access easement will be built to the facility and the facility will be secure; that the facility will be built according to county requirements to hold up to six carriers.

Mr. Deputy continued with his presentation by going over materials that were provided to the commission members including drawings and photographs showing various view angles both before and after the tower's construction.

Mr. Deputy continued further going over various items in the application showing compliance with other aspects such as the FAA, FCC, and the state historic preservation office as well as the referenced standards listed in the application and respective ordinance sections.

Mr. Ballentine asked which carriers had agreed to locate on the tower and what is the driver for the tower in the area.

Mr. Deputy stated that so far one carrier had committed to locate on the tower, however there would be space for all local carriers; that the elimination of white space, or un-served areas, developing "fill in sites", was driving the latest push for tower construction in the area.

Mr. Clark asked the members of the audience that were adjacent to the proposed tower, who had cellular service. Several unrecognized audience members began to speak.

Prior to the conclusion of Mr. Deputy's presentation, conversations began between the applicant and unrecognized adjacent property owners.

An unrecognized audience member asked if the applicant had a site plan showing adjoining properties.

The applicant pointed out the site plan layout in the application materials.

An unnamed audience member asked about lightening protection for the tower.

Mr. Deputy stated that all aspects of the tower will be grounded according to the applicable code requirements; that the tower will be surrounded by trees that are as susceptible to lightning strikes as the tower itself.

Mr. Wilkie commented that this meeting was for the members of the Planning Commission and that he recognizes the desire for the public to ask questions directly to the applicant; that technical aspects can be addressed separately from the meeting; that all comments should be addressed to the commission at the appropriate time and that the applicant may address those comments.

There being no additional questions from the members of the commission or comments from the applicant, Mr. Wilkie asked if there were any members of the public wanting to speak in favor of the request. There being none, Mr. Wilkie asked if anyone wished to speak in opposition.

Robert Ward, 150 Glassy Mountain Street, addressed the commission, stated his concerns regarding the view of the tower and its impact on the view of Table Rock from his property on Ambler School Road and potential decline in property value.

Dottie Moss, 2912 Pumkintown Highway, addressed the commission speaking on behalf of herself and several family members that have property in the vicinity of the tower request. Ms. Moss gave a brief history of her family's settlement in the area and on the property in question and in the area; that the tower location will be directly in front of her home and in direct view of the tower, that another property owner will be impacted more than anyone else; that the tower will be located in direct view of the home site that he was proposing to build upon; that all the family members were in opposition to the tower.

Ms. Moss posed several questions to the members of the commission; if the proposed tower would be a multi-use tower; what the effective isotropically radiated power will be coming from the tower and how much more will be generated as new carriers locate on the tower; if it meets FCC requirements for noise; what additional uses will the tower serve; what is the overlap of the tower; that they would like for a 90 day delay in the tower approval so that they can have an independent person review the tower and a postponement of the approval so that the family can meet to find a better place to place the tower on another piece of property.

Ms. Moss presented a letter from her brother, George McKinney, stating his opposition. This is the same letter received earlier in the day by planning staff and presented to the commission members prior to the meeting.

James McKinney, 308 Corn Mill Road, appeared before the commission, and spoke in favor of the request and reminded the commission that the tower will have to be away from all property lines 250 feet and that he wanted the tower to be built.

Mark Lambert, 2920 Pumkintown Highway, appeared before the commission and stated that he didn't have a concern regarding the view of the tower but wanted the issue of radiation addressed. Mr. Lambert also saw a need for a 90 day delay in order for the family to have all their concerns addressed.

Francis Alward, 2920 Pumkintown Highway, property owner on which the tower will be located, addressed the commission and stated that there was a real need for a tower in the area and that he has a signed petition with more than 100 signatures that are in favor of the tower; that all expressed a need for cell coverage for emergencies.

There being no further comments, Mr. Wilkie opened discussion of the application to commission members.

Mr. Wilson asked the applicant to address the grounding/fire issue and the effect of radiation.

Mr. Deputy stated that all aspects of the tower will be grounded and protected from lightning strikes, including grounding of the tower, electrical equipment, fencing, cabling etc; that from a safety stand point, if the tower is ever struck and power is disrupted, a standby generator is provided to ensure, at a minimum, the safety lightening on the tower remains functional; that from a fire issue the only instance he has heard of a tower causing any sort of fire has been during construction cause by welding on the tower catching underlying grass on fire.

Mr. Deputy went on to explain the radiation issue; the total electrical output of the tower, including all the antennas, is less that the output of a 100 watt light bulb; that any radiation issue comes from the actual phone being placed against one's head for an extended period; that the Telecommunications Act of 1996 actually prevents communities and their ordinances from using health effects as a reason to deny a tower request; that radiation issue is an exclusive issue for the FCC to monitor.

