

less visual impact when viewed from a distance (this tower will be approximately 36" wide) (see attachment E-38). The applicant is compiling visual mockups of what the tower would look like at this location. If provided, Staff will provide copies of these images at the 03.07.2013 Planning Board/Zoning Board of Adjustments meeting.

Since both neighbor comments were made over the phone, there are no neighbor letters to include in this Staff Report.

Staff will update the Planning Board at the meeting if any additional comments are received.

STAFF RECOMMENDATION: Staff recommends *approval of the proposed East Prairie Grove Tower Site CUP Conditional Use Permit with the following conditions:*

Planning Conditions:

1. A copy of the Federal Communications Commission (FCC) approval letter must be submitted to Staff prior to tower operation.
2. Must be an approximately 300 foot tall guyed wireless communications tower facility that, with the addition of lights and a lightening rod, could increase the overall height to approximately 320 feet.
3. Compound must be generally sized as presented (75'x75').
4. This CUP will apply only to the lease area and related easement as presented and not to the entire 131.52 acres.
5. Proper Circuit Clerk-filed easement documents shall be recorded for the proposed access and utility easement.
6. The NEPA report shall be updated to reflect the actual height of the tower as presented to Staff (300 to 320 feet).
7. Any future generators shall utilize a fuel containment system to prevent fuel leakages.

Water/Plumbing/Fire Conditions:

1. An access drive constructed 26 feet in width from Storms Road to the tower is required for emergency vehicle access; it shall have 13 feet 6 inches of unobstructed vertical clearance.
2. All entrance drives and parking areas must support 75,000lbs in all weather conditions.
3. The proposed gate off Storms Road can be kept locked with a normal padlock. However, if emergency access is needed, emergency personnel will cut off the padlock to gain access.
4. The existing gate on Storms Road shall be 26 feet in width and can be kept locked with a normal padlock. However, if emergency access is needed, emergency personnel will cut off the padlock to gain access.

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5. The cattle guard on Storms Road must be shown to be able to support 75,000 lbs in all weather conditions, or it must be removed and filled in and shown to be able to support 75,000 lbs in all weather conditions.

Roads/Sight Visibility/Ingress-Egress/Parking Conditions:

1. Any work to be completed in the County Road Right-of-Way requires a permit from the Road Department prior to beginning work. Any tile that may be needed must be sized by the Road Department. The Road Department may be reached at (479) 444-1610.

Utility Conditions:

1. Ozarks Electric: Any relocation of an existing line or extension of a line to feed this property will be at the owner's/applicant's expense.
2. Any utility work in the County Road ROW must be approved and permitted by the Road Department. Call 444-1610 for details.

Signage/Lighting/Screening Conditions:

1. Signage cannot be placed in the County Right-of-Way.
2. The light at the top of the tower shall be as described by the applicant – a pulsing (non-strobing) light (white during the day and red during the night) producing approximately the equivalent of a 100 watt light bulb.
3. No additional lighting, on the ground, is approved with this CUP

Standard Conditions:

1. Any further splitting or land development not considered with this approval must be reviewed by the Washington County Planning Board/Zoning Board of Adjustments.
2. This CUP must be ratified by the Quorum Court.
3. Must adhere to all Washington County Communication Tower Ordinance Standards.
4. Must proceed through Washington County Communication Tower Administrative Approval process.
5. It is the applicant's responsibility to contact the Planning Office when inspections are needed.
6. If all Administrative Tower requirements cannot be met, this tower will have to undergo full Tower Review by the Planning Board; utilities and other agencies would then review this project.
7. All conditions shall be adhered to and completed in the appropriate time period set out by

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ordinance.

- This project requires additional review; the applicant must submit for Administrative Tower Review within 12 months of this CUP project's ratification.

Cheryl West, Planning Board member, requested to recuse herself from item E due to personal and business relationships.

Washington County Planner, Sarah Geurtz, presented the staff report for the board members with an update on neighbor and public comments received: 5 were opposed, 4 were in support.

Sarah Geurtz added conditions regarding generators, fire access regarding the gate and cattle guard on Storms Road, fire access clearances for the easement, & lighting.

Dave Reynolds, with Smith Communications, stated that he would be available to answer any issues for the board. Again, we use the same criteria to pick the site. It's 1800 ft from Illinois Chapel road. The closest resident is 1000ft away.

Public comments:

Mike Anderson, property owner adjacent to the tower, pointed out his chicken houses and property for the board. Mike wanted to address a couple of things, first the emergency services mentioned 911 does not go off cell towers they go off satellites. These cell towers won't affect emergency communications. He found that out over in Strickler one night when he couldn't get cell service but he could get 911. He stated that Mr. Storms has over 400 acres, that the tower is located near the residential area. There's a lot of land where the tower can be relocated. His other concern is property value. Mike is afraid that it will affect the sale-ability of the houses. It will slow the process of sales and lower the property value of houses. Also, Mike has renters that rent the field next to him. The renters are concerned about the cell tower. He states that it could affect his ability to rent the pasture which is adjacent to the tower. Mike rents out 8 acres which are adjacent to the tower. If the renters stop renting it will affect Mike's income. Also has a site near Illinois Chapel Road, where future renters might be hesitant to rent if the cell tower is built. Mike states that the tower might directly affect his income. Concerning the coverage area and couple of spots that do not have cell service; the people here tonight represent the area that they're talking about. They do not want it. They already get 4G service.

Mike Anderson passed out a picture for the board members. It was a picture from his backyard and neighbor's backyard. It's a beautiful property out there to look at. He stated that there is a small hill and that maybe they can move the tower behind that hill. There's 400 acres to work with here. Mike states that he doesn't want to be unreasonable, but why does the tower have to be located near the neighbor's property line. Also, if they were to get an unfavorable ruling, would the neighbors be able to get more time to gather more information. The neighbors he was talking about are Cathy and Gary Scott, who could not be here tonight, they are out of state.

Mike read a prepared statement from Cathy and Gary Scott. This communication is being submitted to express our strong opposition to the proposed cell phone communication tower being erected at the back of our property. This opposition is based on the following reasons: Speculation, there is no mention of any service provider associated with this project in the information provided to the residents in the immediate area. If that is the case, what will be the reason for this request? There are other towers in a 3 mile radius of the proposed site that provide service in the area. Is it stated that there is a need for this additional service that would benefit the local residents? Environmental Risk: How many service providers are committed to

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using this tower? Regulations require that each service provider on a tower have their own back-up generator available in times of emergency. Each of these generators would require a fuel source, typically diesel, to provide emergency service in the case of a power outage. The storage tanks present additional risks to Hickory Creek, which is within the 700 foot buffer according to the documentation provided by Smith Communication. This Creek flows into the Illinois River on the Storm's property. Migratory Birds: Guyed wire towers have a documented negative impact on the migratory bird populations. The proposed site is frequented by Canadian Geese and Bald eagles. Mike states that this area is designated wetlands by the EPA. In addition, there are Red Tail Hawks that nest and reside in this area year round. The guyed wire structures create additional dangers to these bird populations. Location: The area proposed is farmland. These farms are small in nature and have little or no need for this type of technology. We personally purchased our farm about 13 years ago because of the quiet natural setting. If this was downtown Fayetteville and a tower being proposed was aesthetically pleasing and being mounted on top of a 6 story building, the impact to the area would be much less. The proposal for this tower is not in a city that is already unnatural in appearance, but in a very rural setting with a small density population. The proposal is definitely not pleasing to the eye and would most likely require a disguised tower in a more populated area. There are many other style towers that do not have this negative impact. While they may argue that there are no proven facts available to show a decrease in property values, there is not also data that says it improves property value. Erecting the cheapest type of tower to reduce cost to Smith Communication should not be whose costs are important. They stand to make significant profit if they convince carriers to use the tower, while the landowners in the area see a negative effect on their property values. There are many realtors, if not all realtors, that would admit that a tower is a negative impact on the value of a property. Conclusion: we are strongly opposed to this proposal for the following reasons: this appears to be speculation that service providers are requiring this, increased environmental risks associated with the low lying location, increased risk to migratory bird populations, decreased property values to the surrounding residents with decreased curb appeal, and 4G service is available in the area and at our residence.

Jerry Caudle, neighbor north of Illinois Chapel Road, agreed with everything Mr. Anderson said. He stated that as big as the area is, there has to be other spots that can be located for that tower. There are a lot of neighbors here that are north of the tower and it's just not pleasing to look at it. We are totally against it.

Kim Fuggitt, neighbor that lives on 10898 Illinois Chapel Road north of the area, has owned the property for 5 years and lived out there 2 years. He had moved out here intentionally to get away from things like these, night lights and the high tech issues that you would see in town. Has owned this property for 5 years and has no issues with cell reception anytime they've been there. What troubles him the most about it is how it affects the night sky. He understands that there will be a red blinking light that will be there. It may not have the same light pollution a downtown area would have but it is still a disruption of the night sky and the views from their property. Kim is curious about the dead spots on the service maps, it seems to coincide with some hill tops in the area and is interested to see how that overlays, those hills tops are not occupied there are no homes in that area and most of the homes are in the valley. Kim does not think that any one of the neighbors have any issues with cell reception there. He is also curious about the benefits of the tower, if the benefits are in the reception of the community vs. security, 911 service of the community. It would appear to be the cell providers are getting a lot of benefits but the cost of the benefits are being born by the neighbors in the area.

