

**Town of Siler City Board of Adjustment
February 13, 2012 Meeting Minutes**

The Siler City Board of Adjustment met on Monday, February 13, 2012 at 7:00 p.m. Harold Hart called the meeting to order and Mickey Pore gave the invocation. Mr. Hart asked for a motion to approve the minutes of December 12, 2011. *Motion made by Wallace Matthews, JP Joyner seconded, followed by unanimous consent.*

MEMBERS PRESENT: Curtis Brown, Harold Hart (Chair), Dacia Hayes, JP Joyner, Wallace Matthews, Dan McMasters, and Mickey Pore (Vice Chair)

MEMBERS ABSENT: Mary Harris and Patty Poe

ELECTED OFFICIALS PRESENT: Mayor Charles J. Johnson

STAFF PRESENT: Joel J. Brower (Town Manager), Jack Meadows (Planning Director), William C. Morgan (Town Attorney), and Dee Lee Thompkins, (Administrative Support Specialist)

SPECIAL USE PERMIT – 3670 ALSTON BRIDGE ROAD – TOWER AND BACKUP 911 CENTER: Mr. Hart explained that all testimony given tonight must be sworn testimony. Jack Meadows, Tony Tucker (Chatham County Emergency Operations Director), Lavernia Harris (3766 Alston Bridge Rd), Jacqueline Wills (1220 Red Sunset Place), and Tonya Adcock (3656 Alston Bridge Rd) were sworn in.

Planning Director's Report: Jack Meadows reported that Chatham County requests a special use permit to install a 100 feet tall self-supporting tower and operate a backup 911 Center. The subject property is located at 3670 Alston Bridge Road and is identified as tax parcel number 64574. The subject property is: 1) owned by Kingdom Hall of Jehovah's Witnesses; 2) contains an existing church building (2,592 square feet); 3) currently used for church purposes; 4) served by private well and septic; 5) located outside of the Corporate Limits; 6) surrounded by A-R zoning; 7) surrounded by the following land uses; single family residential, agriculture, and vacant.

Mr. Meadows added that the proposed use will: 1) install 100 feet tall self-supporting tower: a) gray in color and b) located at least 25 feet from the side property lines and 40 feet from the right-of-way; 2) occupy the existing building and operate a backup 911 center; a) install 2 petition walls inside the existing building and b) install radio and telephone equipment inside the existing building; 3) install 7 feet tall chain link fence around the perimeter of property; 4) install Type A Screen (opaque buffer) along the northern, eastern, and western boundaries; 5) install Type B Screen (semi opaque buffer) along the southern boundary; 6) have a maximum of 6 employees at any one time; 7) be accommodated by 47 existing parking spaces including 2 handicap spaces; 8) obtain a NCDOT Driveway Permit; and 9) obtain site plan approval, zoning permit, building plan approval, building permit, and electrical permit.

Mr. Meadows explained that the Land Development Plan (LDP) recommends general residential development for the subject property. The LDP states: 1) These areas are either environmentally sensitive requiring low density development, or are located physically beyond utility service areas projected over the time line of the plan; 2) Maintain the integrity of existing neighborhoods; 3) The major residential growth is expected in the southwestern and western portions of the planning region. These areas should be preserved for residential use and the extension of public water and sewer to these areas should be a top priority; 4) Preserve the existing density and scale of development in established residential neighborhoods by excluding the introduction of intensive, non-residential land uses into such neighborhoods and by avoiding the rezoning of established residential areas to a higher density; 5) Encourage in-fill development in established residential areas; 6) New development should meet yard and dimensional standards of the existing zone as closely as possible; 7) Prevent the conversion of residences to other land uses unless such conversion will assist in stabilizing the larger residential neighborhood or unless such conversion will preserve the unique quality or architectural significance of residences.

Staff Recommendation: Mr. Meadows stated that the application is complete. The proposal meets the development criteria of the Unified Development Ordinance. Based on the information received at this time, Staff recommends approval with the following conditions: 1) Record the special use permit with the Chatham County Register of Deeds; 2) Obtain NCDOT driveway permit, site plan approval, zoning permit, sign permit, building plan approval, building permit, and electrical permit

Discussion: Lavernia Harris and her daughter Jacqueline Willis (LPN) voiced concerns about cell towers. They both cited several studies (from Germany, Harvard, Australia) regarding the effects of cell towers in close proximity to humans, animals, and plant life. Some of the effects were reduced production of milk in dairy cattle and increased occurrences of cancer, leukemia, and melanoma in humans. The studies also showed that cell towers above 600 feet tall had less of an effect. Mrs. Harris and Willis stated that it would be several decades before we would see the full effect of cell towers.

Tony Tucker explained that the proposed tower (maximum 100 feet tall, galvanized structure, with 17 directional antennas) was not a cell tower. The proposed tower only emits a low power radio frequency of approximately 150 megahertz (MHz) but cell towers emit a higher frequency of approximately 1,900 MHz. Mr. Tucker also stated that the proposed facility would only be in operation: 1) if the Pittsboro facility becomes inoperable; and 2) for only 80 hours per year for testing. The radios will typically be turned in the off position for approximately 99% of the year (no emission during that period). He also added that the county would not lease the tower to cell companies. One half of the building will be used for telecommunications and the other half for a training room.

Tonya Adcock asked where the tower was going, will it put off any humming noise, and will it interfere with their television reception. Mr. Tucker replied that the tower was located on the west side of the property, would not make any noise, and would not interfere with television reception.

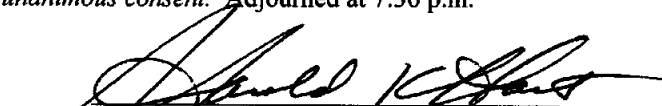
Harold Hart disclosed that he leases property to the county for a tower and was wondering if he needs to sustain himself from voting. William Morgan stated that if the lease did not pertain to this site then he was fine. Mr. Hart stated that it did not. With no further discussion, Mr. Hart directed the board to their worksheet to go through each finding.

Special Use Permit Worksheet:

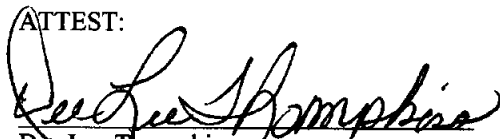
1. The application is complete.
Motion made by Curtis Brown, JP Joyner seconded followed by unanimous consent.
2. The application complies with all applicable requirements of the Unified Development Ordinance.
Motion made by JP Joyner, Wallace Matthews seconded followed by unanimous consent.
3. The application is granted, subject to the following conditions:
 - i. The applicant shall complete the development strictly in accordance with plans submitted to and approved by the Board, a copy of which is filed in the City Hall
 - ii. If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect.
 - iii. Record the special use permit with the Chatham County Register of Deeds;
 - iv. Obtain NCDOT driveway permit, site plan approval, zoning permit, sign permit building plan approval, building permit, and electrical permit.

Motion made by Dan McMasters, Curtis Brown seconded followed by unanimous consent.

ADJOURNMENT: With no further business, Mr. Hart asked for a motion to adjourn. *Motion by Mickey Pore, seconded by Dacia Hayes, followed by unanimous consent.* Adjourned at 7:36 p.m.


Harold Hart
Chair

ATTEST:


Dee Lee Thompkins
Recording Secretary