Mr. Ballentine, Mr. Wilson, and Mr. Cato discussed with the applicant issues with siting and if there were other areas in consideration and notionally, how many towers are put up every year.

Mr. Reinert asked if there any studies available that indicate any financial impact on property values.

The applicant stated that there are volumes of studies that indicate there are no direct impacts on property values; that tower sites, as population grows, will be ultimately be visible; that homes will continue to be built in view of towers; that many people make decisions on lifestyles based on cellular phone coverage; that it is an amenity just like power, water, sewer; that 70%-80% of all emergency calls are made from cellular devices.

Mr. Clark asked the applicant how many 911 calls are from cell phones.

Mr. Deputy stated that nationally, 75% - 80% of all emergency calls originate from a cellular device.

Mr. Wilkie asked if there were any additional questions or comments from either the applicant or from the commission before the public hearing portion of the meeting is closed.

There being none, the public hearing was closed.

Mr. Clark made a motion to approve the request with the recommended conditions of staff with a change to the recommendation noted as 1.a. of the original recommendation.

The conditions being:

1. Prior to, or submitted in conjunction with, the application for any permit to construct the proposed facility, the following items will be required;
 - a. A signed ground lease addendum stating/agreeing that the property owner may not disturb or remove any vegetation/trees/underbrush within fifty (50) feet outside of the main compound fencing.
 - b. Site grading plans and buffering plans that demonstrates to the Community Development Director that adequate landscaping/buffering will be provided for at least fifty (50) feet from the main compound fencing.
 - c. A properly executed site lease from a FCC licensed wireless provider demonstrating their use of and locating on the proposed facility.
 - d. As required by Section 311 (f)(3), a dual lighting system must be installed; this system must be shown on the drawings/plans that are submitted for permit approval.
2. Proposed tower site must be separated from the current residential use located on the subject property. A plat must be presented for approval and recorded that places the existing residence on a tract separate from the wireless facility. Section 311(f)(1)(a) of the UDSO must be adhered to.

Members of the commission, members of the audience, and the applicant continued discussion regarding several issues concerning height of the tower, visual impact, tree heights, etc.

Mr. Reinert asked the applicant to address the lighting issue.

The applicant stated that per FAA regulations, the height of the tower requires the tower to be constantly lit.

Mr. Brink addressed this issue as well and stated that the county will require the tower to be lit with a dual lighting system; white strobe during the day and a red, flashing light during the night; that any tower over 200 feet in height is required to be lighted by both the county and the FAA.

Mr. Wilkie addressed those in attendance regarding the reason this issue was before the commission; that there are several uses in the county that require a public hearing and planning commission action; that the commission realizes the issues surrounding cell towers.

Members of the commission, the audience, and staff discussed the relocation of the tower to other properties and how the application and public hearing process would unfold if the tower is moved; discussion continued regarding the options available to the commission for taking action on the application.

Mr. Wilkie asked if there were any further discussion and asked since there is a motion on the table if there was a second.

Mr. Wilson seconded the motion.

Mr. Brink read the conditions for the record and went over why the conditions were recommended by staff.

Mr. Ballentine stated that he does not support the motion; that he wishes to make an addendum to the motion to grant a 90 day waiting period so that adjoining owners can have time to work out the location of the tower.

Discussion continued regarding the 90 days; that a date certain would be better since 90 days may fall on a weekend; that the December planning commission meeting will be a better option.

Issues regarding re-application and re-advertisement were also discussed in the event that the tower location was moved and who would a 90 day waiting period be dealt with when an application and advertisement would need to be in at least 45 days before then.

Mr. Brink raised the issue if it wouldn't be proper to address the motion on the table first; that it seemed Mr. Ballantine's motion is being offered as an alternative motion rather than an amendment/addendum.

It was agreed that the first motion needed to be taken up first; that if that motion failed, then Mr. Ballentine could offer his motion as a new motion.

Mr. Wilkie called for action on the original motion.

The original motion by Mr. Clark which was seconded by Mr. Wilson passed with 3 members in favor and 2 not in favor.

Motion passed to approve with the stated conditions.

A copy of a letter from Mr. George McJunkin, in opposition, is attached to these minutes.

A copy of a letter from Ms. Dottie Moss, in opposition, is attached to these minutes.

A copy of a petition, 77 unverified signatures, in favor, is attached to these minutes.

Public Comments

No one from the public present had signed up for comment.

Election of Officers

Mr. Wilkie opened the floor for nominations for Chair

Mr. Wilson nominated Mr. Wilkie for Chair.

There being no additional nominations, Mr. Wilkie was elected Chair
Mr. Wilkie opened the floor for nominations for Vice Chair.

Mr. Clark nominated Mr. Cato for vice Chair.