Ellen Feldner, neighbor on 10976 South Hwy 265 east of the area, is strongly opposed to the cell tower for a number of reasons. One is aesthetics. They moved out to the country 10 years ago precisely to get away from these types of things. In terms of the property value, she is very

concerned. While there is no proof of a problem there, certainly the absence of evidence is not evidence of absence. We can certainly intuit it that there would be an impact on property value. She is also concerned about the loss of income, particularly in folks that might be interested in renting. Ellen is very concerned about the environmental impact, particularly in the migratory bird population. She concurs with her neighbors that there must be a better, more reasonable compromise, than the current proposal.

Pat Storms, whose property the cell tower will be built on, said that his family owned this farm for 52 years. He did not pick this spot, AT&T picked our spot.

Mr. Storms has read a prepared statement. "I'm really the one that most everybody here came tonight to keep from building a communication tower. First of all, thank you for showing up and expressing your concerns. I too love this area. We owned it for 52 years. Having been raised on his property as a true farmer I also want to keep the area free of eyesores. Since most people are here tonight because they're afraid that the tower will ruin their scenery and drop the value of their properties, let me ask you this, does anyone here have electric lines that run onto your property above the ground to provide electricity to your home? Does anyone here have a main transmission line running across your property or close to it? Does anyone here have an unbeautiful front yard or back yard or have a neighbor that has one that makes it unbeautiful? But most importantly, do any of the good folks here have cell phones in their pocket? If you can answer any of these questions with a yes, then why are we here? My family has owned this for over 50 years. We worked the farms all of our lives. I presently have the entire property for sell. Do I want to devalue the property value by placing a tower on it? The neighbor says the property value will devaluate. I don't see any of their properties for sell. Granted this will be an AT&T tower but after it's constructed maybe other companies will rent space, which they always do. Verizon, T-Mobile, and other forms of communications could be using this very tower. Who knows, maybe some of the other awesome things will be available to us in the not too distant future; like competition. Here is what I know, I hold a principal broker's real estate license. What does that mean? Number one it means I am supposed to be an expert in land. Does it mean I am? No. But I do know that the tower can be an asset instead of a liability. Will this tower make your land worth more or less in the future, depending if you want to sell or not. If you don't sell it doesn't matter. I can't predict the future but I can tell you this. In my personal opinion it will not devalue the property value. Presently gravel is being applied to our road, which I worked today and the cattle guard crossing is 98% full of dirt and sediment because the county water runs down the middle of the road and I've been working on it to divert the water down my ditches. We have run hundreds of cattle trucks, 18-wheeler cattle trucks that weigh 70 tons to whatever they weigh, we have multiple chicken houses in the past, so these 75,000lb will not be a problem but I will fill it in. So that won't be a problem. And just to make something else clear. There are neighbors in the neighborhoods that really don't care if we have it or not. If you want names I can supply them. Some say they don't want it but it's our property we should be able to do with it what we want. So with that I thank you for your time."

AJ Farley, neighbor to the west of Storm's property, granted that people said it is going to hurt or not going to hurt their property value. I personally feel it will. I also feel it is an eyesore. I moved out there because it's such a beautiful place to be. When you sit on my deck you can see the beautiful mountains. Now when you sit on my deck all you would see is the 300ft tower. Now granted, Pat did say it's his land. It's been in his family for years. I've known him for years. Personally some of the information that was given by the Smith corporation about the height of their towers is a little misleading. And I did not know before tonight that we could not bring up any health issues. Only thing I got to say is that due to the microwave unit, my mom's 94, has a pacemaker. I need to find out more about this before it's voted on, that's all I'm asking.

Cathy Caudle, neighbor north of Illinois Chapel Road, stated that she does not agree with Mr. Storm's comment about trash in front of the neighbor's yard. Trash can be picked up. A cell phone tower cannot. That is a permanent fixture. But we can go around and pick the trash up. Cathy said that even though none of the neighbors have their homes for sale right now, in the future we may want to sell it. She talked to a real estate agent today. They said that yes, high line posts do cut down the price of your property and so does the cell phone tower. She stated that Mr. Storms has his property up for sale. It's not going to affect him or his family. But, I hope you guys see our point of view. There are 8 neighbors surrounding this tower and it's closer than what your map is showing. Every one of us, our backyard faces that tower. I hope that the board puts themselves in our places.

Jeremiah Jones, the renters of Mike Anderson: We are thinking about renting or owning land from Mike Anderson. We were moving out to Prairie Grove for the family atmosphere and also for the aesthetics of the land, that's one of the key features we were looking for the most, the beauty of the land. After hearing about the cell tower, we are highly reconsidering our decisions to move. As for as the property value, "how's that for property value". Someone that is not considering renting or buying land anymore. That's definitely a loss.

Rose Gergerich, neighbor off South Hwy 265, lives in the dead zone with no cell reception. She would ask everyone that has spoken that the statement they made is they have good reception and that they don't need a cell tower. Rose pointed out that somewhere there's a tower in someone's backyard that's providing reception for them. She stated that she has spent a lot of money trying to get a good signal for where they live. It's not working very well, it's intermittent. She's speaking up for neighbors in this location and also signed a petition to try to get service in her area. This cell tower would provide service in the area. If this service is not forthcoming, I hope that AT&T or some other provider would consider other towers so that all people in rural communities could have cell phone service.

Jessica Anderson, neighbor off Gifford road, said that one of her biggest concerns is the current flood levels. The water in the flood plain rises quickly, it came right to the bottom of where that tower would be. With the generator being there, even if it did have a bag or bladder to catch the leak, she is still concerned if water is covering that or gets very close to the generator. Her second concern is that even though a lot of the neighbors are home owners, there are also small business owners that run businesses from their homes. Two at least are kennels, and then we run a sustainable agricultural farm and she is also a stay at home mom. Jessica says that she loves where she lives and she enjoys the sun set every day. Her customers too compliment the beautiful scenery as well. The sun does set between the two hills where that tower will be.

John Luther, Washington County Emergency Management Director and 911, wanted to clarify about the misinformation concerning 911 from earlier. 911 does not use satellite. 911 is landline, wire line base in the ground, or wireless base on cellular towers. John stated that Mr. Anderson may have gotten information concerning GPS coordinates utilized by one carrier in triangulation in position of a caller. The voice and data are transmitted by wire line or wireless. The only thing that a satellite might do for the carrier is provide the GPS coordinates. All other carriers triangulate the position of a caller. For example, if you are driving along and having an accident by the road, you dial 911, and if you have connectivity with one tower, hopefully you have enough to provide voice call, the call will go to 911. Every other tower that your phone sees and communicates with helps the 911 call taker better locate your position. In the past, prior to wireless 911, Phase II technology, (which was what Mr. Anderson was referring to) we would get a call from a wireless caller, but they would have to tell us their location. We had no way to identify where on the planet they were. With the advent of phase II technology, the system utilizes the various towers along with time and distance information and shares your data with

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the caller between those sites. It helps us triangulate a position and it presents a picture of where you are on imagery maps in our dispatch centers. I just want to clarify; we did not misstate what 911 does and how it works.

Mary Jones, mother of Jesse Jones, works for AT&T and wireless. She stated that she gets the coordinates for the satellites in their house right now, on their property. It locates me, right now. It doesn't need a cell site or tower to be there to do that. It's already doing it.

Dave Reynolds, with Smith Communications, stated that the location is selected and proven to cover the areas that aren't covered. Those areas are along the Hwy 265 corridor down to Hogeys and over towards Illinois Chapel Road out towards Prairie Grove. Dave wants to reiterate that they meet all the requirements concerning the issues with migratory birds, tower lighting, etc. They followed all the best management practices as stated by the Department of Interior. There was extensive study on migratory birds and how to best meet the best management practices for those. The closest resident is only 1100 ft away. Illinois Chapel Road is over 1800 ft away. The tower is only 36 inches wide.

Mike Anderson, property owner adjacent to the tower, stated that this site is not the only site for the cell tower. The company has talked to other neighbors in the area about putting a tower and they were turned down. They have some leeway where they can put the tower. Mr. Storm has 400 acres that can be used. Mr. Storm will be compensated for his property value. There's some leeway here. It does not have to be in that spot.

Public Comments Closed.

Juliet Richey, Washington County Planning Director, reminded the board that the conditional use criteria checklists had been passed out to them. Juliet Richey read the Sec. 11-200. The Criteria for allowance of conditional uses and procedure for the board. That a written application has been filed with the Planning Office and the appropriate fee has been paid. That the applicant has provided proof that each property owner as set out by code has been notified by certified mail. That adequate utilities, roads, drainage and other public services are available and adequate or will be made available and adequate if the use is granted. That the proposed use is compatible with the surrounding area. That the establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare. That the conditional use will not be injurious to the use and enjoyment of other property in the surrounding area for the purposes already permitted, nor substantially diminish and impair property values within the surrounding area. That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding area for uses permitted in the zone. Compatibility with the policies in the adopted county land use plan and future land use plan. Things that we cannot consider are health issues related to the cell tower and also the issue of coverage in the area, that's not something we can consider because it moves into the regulation of the industry, that's what the FCC declaratory ruling states. Neither of those things we can consider with the cell tower.

George Butler, Washington County Attorney, added that the zoning ordinance goes on to say that if it is determined that there are conditions that could be imposed by the board that would significantly lessen the impact of said use, or increase compatibility, then the board has the power to impose those conditions which shall be specifically set forth.

Robert Daugherty, Planning Board member, stated that he is sympathetic to the neighbor's concerns. He understands. These are some of the most difficult decisions that the board has to

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make. Robert Daugherty personally understands the importance of the use of a cell phone to save an individual's life. He understands the value of the cell phone reception.

