

HARRIS COUNTY PLANNING COMMISSION REGULAR SESSION

February 17, 2021
7:00 PM

Members Present: John Britt, Chance Carlisle, Paul Dasher, Wayne Harbert, Chris Lintner, Gene Weldon. Member Present (via phone due to COVID-19): John Brent. Staff Present: Brian Williams, Community Development Director; Lee Walton, Planning Consultant; Nancy McMichael, Recording Secretary.

1. **CALL TO ORDER.** Chairman Britt called the meeting to order.
2. **MINUTES.** The motion to approve the minutes of the January 20, 2021, Regular Session was made by Mr. Carlisle, seconded by Mr. Weldon, and passed with five in favor (Carlisle, Weldon, Brent, Harbert, Lintner), no opposition, and two abstentions (Britt and Dasher, who were not present on January 20).
3. **NEW BUSINESS**
 - A. **Preliminary Plat: The Grove on Davis Lake Road, 7 Lots, zoned A-1, on Davis Lake Road, Pine Mountain; BC Stone Homes, LLC, Developer.** Bryan Stone, representing BC Stone Homes, appeared before the Commission and said that the lots average four acres each and they are planning to build homes in the \$300,000 to \$350,000 range. He then responded to questions from the Commission regarding the creek and topo lines, and said that water will be provided by Pine Mountain; that the lots will be on septic tanks; that the homes will be single family homes. There being no further questions or comments, the motion to approve this Preliminary Plat was made by Mr. Carlisle and seconded by Mr. Weldon. Mr. Britt suggested that the motion needs to be amended to require the surveyor sign the plat and provide other necessary survey information. Mr. Carlisle amended his motion to approve pending the surveyor's signature and other necessary survey information, and Mr. Weldon amended his second for same. The motion passed unanimously. (Note: County regulations do not require signature of surveyor on Preliminary Plats.)
 - B. **Email Communications.** Discussion took place regarding the manner in which the Commission receives meeting information to include that the preference is to receive same electronically as attachments numbered to coincide with the agenda; and that Mr. Williams will strive to get the information out via email on the Wednesday prior to the meeting and that hard copies will be available at each meeting.
4. **PUBLIC HEARING @ 7:15 PM**
 - A. **Explanation of Public Hearing.** Chairman Britt explained the procedures involved for the Public Hearing.
 - B. **Application of Kenneth L. Moore & Mark Lydon (Verizon Wireless) for a Special Use Permit for a Wireless Tower as an ancillary use on a 100' x 100' compound on 27 acres of property located on Map 058, Parcel 033, Land Lot 163, Land District 2, at 868 Pleasant Grove Road, Hamilton, on property zoned A-1 (Agricultural & Forestry).** Chairman Britt read the specifics of the application. Andy Rotenstreich, attorney representing the applicants, appeared before the Commission and said that the tower will help get broadband in the county; that Verizon searches out other towers in the area and shows there is a tower 2.2 miles north and a tower 2.4 miles south; that there is a gap of coverage between the two towers, which is what the proposed tower will fill; that the tower will provide coverage for residents, tourists and travelers on Pleasant Grove Road; that the tower will be on a 100' x 100' compound in a wooded area on the property and accessible only by an easement across the subject property; that there is no residence within 500' of the proposed tower location; that while the application shows a 200' tower, the tower structure has been changed to a monopole that is less than 200'; that the tower will not be lighted as the FAA does not require anything less than 200' to be lighted. Mr. Rotenstreich then reviewed the vicinity maps and information that had been provided to the Commission to include location of the 100' x 100' compound, distance of proposed tower to existing Verizon towers, current Verizon coverage, predicted coverage with the proposed tower, and a letter from Verizon engineer verifying specifics of the tower; that application meets all the requirements of the County's ordinance regarding telecommunications towers; that it appears that Pleasant Grove Road is considered a scenic corridor by the County's Comprehensive Plan; that the County's Vision Statement of the Comprehensive Plan, under Goals and Policies, includes, as item #9 to advance the County's broadband system; that without a tower, there is no other way to get coverage in that area; that the tower will be 4G but will upgrade to 5G at the appropriate time; that the Telecommunications portion of the Zoning Ordinance indicated that towers shall not be sited where they will negatively affect a scenic view