There being no additional nominations, Mr. Cato was elected Vice Chair.

Adjourn

With no additional business before the commission, Mr. Wilkie called for a motion to adjourn the meeting. Mr. Clark motioned to adjourn and was seconded by Mr. Ballentine. The meeting adjourned at 8:37 pm.


Chairman

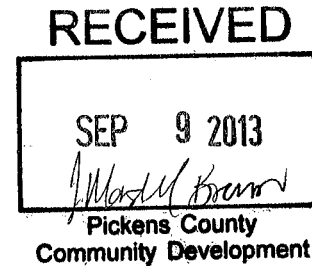
10-14-13
Date

8 Sept 2013

From: George McJunkin
4708 Amberjack Drive
Virginia Beach, VA 23464
757-474-4320

To: Pickens County Planning Commission
222 McDaniel Avenue
Pickens, SC 29671
Mr. Jim Wilkie, and all Commissioners

Ref: Hearing on 9 September 2013
LU-13-00-25-3298
On parcel 5104-00-25-3298



With the short time notice given for the hearing, as well as the short time the physical posting has been in place at the property, I will not be able to attend the hearing. As the owner of adjacent and nearby parcels (5104-00-44-2612, and 5104-00-43-3927), I believe that I will be effected by this tower. While I have not started construction, I have cleared property, cleared a line from Ambler School Road that will later become my driveway.

It has been my intention, at retirement, to build a house on parcel 5104-00-44-2612, which does enjoy an unobstructed view of the mountains, and in particular Table Rock Mountain, the well-known icon associated with Pickens County. I believe that this obstruction will substantially reduce the value of my property, as well as that of many surrounding properties.

I am most concerned about this tower from a safety aspect, as well as a fire hazard, and if this will call into question safety of my proposed house place. While looking on the internet to see what 250 foot cell towers look like, I was surprised to see how many have caught on fire. Most of the surrounding area is forest and in this regard I am most concerned, as the towers are typically un-manned.

While I realize the need for certain utilities such as this, it does seem most prudent if a place can be found, that would share space with other utilities such as water towers & tanks or even other cell tower facilities. In this way public services can be offered and maintained with minimal impact and the obstruction of view and potential loss of real estate value for every hill top in Pickens County.

In this regard, I wish to publicly state my objection to the construction of this tower, to officials of Pickens County, to the owners of 5104-00-25-3298, and the respective utility company.

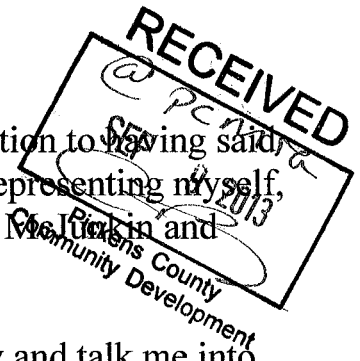
Sincerely

A handwritten signature in cursive script that reads "George G. McJunkin, Jr.".

George G. McJunkin, Jr.

Copies to: Lucy Ward (Sister), Dorothy Moss (Cousin)

Thank you for giving me this opportunity to address my opposition to having said cell tower erected on property adjoining my home. I am here representing myself, Dottie Moss, and my cousins: George & Edith McJunkin, Nat McJunkin and Lucy & Bob Ward.



This past Friday afternoon a gentleman came to my home to try and talk me into accepting this proposal. As I asked him to sit on my front porch to talk, the first comment he made was "What a beautiful view you have up here." I hope you will see fit to let me keep it. I am blessed with living on pristine, peaceful land which has been handed down in my family through three generations. We are concerned that this tower being erected will affect us from an environmental as well as personal standpoint.

Eight years ago I retired and moved here from Miami, FL. When I met with my builder I stood on a spot in my yard and told him I wanted my front door to be exactly where I was so I would have an unfettered view of Table Rock. That is where my front porch is today.

My cousins and I only became aware that this cell tower was being considered on Friday, August 30, when I was called by a neighbor and told of the sign posted on the highway. We earnestly tried to get appraisals done on our respective properties to show how the value would be diminished if the tower was erected. Having worked in real estate for almost 20 years, I am fully aware of the consequences. No one wants a tower in their back yard. Most people will not even consider purchasing land were one exists and if they do, the property is generally devalued between 20 to 25%.

After seeing exactly where the tower is being proposed, I will see approx. 70% of it as I sit on my porch. It will not be exactly in my line of vision, but I will have it in my peripheral view, and the beacon on top will be a constant irritant from sunset to sunrise.

But more importantly is how it will affect George & Edith with the building of their retirement home. George cleared the land on an adjoining hill from where the tower is being proposed eight years ago, and has cleared for a driveway off of Ambler School Road. There is no way he will be able to build once this tower is installed. He will be within a stone's throw from the tower.