Robert Daugherty made a motion to approve the East Prairie Grove Tower Site CUP subject to staff recommendations. Daryl Yerton seconded. Walter Jennings and Kenley Haley were not present. Cheryl West Recused herself. Board Members Randy Laney, Daryl Yerton, Robert Daugherty, and Chuck Browning were in favor of approving. Motion passed.

5. Other Business

- Discussion of Current Development.
- Reminder of upcoming regular Planning Board meeting April 4, 2013
- *Juliet Richey informed the board that she will keep them updated about the upcoming appeal.*
- Any other Planning Department or Planning Board business.

6. Old Business

7. Adjourn

*Chuck Browning moved to adjourn. Robert Daugherty seconded. Motion passed.
All Board members were in favor of approving.*

Planning Board adjourned.

Minutes submitted by: **Phuong Pham**

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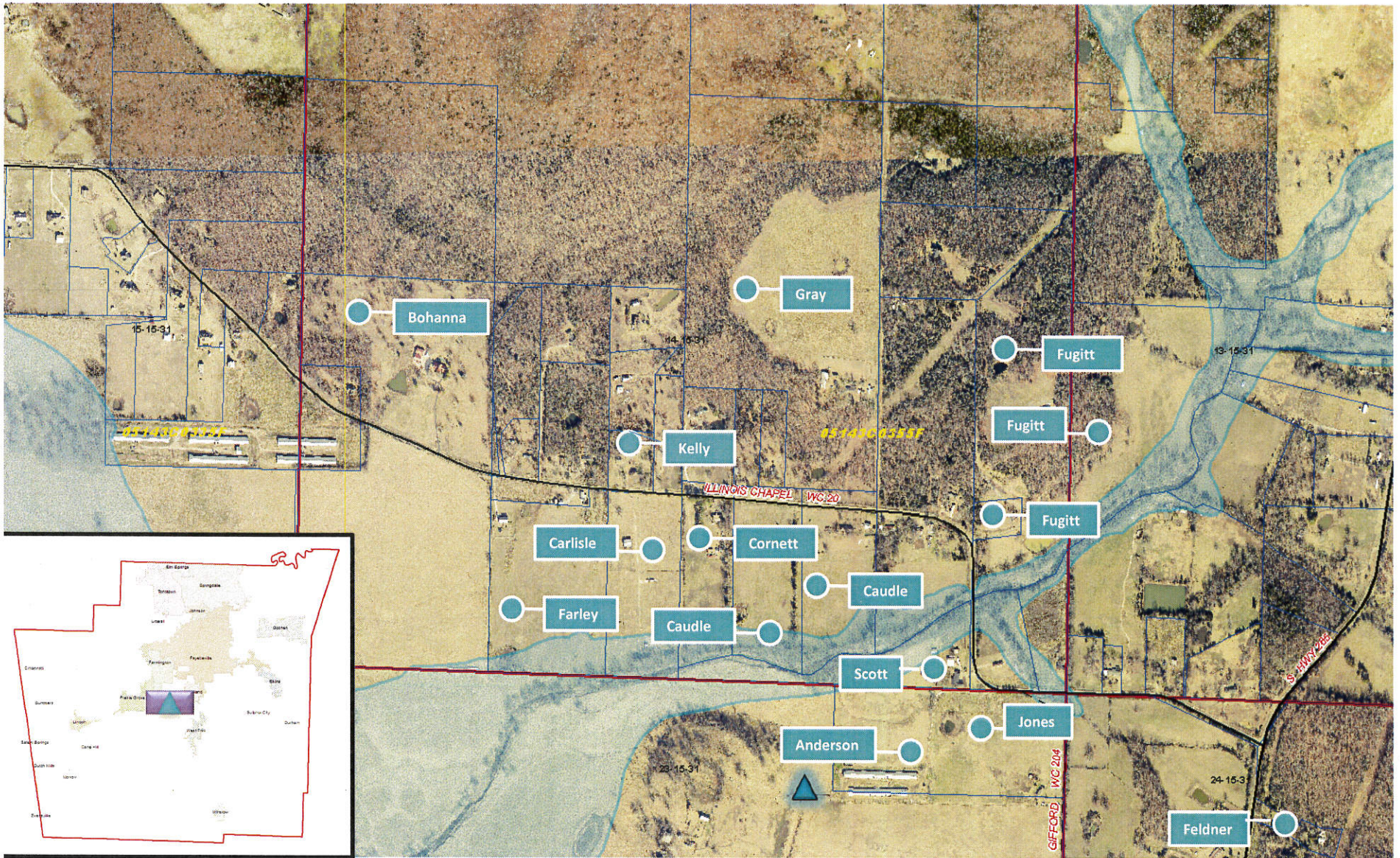
Approved by the Planning Board on:

