

Boulder Town

Planning Commission

Meeting Minutes

November 12, 2020

Zoom meeting, Commission quorum present: Colleen Thompson, chair; Matt Cochran, Cookie Schaus, Josey Muse, and alternate Marian Johnson. Haylee Apperson was excused. Also attending: Secretary Peg Smith, Zoning Administrator Curtis Oberhansly, Town Council Liaison Judy Drain, and planning consultant Lee Nellis.

Public zoom connections: Tessa Barkan, Debra (Oldham?), Kipp Greene, Ashley Coombs, Dave Conine, Nick Sparks, Jeanne Zeigler, Donna Owen, Michelle (Lebaron?), Steve Cox, Caroline Hoyt, Phoenix Bunke, and various communication company reps: Ben Jacobs, Cynthia Phillips, Polly Patrick, Cynthia Vandermark, Jeremy Boone.

Colleen opened the meeting at 6:05 p.m. Matt moved to approve the September and October minutes, Cookie seconded the motion, and all approved. (Marian Johnson, as alternate, participated in the votes throughout this meeting.)

Matt moved to approve the agenda, Cookie seconded, and all approved.

Lee Nellis: Proposed Development Standards Review

Lee thought working through a hypothetical commercial project would cover most of the list of standards: a bean elevator and retail shop at the intersection of Hwy 12 and Burr Trail, opposite Burr Trail Grill. (refer to example project site plan on website). The project would include restoration of the old gas station as the retail shop, build a picnic area and parking area, and construct a production area including employee parking. The Commissioners worked through each item on the checklist, checking absolutes and assigning values to the relative items.

Highlighted questions and comments coming out of the discussion included access to Hwy 12 as an absolute; points awarded for underground utilities; use point scoring to negotiate additional buffering plantings, UDOT ingress/egress requirements, parking and what is too much, points for promoting local ag products or crafts. Lee has the following takeaways: required access to Hwy 12, adding something about encouraging local food processing/crafts, maybe too many points can be accumulated through the multiple landscaping requirements. He questioned maybe encouraging reuse of existing buildings but Josey said there aren't enough of them to worry about. And 16 parking spaces for that example seems suitable.

The Commissioners wanted one more example before moving to a January public hearing. Josey wants to review the final language before moving forward.

Regarding cell towers, Lee encouraged keeping towers to a minimum and encouraging providers to co-locate.

Initial public comments

Donna Owen: Request final language (on the Nellis development standards) available on the web a few weeks before public hearing if possible.

Discuss Communication Tower Proposals (CommNet and DW Tower)

Curtis introduced the two proposed tower projects, DW Tower and CommNet. Central question is how and where to provide for communication needs in Boulder? FCC regulations to consider, but municipalities are allowed some say in mitigating impacts. The recently passed ordinance 2020-3 predates both applications, so they are subject to its requirements.

Fiber optics required for both applications. Fiber is expected to be complete to Boulder South Central central office near the beginning of the year and will be available to both sites. The Planning Commission can weigh the benefits and drawbacks of both sites. Curtis didn't know if the applicants have talked to each other, but both have applications on the table. Neither application has been signed off as complete yet and tonight is for information only.

Curtis showed photos from CommNet's application of the existing 30-foot South Central along with a rendering of the proposed upgrade to a 55-foot monopole. This would be used to house First Net, a statewide network for first responders as well as the current carrier T-Mobile and space for others.

DW Towers on Thompson Ledge would replace their current 60-foot, 3-legged tower with a 60-foot lattice tower. A tower providing broadcast TV has been there for decades. The new tower would include the TV antenna and could co-locate 3-4 additional carrier. It's main function is to provide a microwave dish providing a straight shot to Mt Pennell and providing cell service to Bullfrog.

Ken Jacobs, DW Tower, said they'd looked at the South Central location but it didn't have substantial enough tower for their uses. Matt asked about the microwave-- Why 60 feet? Ken said the DW Tower part could fulfill their microwave objective with 30 feet but the other 30 feet would be to co-locate other carriers. Or the tower could be extended in the future. Is there a way to camouflage the tower? Jacobs said they've done trees, but a tree would probably draw attention at this location. He said they treat the tower with a non-reflective substance and it can also be painted dark brown.

Cookie asked about the types of carriers. DW works with the major carriers, as well as CommNet. Each panel on their rendering represents a separate carrier: Verizon, ATT, T-Mobile, etc. Ken said it's up to the carriers where they can be and want to be located.