corridor; that the proposed tower will not negatively affect Pleasant Grove Road; that there will be no odor, fumes or traffic to the tower, except for periodic visits to make sure equipment is working properly; that the equipment will be inside a shelter at the tower on wooded property and will not be seen from the road; that the tower will benefit the people living in the area. In response to questions from the Commission, Mr. Rotenstreich said that Verizon is focused on installing towers in Harris County; that co-location of antennas will not interfere with radio because each antenna has a different frequency; that antennas are separated by 10 to 15 feet; that the signal dictates where tower should be and how high; that when towers are abandoned they are required to be removed per the lease agreement as well as the County's ordinances; and that at some point, Verizon may sell the tower, the owner would lease back a portion of the tower to Verizon as well as other carriers. In response to a question regarding a particular study, Brian Williams, Community Development Director, said that the NEPA study had been performed, is 186 pages, is available for review by the Commission members, and indicates everything is good for this tower site. Continuing to respond to questions from the Commission, Mr. Rotenstreich said having the tower look like a tree is not feasible in this area because of it will be located in a wooded area and the branches of the tower would be above the trees rather than just the monopole; that letters were sent to 14 property owners in the area regarding interest in locating a tower on their property to which there were a few responses which were further reviewed and narrowed down to the subject location; and that in upgrading from 4G to 5G only different antennas are needed.

There being no further questions or comments, Chairman Britt asked if anyone wished to speak in favor of this Special Use Permit application. There being none, he asked if anyone wished to speak in opposition.

John Knox, citizen who lives on Hamilton Pleasant Grove Road, appeared before the Commission and said he would like to make five points about the Special Use Permit application, to include (1) unwelcomed and unwanted, by a show of a petition in opposition signed by 157 citizens of Harris County, and unfair to neighbors as there are 78 residences closer to the proposed tower than the applicant's home; (2) unhealthy, by a study from IntechOpen Limited of London, England, regarding electromagnetic radiation, and by other studies performed in Egypt, Germany, Israel, and the International Agency on Research on Cancer, as well as the banning of 5G technology in various places to include Santa Barbara, CA, Belgium, England, Ireland, Portland, Oregon, Italy, Switzerland, Los Altos CA, Germany; (3) unsightly, as there is no way to "pretty up" or disguise a cell tower; (4) unfriendly to the environment to include bees and migratory birds; and (5) unfit for this location because the site does not comply with the County's Comprehensive Plan for scenic corridors and because the County's top income producer is tourism with the Man O'War Railroad Recreation Trail being two phases away from Hamilton.

Mark Harris, citizen who lives on Hamilton Pleasant Grove Road, appeared before the Commission and said that there is a need for broadband in the County and the proposed site is on a scenic corridor; that he agrees with everything Mr. Knox said; that the Comprehensive Plan contradicts itself regarding scenic corridors and the need for broadband.

Keith Cullifer, citizen who lives on Lower Blue Springs road, appeared before the Commission and said that he is a beekeeper and he agrees with everything Mr. Knox said; that he loves the outdoors and realizes that people want progress, but hopes the right decision will be made. In response to a question from the Commission, Mr. Cullifer said that the radiological effects of cell towers affect bees, as well as migratory birds.

There being no further comments in opposition, Chairman Britt asked Mr. Rotenstreich for rebuttal.

Mr. Rotenstreich, in rebuttal, said that there are over 2,000 cell towers in the US with more on the way; that while there are several studies in other countries, there have been none in the US; that cell towers do not cause health issues; that the Comprehensive Plan is not intended to stop progress but to make sure the proper infrastructure is there; that many entities do not have cell tower ordinances, but Harris County has one, and the application meets all the requirements for a Special Use Permit; that the cell tower that was proposed to be near the Airport was denied and Verizon chose not to appeal but to move the tower to Troup County; that they are not going to build a 500' tower with guy wires; that this is a monopole tower, which is less intrusive; that monopoles are not painted, mainly due to the weight the paint will add; that while he is aware of Core 10 steel, which rusts to a point and stops, towers are not made of that material; and that the steel is hollow so that the coax is on the inside and not the outside.

There being no further comments or questions, Chairman Britt closed the Public Hearing and asked for a motion.

The motion to disapprove this Special Use Permit application was made by Mr. Brent, seconded by Mr. Weldon, and passed with six in favor (Brent, Weldon, Carlisle, Dasher, Linter, Harbert) and one opposed (Britt).

5. **ADJOURNMENT**. There being no further business to discuss, the motion to adjourn was made by Mr. Carlisle, seconded by Mr. Lintner, and passed unanimously.

John Britt, Chairman

Nancy McMichael, Recording Secretary