_____ Date: _____

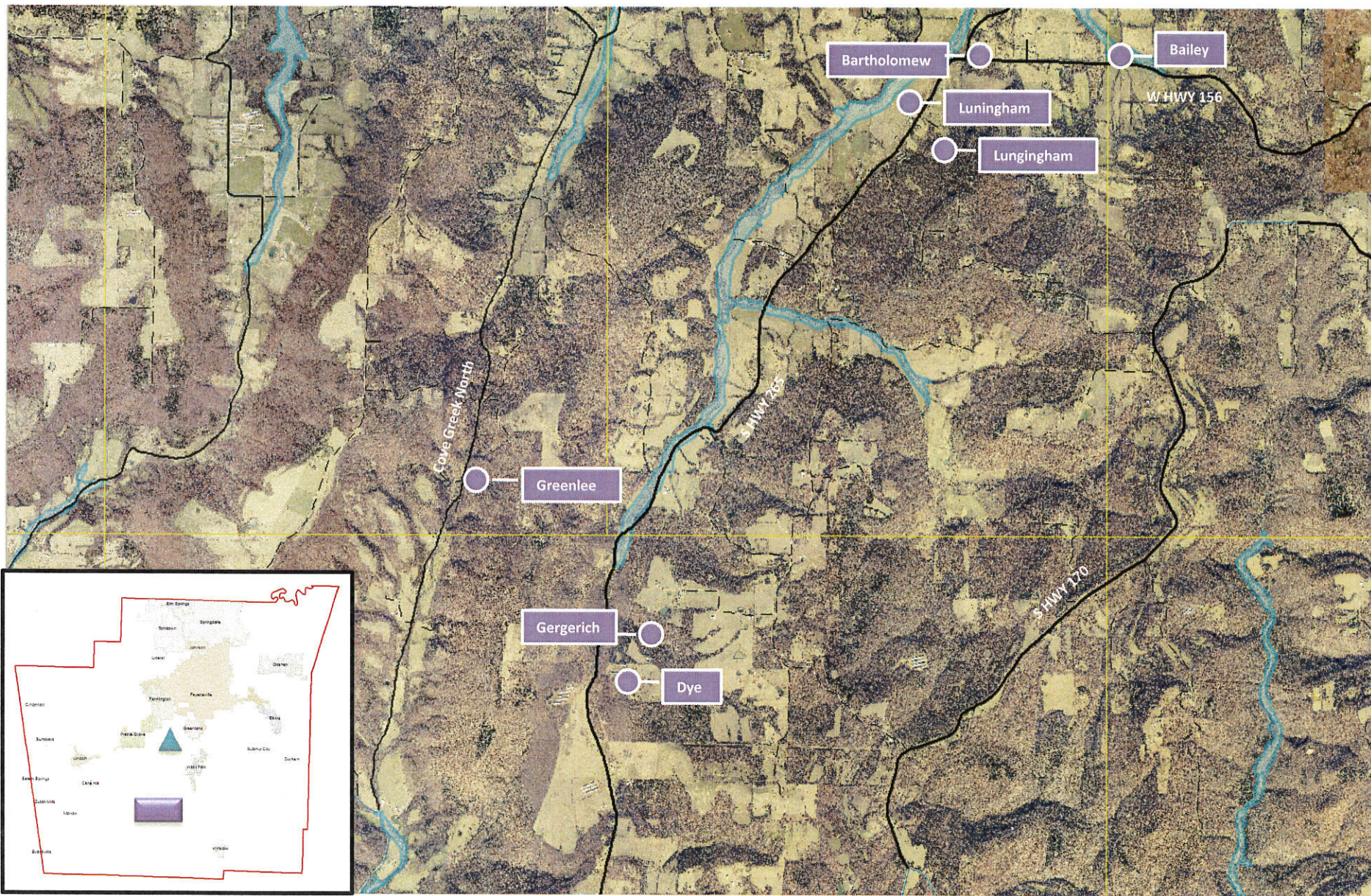
Randy Laney, Planning Board Chairman

LOCATION MAP
OF APPELLANTS AND MEMBERS OF THE PUBLIC WHO
SUBMITTED COMMENTS ON THIS PROJECT

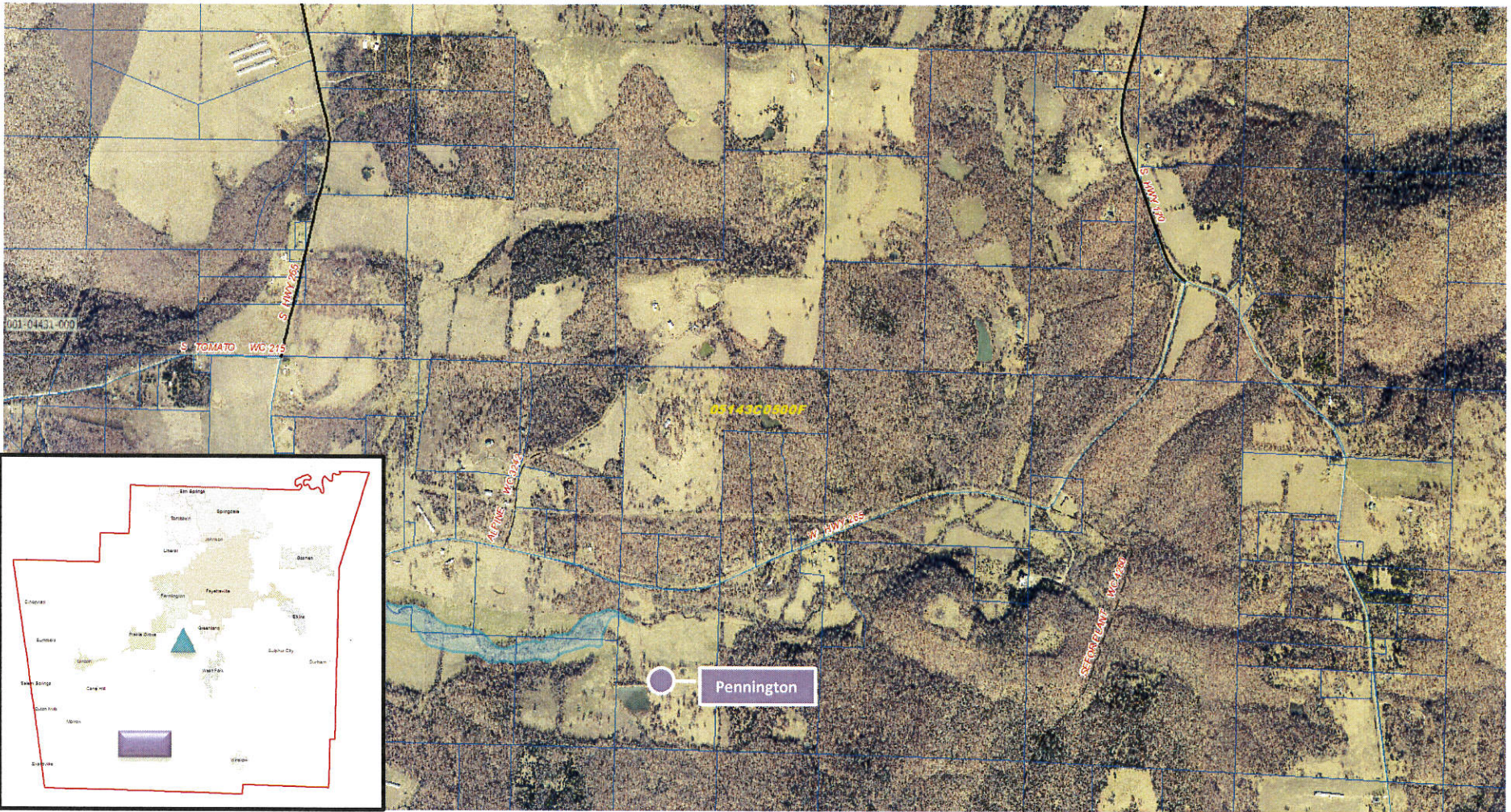
E-99



E-100



E-101



E-102

APPEAL FORMS

E-103



WASHINGTON COUNTY PLANNING OFFICE

2615 Brink Drive, Suite 102
Fayetteville, AR 72701
(479) 444-1724
(479) 444-1786 - Fax

PLANNING BOARD/ZBA DECISION APPEAL

FILED

2013 APR -4 PM 12:05

BECKY LEWALLEN
C. & PROBATE CLERK
WASHINGTON COUNTY, AR

I, Dale W. Brown with Bassett Law Firm LLP, on behalf of Kathy and Jerry Caudle, Cathy and Gary Scott, and Mike and Jessica Anderson (jointly "Appellants")

name

221 North College Avenue, P.O. Box 3618, Fayetteville, Arkansas 72702-3618

address

(479) 521-9996 dbrown@bassettlawfirm.com

phone/email

am hereby filing an appeal of a recent decision of the Washington County Planning Board/ Zoning Board of Adjustments (ZBA). My appeal is being filed within thirty (30) days of the decision as required by Ordinances 2009-33, 43, 67, and 2010-02 amending Section 11-206; "Appeals from Board" in "Chapter 11-Planning and Development, Article VI-Zoning" in Washington County, Arkansas.

During the March 7, 2012 meeting of the Washington County Zoning Board of Adjustments, a Conditional Use Permit (CUP) was presented for approval. The CUP was for a (circle one) Commercial Use / Industrial Use / Residential Use / Other Use, located in Section 23, Township 15, Range 31 West, in Washington County.

My understanding of the decision of the Washington County ZBA is as follows:

The Washington County ZBA approved the East Prairie Grove Tower Site Conditional Use Permit. The conditional use permit would allow Smith Communications, LLC to place a cell tower on land owned by Storm-Agri Enterprises Inc. The location address is 1183 Storms Road Prairie Grove, Arkansas 72753. The proposed cell tower will be an approximately 320 feet tall guyed wireless communications tower facility.

I am appealing this decision to the Quorum Court for the following reasons:

Appellants own property in close proximity to the proposed cell tower location. The decision is being appealed because the conditional use does not comply with the "Criteria for allowance of conditional uses" in Washington County Code Section 11-200. Specifically, the proposed use is not compatible with the surrounding area, the conditional use will be injurious to the use and enjoyment of surrounding property and will likely diminish or impair surrounding property values, and the conditional use will likely impede the normal and orderly development of the surrounding area. Appellants reserve the right to rely on additional basis for the appeal pending appropriate investigation.

I understand that the Quorum Court will follow the same procedures as the Washington County ZBA to reach a decision. The decision of the Quorum Court may be appealed to Circuit Court within thirty (30) days from said decision. I certify the above statements are correct to the best of my knowledge. (If extra room is needed please attach additional sheets.)

4/4/13
date

(signature)

11-104



WASHINGTON COUNTY PLANNING OFFICE
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 Fayetteville, AR 72701
 (479) 444-1724
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PLANNING BOARD/ZBA DECISION APPEAL

2013 APR -4 PM 4:10

BECKY LEWALLEN
 CLERK
 CO. & PROBATE CLERK
 WASHINGTON CO. AR

FILED

I, Cleve Carlisle name
11265 Illinois Chapel Rd address
479-530-2638 phone/email

am hereby filing an appeal of a recent decision of the Washington County Planning Board/ Zoning Board of Adjustments (ZBA). My appeal is being filed within thirty (30) days of the decision as required by Ordinances 2009-33, 43, 67, and 2010-02 amending Section 11-206; "Appeals from Board" in "Chapter 11-Planning and Development, Article VI-Zoning" in Washington County, Arkansas.

During the MARCH 7, 2013 meeting of the Washington County Zoning Board of Adjustments, a Conditional Use Permit (CUP) was presented for approval. The CUP was for a (circle one) Commercial Use / Industrial Use / Residential Use / Other Use, located in Section , Township , Range , in Washington County.

E. Potters Grove Tower site CUP
 My understanding of the decision of the Washington County ZBA is as follows:
CONDITIONAL USE PERMIT WAS APPROVED

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I am appealing this decision to the Quorum Court for the following reasons:

PROPERTY VALUES
AFFECT WILDLIFE
SAFETY ISSUES
CELL TOWER WILL NOT FIT LANDSCAPE

I understand that the Quorum Court will follow the same procedures as the Washington County ZBA to reach a decision. The decision of the Quorum Court may be appealed to Circuit Court within thirty (30) days from said decision. I certify the above statements are correct to the best of my knowledge. (If extra room is needed please attach additional sheets.)

Cleve W. Carlisle (signature) 4-3-13 date



WASHINGTON COUNTY PLANNING OFFICE

2615 Brink Drive, Suite 102
Fayetteville, AR 72701
(479) 444-1724
(479) 444-1786 - Fax

PLANNING BOARD DECISION APPEAL

FILED

2013 APR -4 PM 4:10

BECKY LEWELLYN
CO. & PROBATE CLERK
WASHINGTON CO. AR

1. Sam & Becky Corbett
name

1171 FILLMORES CHAPEL RD
address

PRAIRIE GROVE, AR. 72753
phone/email

I am hereby filing an appeal of a recent decision of the Washington County Planning Board. My appeal is being filed within ten (10) days of the decision as required by Section 11-107, "Appeal Procedures" in "Chapter 11-Planning and Development, Article IV-Land Development in Unincorporated Land, Division 3-Design Standards" in Washington County, Arkansas.

During the March - 7th, 2013 meeting of the Washington County Planning Board, a plat/LSD plan was presented for approval. The plat/LSD plan was for a (circle one) Subdivision / Minor Subdivision / Large Scale Development, located in Section , Township , Range , in Washington County.

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EAST PRAIRIE GROVE TOWER SITE COP
My understanding of the decision of the Washington County Planning Board is as follows:
conditional use permit was approved

I am appealing this decision to the County Judge for the following reasons:

1. Safety & Health Issues
2. My Property Values will go down
3. This is farmland, the tower will not fit into our land.

I understand pursuant to Section 11-107 (1) b., the County Judge may affirm, modify or reverse any finding or decision of the Planning Board or may refer the proposed development back to the Planning Board for additional study. The County Judge may refuse to approve the proposed improvement for any of the above specified reasons. The decision of the County Judge may be appealed to Circuit Court. I certify the above statements are correct to the best of my knowledge. (If extra room is needed please attach additional sheets.)