Colleen said the mesa top location seems better than the location downtown, given elevation. Jeremy Boone from CommNet clarified some points about the So Central tower: First, there are already two existing carriers and this new agreement would co-locate a third: First Net. Lease agreements are already in place. Depending on the language in those agreements, it can't be assumed that a carrier could move immediately. He said the CommNet would ensure there's no disruption to existing service as well as adding the first responder capability.

Cookie said the town location isn't particularly pleasing, aesthetically, and it would be great for the two entities to "put your heads together to figure it out" on co-locating.

Colleen asked about the building: The building belongs to South Central and is their central station or hub serving Boulder. They own the property and the building stays there. Jeremy said there are landscape plans included in the CommNet application to better camouflage CommNet equipment.

Curtis asked the tower. Jeremy said CommNet would relocate to the top of the tower, which is the primo position. The next one down would be for First Net (first responders network). The existing structure isn't high enough or strong enough. He said an upgrade to the existing location doesn't change the agreements with the current carriers.

First Net has approved this facility and agreements based on that have moved forward.

Boulder Town Planning Commission, Meeting Minutes

ATT is putting together the First Net network. Anyone with the compatible receiving equipment gets priority access to it. Matt asked about setbacks. Jeremy said they were probably ok with the setbacks from the street but are requesting variance relief on the side setbacks. He said they can provide a “fall zone letter” to ensure the tower collapses on itself in the event of disaster.

Peg asked if Boulder first responders have the necessary receiving equipment to make use of the network.

Judy Drain said the Town Council will push until they get it right. As she understands, first responders require a special chip in their phones that ensures they get the emergency calls first. She said we’d need the equipment.

Matt said we’re looking at two applications. In the minds of many Boulder people, putting everything on a single tower would be best. Jeremy said their preferred path is to upgrade the town tower due to the existing structure, existing agreements, and being the fastest way to provide service to their clients and ensure continuity of service.

Cookie asked about federal deadlines on the applications.

Ken said the initial reason DW Tower approached Boulder was the microwave shot. He said the mesa is best because of its location and that it satisfies their first priority, which is the dish. But he said after getting town input, they have proposed building the co-location facility. He said they work with all the major carriers. It’s up to them, but DW can accommodate those uses if that’s what people want to do.

Colleen asked if maybe both location are needed to handle the multiple carriers plus future use.

Curtis said the Planning Commission will need to figure out the optimal solution for the town. Where will First Net work best? Both sites will have fiber optics available. Both locations are equal in terms of availability of fiber and power. Is being higher (on the mesa) a big advantage? Can First Net move from town center to Ledge? The job is to mitigate visual and other impacts while getting communication maximum results.

Matt said it makes most sense to get everything we want on one tower in one spot than have two. Thompson Ledge makes most sense.

First Net project manager, Polly Patrick said “we don’t control that (South Central) tower; we have a lease. CommNet doesn’t control that location. Our concern about CommNet moving would be changing our coverage to your town if move to Thompson Ledge. The question of moving to another tower would have to go to South Central. She said ATT, which has the agreement to bring First Net to town, picked this (town) location because we’re there. You’re probably stuck with two towers. It doesn’t mean we can’t make it nicer. Our First Net deadline is March 2021.

Josey asked about DW’s microwave shot to Mt Pennell. Ken said it’s a straight shot on top of mesa, but they also get a clear shot from the SoCentral tower. Is the effect on the community reduced if they’re at a higher elevation? Ken said technically, either works. Thompson Ledge is superior because of its high elevation. Josey said it seems that two towers are needed given information brought forward.

Judy asked about the March deadline. Polly said it generally takes four months from the moment an application is approved. ATT’s government commitments to install First Net networks started three years ago, generally within urban areas. She said she could juggle getting another site online by March to meet her own commitment and get Boulder online by June.

The Commission decided that public hearing(s) can proceed in December, pending more information Curtis needs for the CommNet application to be complete.

Boulder Town Planning Commission, Meeting Minutes

RSTR Mapping Review

To be rescheduled for December.

Staff Reports

Completed above.

Upcoming Business for December 10

- Approve November minutes
- Lee Nellis example
- Public hearing(s) for comm towers
- RSTR mapping

Final Public Comments

Tessa: I understand there'd be issues with involving South Central in moving location of tower. Would there be additional benefits to updating both towers as opposed to moving equipment? This would be for aesthetic reasons but also because community members having concerns about health risks especially because of the proximity of the school and the church. There should be more info about that.

Ashley, in Chat, agreed with Judy's comment on first responders.

Matt moved to adjourn, Cookie seconded, and all approved. Colleen adjourned at 8:25 p.m.

Peg Smith, Planning Commission Clerk

Date