Nat, who already has a house built, will have this tower directly in his line of vision to Table Rock. The Wards have property adjoining Nat's and though they

250 foot cell phone towers - Bling ima... how-tall-is-150-foot_nosweetwaterto... Cox High Speed Internet WebMail

nosweetwatertower.files.wordpress.com/2013/06/how-tall-is-150-foot_nosweetwatertower.jpg

How Tall is 150 feet? Let's Take a Look

150 feet

75 feet

25 feet

0 feet

Eight times higher than average area homes, if the tower is erected, you'll be able to tell visitors to just look for the "Sweetwater Cell Tower"

visit NoSweetwaterTower.com

Proposed cell tower Statue of Liberty (without base) Typical one-story Sweetwater home Family

RECEIVED

@R MTO
SEP 9 2013
CB

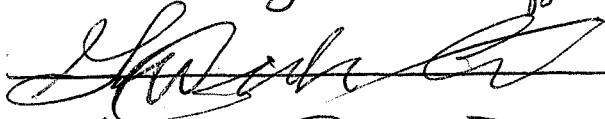
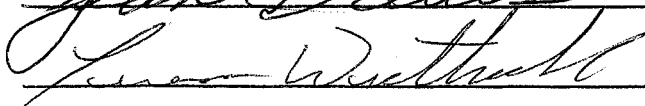
Pickens County
Community Development

To Whom It May Concern:

This petition contains the signature of residents in the area of Highway 8 and surrounding vicinity (approximately 2 miles southeast of Pumpkintown, SC) who do not have adequate cell reception and who do approve the construction of a cell tower on the property of Francis and Lee Alward on the east side of Highway 8 to try for improvement of said reception.

1. David E. Hendricks
2. Robert Maguire
3. [Signature]
4. Barry Morris
5. Ashley Eller
6. Don Erickson
7. W.W. Turner #1
8. Roy Weaver
9. [Signature]
10. Janice Kelsey
11. Jay Payson
12. [Signature]
13. [Signature]
14. Johnny Wiley
15. Ricky Gantt
16. Willie G. Gantt
17. Mary Gantt

18. Dena Norton
19. Kenny Gaydich
20. Jeff Norton
21. Richard L. Ellerman
22. Jim Potts
23. Paula Pottler
24. Mark Slev
25. Michelle Slev
26. Deck Hartman
27. Tom B Smith
28. Mal Hal
29. Bobby Boggs
30. Bonnie Boggs
31. Don E McJunkin
32. James Duncan
33. Cathy Duncan
34. Robert Wood
35. Margel Anderson
36. Jary Anderson
37. Donald L Anderson
38. Eric Hill
39. Jean Anderson
40. Tommy Anderson

41. ~~18.~~ Jean ^L Jensen
42. ~~19.~~ Bob Fry Jr.
43. ~~20.~~ Charles Richardson
44. ~~21.~~ Mandell Risold
45. ~~22.~~ Richard James
46. ~~23.~~ Roy Holcombe
47. ~~24.~~ Terry Ault
48. ~~25.~~ Terry Gallay
49. ~~26.~~ Christine Lewis
50. ~~27.~~ Rose Coy
51. ~~28.~~ Evie Shrick
52. ~~29.~~ Kerry Nolz
53. ~~30.~~ Tracy Wolk Masley
54. ~~31.~~ Russel & Sylvia Riggins
55. ~~32.~~ 
56. ~~33.~~ Jan Damp
57. ~~34.~~ 
58. ~~35.~~ Sheila Cameron
59. ~~36.~~ Mandalyn Bell
60. ~~37.~~ Wendy Virtue

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61. Judy Jacobs 704 Ambler School Rd
62. Floyd Snipes 705 Ambler School Rd.
63. April Pittman 145 Opals Rest La. Pickens
64. Katie Giffin 117 Popcorn Dr. Pickens
65. Diamond Brookshire 111 Popcorn Dr. Pickens
66. Querry Corn 680 Ambler Rd, Pickens, S.C.
67. Jeff Dalton 638 Ambler School Rd
68. Cornelia 638 Ambler School Rd
69. Bill Arnold 638 Ambler School Rd
70. Tammy Arnold 638 Ambler School Rd
71. Meddie Kelly 225 Ambler Sch Rd, Marietta SC
72. James Madden 227 Ambler Sch Rd, Marietta SC
73. Travis Creasman 165 Carney Lane Marietta, SC 29661 SC
74. Shaina Green 165 Carney Ln Marietta SC 29661
75. Priscilla Underhill 114 Ambler School Rd, Marietta SC 29661
76. Stewart Smith 114 Chestnut Oaks Dr, Pickens SC 29671
77. Francis Alward 2920 Pumpkintown Hwy, Pickens 29671