Sam Corbett Becky Corbett
(signature) 4-3-13
date



WASHINGTON COUNTY PLANNING OFFICE

2615 Brink Drive, Suite 102
Fayetteville, AR 72701
(479) 444-1724
(479) 444-1786 - Fax

PLANNING BOARD DECISION APPEAL

FILED

013 APR -4 PM 4:10
BECKY W. ALLEN
JUD. & PROBATE CLERK
WASHINGTON CO. AR

I, JERRY R CAUDLE
name 11023 ILLINOIS Chapel Rd., Prairie Grove, AR. 72753
address (479) 846-4308 Candlerman@P6TC.com
phone/email

am hereby filing an appeal of a recent decision of the Washington County Planning Board. My appeal is being filed within ten (10) days of the decision as required by Section 11-107, "Appeal Procedures" in "Chapter 11-Planning and Development, Article IV-Land Development in Unincorporated Land, Division 3-Design Standards" in Washington County, Arkansas.

During the March 7, 2013 meeting of the Washington County Planning Board, a plat/LSD plan was presented for approval. The plat/LSD plan was for a (circle one) Subdivision / Minor Subdivision / Large Scale Development, located in Section , Township , Range , in Washington County.

East Prairie Grove Tower Site CUP
Conditional USE Permit was approved

My understanding of the decision of the Washington County Planning Board is as follows:

I am appealing this decision to the County Judge for the following reasons:

1. Safety Issues
2. Devaluation of my Property
3. Aesthetically, the tower does not fit in to surrounding farmland.

I understand pursuant to Section 11-107 (1) b., the County Judge may affirm, modify or reverse any finding or decision of the Planning Board or may refer the proposed development back to the Planning Board for additional study. The County Judge may refuse to approve the proposed improvement for any of the above specified reasons. The decision of the County Judge may be appealed to Circuit Court. I certify the above statements are correct to the best of my knowledge. (If extra room is needed please attach additional sheets.)

Jerry R. Caudle
(signature) 4-4-13
date



WASHINGTON COUNTY PLANNING OFFICE

2615 Brink Drive, Suite 102
Fayetteville, AR 72701
(479) 444-1724
(479) 444-1786 - Fax

PLANNING BOARD DECISION APPEAL

FILED

APR -4 PM 4:10

DECKY LEWIS LEWIS
& PROBATE CLERK
WASHINGTON CO. AR

I, Gene Gray
name 11096 Illinois Chapel Rd
address Prairie Grove, Ark. 72753
phone/email

am hereby filing an appeal of a recent decision of the Washington County Planning Board. My appeal is being filed within ten (10) days of the decision as required by Section 11-107, "Appeal Procedures" in "Chapter 11-Planning and Development, Article IV-Land Development in Unincorporated Land, Division 3-Design Standards" in Washington County, Arkansas.

During the March 7, 2013 meeting of the Washington County Planning Board, a plat/LSD plan was presented for approval. The plat/LSD plan was for a (circle one) Subdivision / Minor Subdivision / Large Scale Development, located in Section , Township , Range , in Washington County. East Prairie Grove tower site
My understanding of the decision of the Washington County Planning Board is as follows:
Conditional Use Permit was approved

TT 108

I am appealing this decision to the County Judge for the following reasons:

1. Safety Issue
2. Property Value Will Go Down
3. Tower does not fit in to surrounding land
4. It will be directly in the front view of my house

I understand pursuant to Section 11-107 (1) b., the County Judge may affirm, modify or reverse any finding or decision of the Planning Board or may refer the proposed development back to the Planning Board for additional study. The County Judge may refuse to approve the proposed improvement for any of the above specified reasons. The decision of the County Judge may be appealed to Circuit Court. I certify the above statements are correct to the best of my knowledge. (If extra room is needed please attach additional sheets.)

Gene Gray
(signature) 4-3-13
date



WASHINGTON COUNTY PLANNING BOARD

2615 Brink Drive, Suite 102
Fayetteville, AR 72701
(479) 444-1724
(479) 444-1786 - Fax
PLANNING BOARD DECISION APPEAL

2013 APR -4 PM 4:10
SHIRLEY W. WALLEN
CO. CLERK PROBATE CLERK
WASHINGTON CO. AR

FILED

I, WILLIAM KIM FUGITT
name 10898 ILLINOIS CHAPEL RD.
address 479.466.8079 kim.fugitt@fugittarc.com
phone/email

am hereby filing an appeal of a recent decision of the Washington County Planning Board. My appeal is being filed within ten (10) days of the decision as required by Section 11-107, "Appeal Procedures" in "Chapter 11-Planning and Development, Article IV-Land Development in Unincorporated Land, Division 3-Design Standards" in Washington County, Arkansas.

During the MARCH 7, 2013 meeting of the Washington County Planning Board, a plat/LSD plan was presented for approval. The plat/LSD plan was for a (circle one) Subdivision / Minor Subdivision / Large Scale Development, located in Section , Township , Range , in Washington County. E. PRAIRIE GRAVE TOWER SITE CUP
My understanding of the decision of the Washington County Planning Board is as follows:
CONDITIONAL USE PERMIT WAS APPROVED

11-109

I am appealing this decision to the County Judge for the following reasons:
NO NEED FOR THE TOWER FOR EMERGENCY
DISTRAYS NIGHT SKY
DISTRAYS PROPR. VALUE
DISTRAYS VIEW.
WE WANTED TO THIS AREA FOR VIEWS & RURAL SETTING. THIS TOWER
DISTRAYS THE BURKE VALLEY'S CHARACTER.

I understand pursuant to Section 11-107 (1) b., the County Judge may affirm, modify or reverse any finding or decision of the Planning Board or may refer the proposed development back to the Planning Board for additional study. The County Judge may refuse to approve the proposed improvement for any of the above specified reasons. The decision of the County Judge may be appealed to Circuit Court. I certify the above statements are correct to the best of my knowledge. (If extra room is needed please attach additional sheets.)

(signature) 4.3.13
date



WASHINGTON COUNTY PLANNING BOARD DECISION APPEAL

2615 Brink Drive, Suite 102
 Fayetteville, AR 72701
 (479) 444-1724
 (479) 444-1786 - Fax

WASHINGTON COUNTY PLANNING OFFICE

BRADY WALLER
 CO. CLERK
 WASHINGTON CO. AR

2017 APR -4 PM 4:10

FILED

I, Rhonda Bohanna
 name 11456 Illinois Chapel Rd. Prairie Grove, AR 72753
P.O. Box 768 Challenland AR 72737
 address 479-225-0097
 phone/email

I am hereby filing an appeal of a recent decision of the Washington County Planning Board. My appeal is being filed within ten (10) days of the decision as required by Section 11-107, "Appeal Procedures" in "Chapter 11-Planning and Development, Article IV-Land Development in Unincorporated Land, Division 3-Design Standards" in Washington County, Arkansas.

During the March 7, 2013 meeting of the Washington County Planning Board, a plat/LSD plan was presented for approval. The plat/LSD plan was for a (circle one) Subdivision / Minor Subdivision / Large Scale Development, located in Section _____, Township _____, Range _____, in Washington County.

E. Praru Grove Sub
C.O.P

My understanding of the decision of the Washington County Planning Board is as follows:

I am appealing this decision to the County Judge for the following reasons:

Property Values
Safety Issues

I understand pursuant to Section 11-107 (1) b., the County Judge may affirm, modify or reverse any finding or decision of the Planning Board or may refer the proposed development back to the Planning Board for additional study. The County Judge may refuse to approve the proposed improvement for any of the above specified reasons. The decision of the County Judge may be appealed to Circuit Court. I certify the above statements are correct to the best of my knowledge. (If extra room is needed please attach additional sheets.)

Rhonda Bohanna 4-4-13
 (signature) date



WASHINGTON COUNTY PLANNING OFFICE

2615 Brink Drive, Suite 102
Fayetteville, AR 72701
(479) 444-1724
(479) 444-1786 - Fax

PLANNING BOARD DECISION APPEAL

FILED

2013 APR -4 PM 4:09
DESKY J. WALLER
CLERK & PROBATE CLERK
WASHINGTON CO. AR

I, Cathy Scott
name 10841 Illinois Chapel Rd. Prairie Grove, AR 72753
address 479-846-2060
phone/email

I am hereby filing an appeal of a recent decision of the Washington County Planning Board. My appeal is being filed within ~~ten~~ (30) days of the decision as required by Section 11-107, "Appeal Procedures" in "Chapter 11-Planning and Development, Article IV-Land Development in Unincorporated Land, Division 3-Design Standards" in Washington County, Arkansas.

During the March 7, 2013 meeting of the Washington County Planning Board, a plat/LSD plan was presented for approval. The plat/LSD plan was for a (circle one) Subdivision / Minor Subdivision / Large Scale Development, located in Section , Township , Range , in Washington County.

East Prairie Grove Township

My understanding of the decision of the Washington County Planning Board is as follows:

Granted a CUP to Smith Communication to build a 320 ft. tall cell tower on the edge of Mike Andersons ~~property~~ and Gary Scotts property.

I am appealing this decision to the County Judge for the following reasons:

The County Planning Board abused its discretion by allowing this CUP to pass without anyone physically going out to view this site or even discussing the major concerns of the public before voting. It appeared to the community that the Planning Board had made their decision before the meeting started.

I understand pursuant to Section 11-107 (1) b., the County Judge may affirm, modify or reverse any finding or decision of the Planning Board or may refer the proposed development back to the Planning Board for additional study. The County Judge may refuse to approve the proposed improvement for any of the above specified reasons. The decision of the County Judge may be appealed to Circuit Court. I certify the above statements are correct to the best of my knowledge. (If extra room is needed please attach additional sheets.)

Cathy B. Scott
(signature)

April 3, 2013
date

11
1
=



Fayetteville, AR 72701
 (479) 444-1724
 (479) 444-1786 - Fax

PLANNING BOARD DECISION APPEAL

I, _____
 name

 address

 phone/email

am hereby filing an appeal of a recent decision of the Washington County Planning Board. My appeal is being filed within ten (10) days of the decision as required by Section 11-107, "Appeal Procedures" in "Chapter 11-Planning and Development, Article IV-Land Development in Unincorporated Land, Division 3-Design Standards" in Washington County, Arkansas.

During the _____, 20____ meeting of the Washington County Planning Board, a plat/LSD plan was presented for approval. The plat/LSD plan was for a (circle one) Subdivision / Minor Subdivision / Large Scale Development, located in Section _____, Range _____, in Washington County.

My understanding of the decision of the Washington County Planning Board is as follows:

11-112

I am appealing this decision to the County Judge for the following reasons:
 Also, one Planning Board member voted yes to give Smith and ATT a permit for this tower, and he use to work for ATT - just a small conflict of interest. The one Neighbor that said she wanted this tower lives 9.4 miles from the site, and will not be helped from a tower at this spot.

I understand pursuant to Section 11-107 (1) b., the County Judge may affirm, modify or reverse any finding or decision of the Planning Board or may refer the proposed development back to the Planning Board for additional study. The County Judge may refuse to approve the proposed improvement for any of the above specified reasons. The decision of the County Judge may be appealed to Circuit Court. I certify the above statements are correct to the best of my knowledge. (If extra room is needed please attach additional sheets.)

Cathy B. Scott
 (signature)
Apr 3, 2013
 date

Other Reasons

- ① The economic impact to this Community due to the loss of property value
- ② The complete loss of aesthetic value on properties due to the horrible visual impact.
- ③ Major Safety concerns because of undersized fall zone -
- ④ Absolutely NO discussion between Planning Board Members on the concerns of the public before passing this Conditional Use Permit.

As a small farming Community, we were under the impression the Planning Board was suppose to be looking out for the best interest of our Community - NOT Dave Reynolds.

Cathy B. Scott

Apr. 3, 2013



WASHINGTON COUNTY PLANNING OFFICE

2615 Brink Drive, Suite 102
Fayetteville, AR 72701
(479) 444-1724
(479) 444-1786 - Fax

PLANNING BOARD DECISION APPEAL

FILED
2013 APR -4 PM 1:09
DECKY L...
CO. & PROBATE CLERK
WASHINGTON, AR

I, Michael Anderson
name
10835 Gifford RD | 10835 Illinois Chapel AR
address
(479) 846-4560
phone/email

I am hereby filing an appeal of a recent decision of the Washington County Planning Board. My appeal is being filed within ten (10) days of the decision as required by Section 11-107, "Appeal Procedures" in "Chapter 11-Planning and Development, Article IV-Land Development in Unincorporated Land, Division 3-Design Standards" in Washington County, Arkansas.

During the March 7, 2013 meeting of the Washington County Planning Board, a plat/LSD plan was presented for approval. The plat/LSD plan was for a (circle one) Subdivision / Minor Subdivision / Large Scale Development, located in Section , Township , Range , in Washington County.

My understanding of the decision of the Washington County Planning Board is as follows:

conditional use permit was approved.

I am appealing this decision to the County Judge for the following reasons:

1. No discussion among planning board members despite vast majority of community present to appeal the building of a tower.
2. Members with conflict of interest present and voting.
3. We asked for extra time.
4. We asked to negotiate for locating purposes which is right on our property line with risk to children present and our chicken houses.

I understand pursuant to Section 11-107 (1) b, the County Judge may affirm, modify or reverse any finding or decision of the Planning Board or may refer the proposed development back to the Planning Board for additional study. The County Judge may refuse to approve the proposed improvement for any of the above specified reasons. The decision of the County Judge may be appealed to Circuit Court. I certify the above statements are correct to the best of my knowledge. (If extra room is needed please attach additional sheets.)

Michael Anderson
(signature) 4 April 2013
date

M-1-1-1

5. My property value will be effected by aesthetics with a too tall tower with blinking lights.
6. This area is zoned for agriculture, but this is a commercial project; therefore, this is avoiding city zoning by going into the rural community.
7. We moved here to have the rural, country atmosphere not the ~~city~~ ~~urban~~ structures. This ~~was~~ us to live with a new landscape NOT the one we bought. We would not ~~have~~ ~~been~~ ~~crossed~~ this property if it had an adjoining tower.
8. Myself and two other neighbors (at least) stay home and actually work in our yards all day and will be exposed to this tower's sights + other concerns. This is our work sight and view. ~~I~~ had windows (7'0") ^{that} installed to look at this specific view at my job sight.



WASHINGTON COUNTY PLANNING OFFICE

2615 Brink Drive, Suite 102
Fayetteville, AR 72701
(479) 444-1724
(479) 444-1786 - Fax

PLANNING BOARD DECISION APPEAL

FILED
2013 APR -8 PM
DECKY LEMAL
CO. & PROBATE CLERK
WASHINGTON CO.

I, Craig and Deborah Kelly
name 1848 Illinois Chapel, Paris, Groesbeck, AR 72753
address 479 846 2353 dfpk87@gmail.com
phone/email

am hereby filing an appeal of a recent decision of the Washington County Planning Board. My appeal is being filed within ten (10) days of the decision as required by Section 11-107, "Appeal Procedures" in "Chapter 11-Planning and Development, Article IV-Land Development in Unincorporated Land, Division 3-Design Standards" in Washington County, Arkansas.

During the March 7, 2013 meeting of the Washington County Planning Board, a plat/LSD plan was presented for approval. The plat/LSD plan was for a (circle one) Subdivision / Minor Subdivision / Large Scale Development, located in

Section _____, Township _____, Range _____, in Washington County.

My understanding of the decision of the Washington County Planning Board is as follows:

East Prairie Grove Township - Storms Tower
gave a su permit to Smithson communication
for cell tower on storm's property

11-116

I am appealing this decision to the County Judge for the following reasons:

Property value reduction - aesthetic
reason. We are a daughter our property
for the rustic twist. It's not wishy
woose cell tower directly across
the road. Keep our rural area beautiful
please.

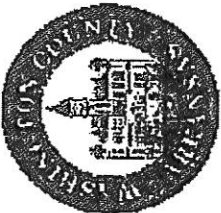
I understand pursuant to Section 11-107 (1) b., the County Judge may affirm, modify or reverse any finding or decision of the Planning Board or may refer the proposed development back to the Planning Board for additional study. The County Judge may refuse to approve the proposed improvement for any of the above specified reasons. The decision of the County Judge may be appealed to Circuit Court. I certify the above statements are correct to the best of my knowledge. (If extra room is needed please attach additional sheets.)

Deborah Kelly
(signature) Craig Kelly

4/5/13
date 4/5/13

002013-1

FILED



WASHINGTON COUNTY PLANNING OFFICE
2615 Brink Drive, Suite 102
Fayetteville, AR 72701
(479) 444-1724
(479) 444-1786 - Fax
PLANNING BOARD DECISION APPEAL

2013 MAR 21 AM 8:22
BECKY C. WALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

I, ARTHUR JARRELL FRALEY
name 1134 Illinois Chope RD. Rainey Grove Ar 72753
address 479-457-7039
phone/email

am hereby filing an appeal of a recent decision of the Washington County Planning Board. My appeal is being filed within ten (10) days of the decision as required by Section 11-107, "Appeal Procedures" in "Chapter 11-Planning and Development, Article IV-Land Development in Unincorporated Land, Division 3-Design Standards" in Washington County, Arkansas.

During the MARCH 14th, 2013 meeting of the Washington County Planning Board, a plat/LSD plan was presented for approval. The plat/LSD plan was for a (circle one) Subdivision / Minor Subdivision / Large Scale Development, located in Section _____, Township _____, Range _____, in Washington County.

My understanding of the decision of the Washington County Planning Board is as follows:
To approve the building of a 300 ft tower
to be use for cell phone service.

11-11

I am appealing this decision to the County Judge for the following reasons:
The main reason is the devalue of property.
This is proven by Cellular towers impact on
Residents and property values) www.pres.net/papers/board.
Squires using this to Measure. pct.

I understand pursuant to Section 11-107 (1) b., the County Judge may affirm, modify or reverse any finding or decision of the Planning Board or may refer the proposed development back to the Planning Board for additional study. The County Judge may refuse to approve the proposed improvement for any of the above specified reasons. The decision of the County Judge may be appealed to Circuit Court. I certify the above statements are correct to the best of my knowledge. (If extra room is needed please attach additional sheets.)

Arthur J. Fraley
(signature) March 19 2013
date

FILED

2013 MAR 21 AM 8:26

BECKY L. WALLEN
CO. & PROBATE CLERK
WASHINGTON CO., AR



WASHINGTON COUNTY PLANNING OFFICE
2615 Brink Drive, Suite 102
Fayetteville, AR 72701
(479) 444-1724
(479) 444-1786 - Fax
PLANNING BOARD DECISION APPEAL

I, Ellen Leen-Feldner
name
10976 South Highway 265, Prairie Grove, AR 72753
address
479-846-2487; ellen-leen@hotmail.com
phone/email

am hereby filing an appeal of a recent decision of the Washington County Planning Board. My appeal is being filed within ten (10) days of the decision as required by Section 11-107, "Appeal Procedures" in "Chapter 11-Planning and Development, Article IV-Land Development in Unincorporated Land, Division 3-Design Standards" in Washington County, Arkansas.

During the March 7th, 2013 meeting of the Washington County Planning Board, a plat/LSD plan was presented for approval. The plat/LSD plan was for a (circle one) Subdivision / Minor Subdivision / Large Scale Development, located in Section _____, Township _____, Range _____, in Washington County.

My understanding of the decision of the Washington County Planning Board is as follows:

They supported the construction of a cell phone tower
in East Prairie Grove, AR
'East Prairie Grove Tower Site CUP'

I am appealing this decision to the County Judge for the following reasons:

- 1) Aesthetics
- 2) Health concerns
- 3) Negative impact on property value
- 4) The community does not want the tower.

I understand pursuant to Section 11-107 (1) b., the County Judge may affirm, modify or reverse any finding or decision of the Planning Board or may refer the proposed development back to the Planning Board for additional study. The County Judge may refuse to approve the proposed improvement for any of the above specified reasons. The decision of the County Judge may be appealed to Circuit Court. I certify the above statements are correct to the best of my knowledge. (If extra room is needed please attach additional sheets.)

[Signature]
(signature)

3-18-13
date

East Prairie Grove Neighbor Comments

IN FAVOR

E-119

Sarah Geurtz

From: James Bartholomew [james.bartholomew63@yahoo.com]
Sent: Tuesday, March 12, 2013 10:02 PM
To: Sarah Geurtz
Subject: cell phone signal

Follow Up Flag: Follow up
Flag Status: Completed

we have very weak cell ph. signal in the hogeye and little to none south hwy 265 to strickler areas. so why not ?
dont you think its time to put a tower in this valley!

#1 -120

Sarah Geurtz

From: Bonnie Dye [bdye01@yahoo.com]
Sent: Tuesday, March 05, 2013 4:52 AM
To: Juliet Richey; Sarah Geurtz
Subject: AT&T Cell phone tower

Follow Up Flag: Follow up
Flag Status: Completed

It has come to my attention that there is a plan to put up a cell phone tower that will give the Hog Eye and Strickler areas cell phone access. There is some opposition to this. I live in the Strickler area and we have limited cell phone access. It is important that this tower be put up for not only social but safety concerns.

Bonnie Dye

11-121

E.P.G.

RECEIVED BY

MAR 05 2013

WASHINGTON COUNTY
PLANNING

Sarah Geurtz

From: Jim Dye [jdye1942@yahoo.com]
Sent: Tuesday, March 05, 2013 4:54 AM
To: Juliet Richey; Sarah Geurtz
Subject: Cell tower.

Follow Up Flag: Follow up
Flag Status: Completed

It has come to my attention that there is a plan to put up a cell phone tower that will give the Hog Eye and Strickler areas cell phone access. There is some opposition to this. I live in the Strickler area and we have limited cell phone access. It is important that this tower be put up for not only social but safety concerns.

Jim Dye

E-122

F.P.G.

RECEIVED BY

MAR 05 2013

WASHINGTON COUNTY
PLANNING

Sarah Geurtz

From: Misty Lunningham [rmlunningham@yahoo.com]
Sent: Thursday, March 07, 2013 8:18 AM
To: Sarah Geurtz
Subject: AT&T service in the hogeye area

Follow Up Flag: Follow up
Flag Status: Completed

Misty Lunningham
12401 McMurry Rd. west fork, ar
I would like to have better AT&T service in the Hogeye area.
Thks!!!

JE5US FRE4K☒

FE-123

Sarah Geurtz

From: Robert [northwesttree@live.com]
Sent: Thursday, March 07, 2013 8:12 AM
To: Sarah Geurtz
Subject: AT&T service in Hogeye area

Follow Up Flag: Follow up
Flag Status: Completed

Categories: print

Northwest tree service
13938 hwy 265 west fork, ar
I would like to have better AT&T service in the Hogeye area due to my business being the
area! Thanks

Owner, Robert Lunningham

Sent from my iPhone

E-124

Sarah Geurtz

From: Rose C. Gergerich [gergeric@uark.edu]
Sent: Thursday, March 07, 2013 2:44 PM
To: Juliet Richey; Sarah Geurtz
Subject: Proposed cell phone tower E. of Prairie Grove

Dear Planning Commission members,

My husband and I (Joseph and Rose Gergerich) reside in Washington County at 16610 S. Highway 265, West Fork, 72774 (between Hogeye and Strickler, 4.65 miles south of Hogeye), and we currently have very poor or non-existent cell phone service (AT&T), despite the fact that we have spent in excess of \$400 in an effort to boost the signal that we sometimes receive. This is very limiting for us since we do not have a telephone service line to our house. We are both retirees and although we are currently in excellent health and hope to remain so, we recognize that emergencies occur despite our best efforts to forestall them.

While we recognize that the proposed cell phone tower is not welcome by some individuals who live in close proximity to the proposed site for the tower, we also would like to point out that these individuals currently have excellent cell phone service because of a tower that exists in **someone else's** backyard.

We strongly urge you to consider the voices of the rural residents of Washington County who will be well served by the construction of this tower. We have signed and helped actively circulate the petition that requested this cell phone tower.

Thank you for your support.

Sincerely,

Rose and Joseph Gergerich
16610 S. Highway 265
West Fork, AR 72774
479-713-0661

TH-125

E-126

East Prairie Grove Neighbor Comments

OPPOSED

E-127

**WASHINGTON COUNTY, ARKANSAS
PLANNING BOARD/ZBA MEETING NOTICE COMMENT FORM:
CONDITIONAL USE PERMIT
East Prairie grove Tower Site CUP**

If you wish to express specific concerns to staff, regarding this application for a Conditional Use Permit, prior to the Planning Board/ZBA meeting date, please mail, email or fax the Comment form below:

Project Name: East Prairie Grove Tower Site CUP

Project Number: 2013-021

Name, Address, and Parcel Number of Neighbor:

SCOTT, GARY M & CATHY B
10841 ILLINOIS CHAPEL RD
PRAIRIE GROVE, AR 72753-9172
001-07911-000

_____ In Favor ✓✓✓ Opposed

Contact Number (s): 479-846-2060 Contact Email: gc.scott86@hotmail.co
479-200-5293

TH
LN
00

Comments:

We are out of town, please see attached response

Gary M Scott Cathy B Scott

RECEIVED BY

MAR 06 2013

WASHINGTON COUNTY
PLANNING

March 1, 2013

To: Washington County Planning Commission

From: Gary M. & Cathy B. Scott

Re: Project #2013-021 Smith Communications/Storms

This communication is being submitted to express our strong opposition to the proposed cell phone/communication tower being erected at the back of our property. This opposition is based on the following reasons:

Speculation

There is no mention of any service provider associated with this project in the information provided to the residents in the immediate area. If that is the case, what would be the reason for this request? There are other towers in a 3 mile radius of the proposed site that provide service in this area. Is it stated that there is a need for this additional service that would benefit the local residents?

Environmental Risks

How many service providers are committed to using this tower? Regulations require that each service provider on a tower have their own back-up generator available in times of emergency. Each of these generators would require a fuel source, typically diesel, to provide emergency service in the case of a power outage. The storage tanks present additional risks to Hickory Creek, which is within the 700 foot buffer according to the documentation provided by Smith Communication. This creek flows into the Illinois River on the Storm's property.

Migratory Birds

Guyed wire towers have a documented negative impact on migratory bird populations. The proposed site is frequented by Canadian Geese and Bald Eagles. In addition, there are Red Tail Hawks that nest and reside in this area. The Guyed wire structures create additional dangers to these bird populations.

RECEIVED BY

MAR 10 2013

WASHINGTON COUNTY

Location

The area proposed is farmland. These farms are small in nature and have little or no need for this type of technology. We personally purchased our farm about 13 years ago because of the quiet natural setting. If this was downtown Fayetteville and a tower was being proposed that was aesthetically pleasing and being mounted on top of a 6 story building, the impact to the area would be much less. The proposal for this tower is not in a city that is already unnatural in appearance, but in a very rural setting with a small density population. The proposal is definitely not pleasing to the eye and would most likely require a disguised tower in a more populated area.

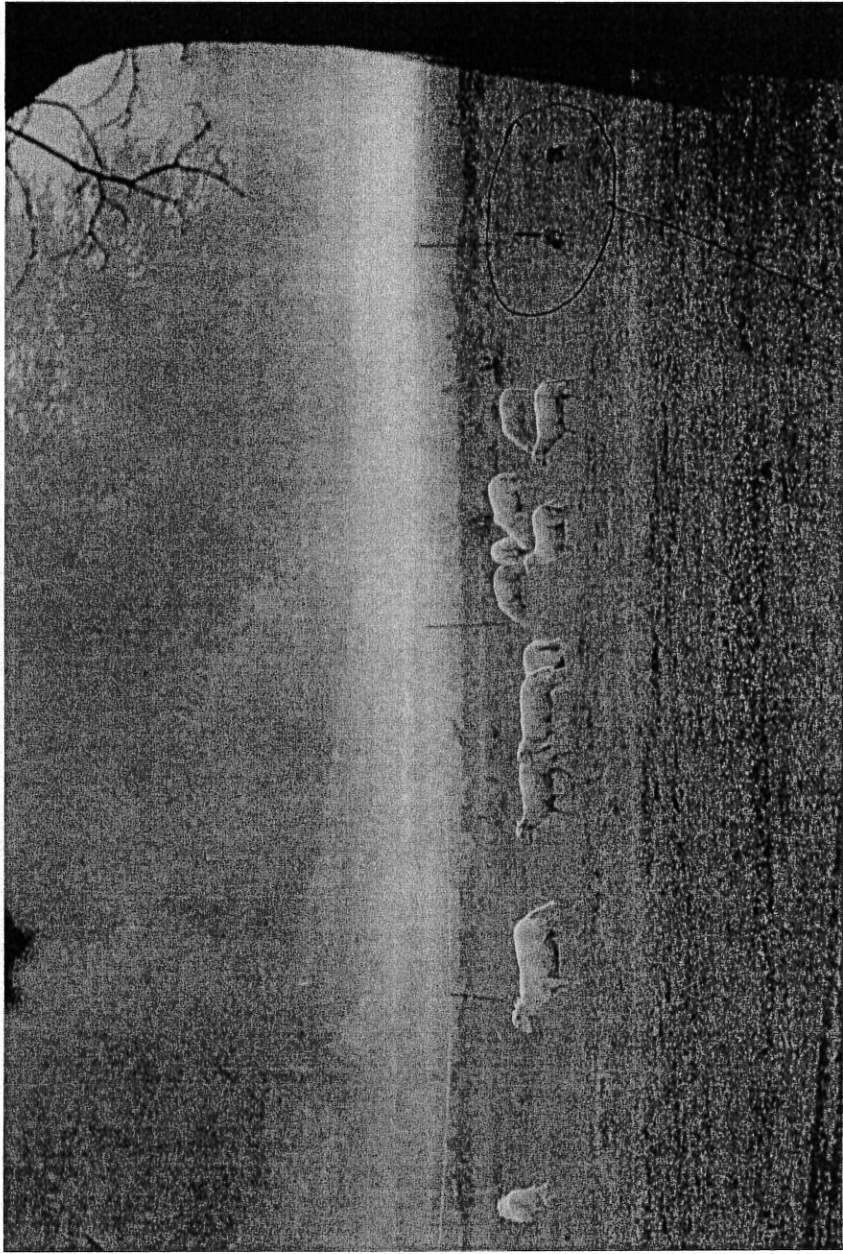
There are many other style towers that do not have this negative impact. While they may argue that there are no proven facts available that show a decrease in property values, there is also no data that says it improves property values. Erecting the cheapest type of tower to reduce the costs to Smith Communication should not be whose costs are important. They stand to make significant profit if they convince carriers to use the tower, while the landowners in the area see a negative effect on their property values. There are many realtors, if not all realtors, that would admit that a tower is a negative impact on the value of a property.

The proposed location is on the edge of the Storms' property. To minimize the impact, this tower should be located towards the center of the 400 plus acres owned by the Storms family. Why was this site chosen over any others on the property? Would it impact the view from the owner's house? As you drive throughout the county, towers are located in high areas so there is less interference. This site is located in bottom land. Everything about this proposal is suspect, guyed wire anchors located in a flood plain, tower location in the view of surrounding residents, but behind the home view of the property owner.

Conclusion

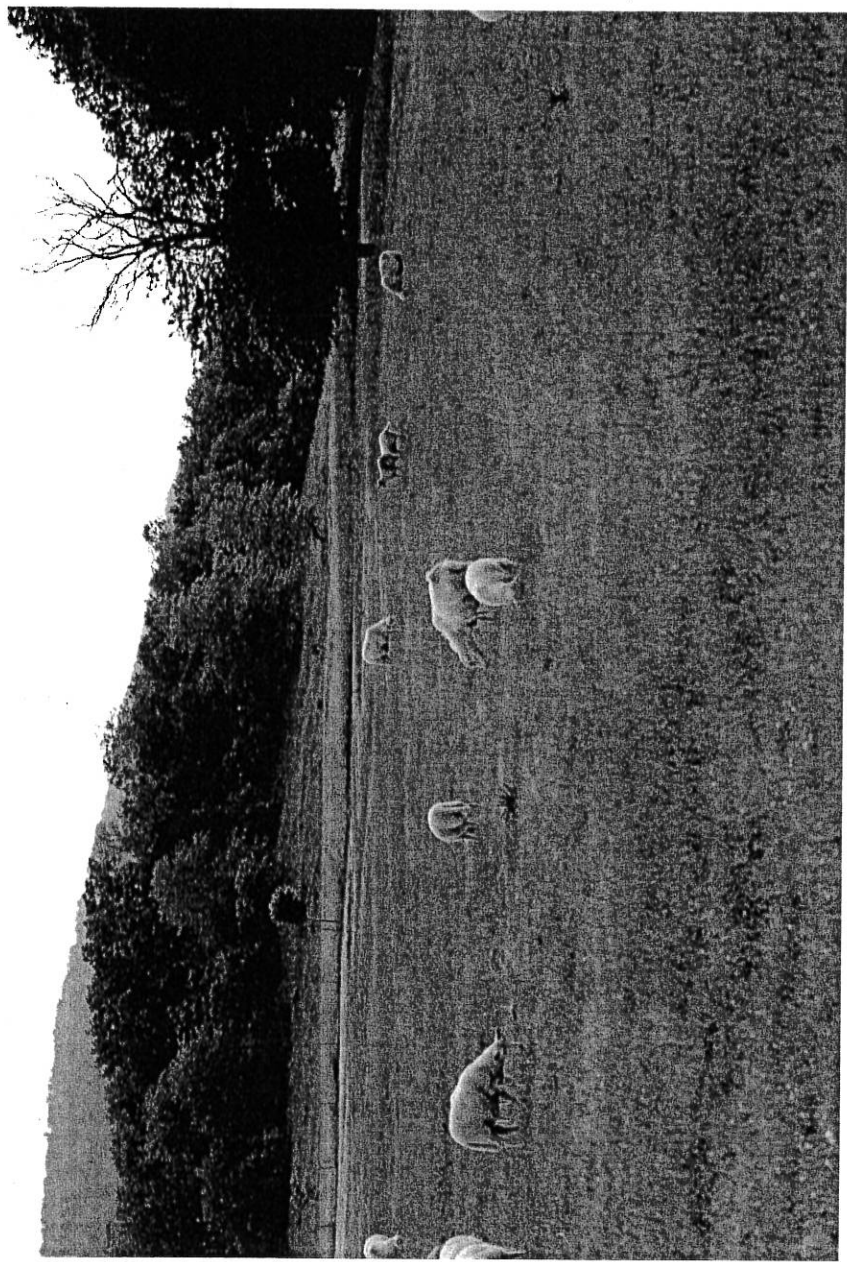
- We are strongly opposed to this proposal for the following reasons:
- This appears to be a speculation that service providers are requiring this
 - Increased environmental risks associated with the low lying location

- Increased risks to migratory bird populations
- Decreased property values to surrounding residents with decreased 'curb appeal'
- 4G service is available in the area and at our residence



Tower Location is on left side of pictures

migratory birds next
to towers proposed
location.



E-132

WASHINGTON COUNTY, ARKANSAS
PLANNING BOARD/ZBA MEETING NOTICE COMMENT FORM:
CONDITIONAL USE PERMIT
East Prairie Grove Tower Site CUP

If you wish to express specific concerns to staff, regarding this application for a Conditional Use Permit, prior to the Planning Board/ZBA meeting date, please mail, email or fax the Comment form below:

Project Name: East Prairie Grove Tower Site CUP Project Number: 2013-021

Name, Address, and Parcel Number of Neighbor:
ANDERSON, MICHAEL J & JESSICA M
10885 GIFFORD WC 204
Prairie Grove, AR 72753-8303
001-08060-001

In Favor Opposed

Contact Number (s) (479) 846-4560 Contact Email: _____

Comments:

(1) This tower will be located on the other side of the fence of my property. This tower will reduce the safety of my property. This is obvious in that all our neighbors are very upset about the tower. Possible negative health impacts on my family and animals from tower emissions. (3) negative impact on adjacent wetlands and waterfowl. (4) Degradation of traditional burial mounds within 3/4 mile radius. (5) Loss of current centers & future centers have now expressed concern over hunting from here.

Questions? Contact the Planning Office!
Phone (479) 444-1724, Fax (479) 444-1786

RECEIVED BY
http://www.co.washington.ar.us
2013
MAR 06 2013
3016 Buntz Ave., Fayetteville, AR 72701

WASHINGTON COUNTY
PLANNING

Kim Fugitt called and spoke with SDG at 11:45am on 03.05.2013:

A neighbor told him about the proposed tower and he wanted more information on it. His specific questions were:

- would the County getting anything out of it? – tax revenue, etc?

SDG told him that he would have to contact the Assessor for information about that. SDG also told him that Emergency Services might be placing equipment on the tower.

SDG emailed to him the online link to the PB packet information.

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WASHINGTON COUNTY
PLANNING

SDG spoke with Cathy Caudle on 03.04.2013 at 3:20pm.

Cathy's concerns:

1. Appearance as seen from her backyard
2. "why THAT location"? Why not further back against the tree line or on a mountain? (SDG explained about the elevation of the antennas being important).
3. Radiation concern – SDG told her that, per Federal Law, we could not consider the health risks. Cathy said that she knew about that law but that it addressed "environmental" affect concerns and not human health concerns. SDG told Cathy that she did not know the specifics of that but would inquire about it with her Planning Director (JBR).

She said she and multiple other people will be at the meeting Thursday with pictures and information on the health risks (SDG told her that JBR might not allow the health risks to be discussed because of the Federal Law PUBLIC LAW 104-104—FEB. 8, 1996, TELECOMMUNICATIONS ACT OF 1996

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E-135

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MAR 04 2013

WASHINGTON COUNTY
PLANNING

Sarah Geurtz

From: Juliet Richey
Sent: Monday, April 01, 2013 2:35 PM
To: Jimmy Mardis
Subject: Re: proposed cell tower

Follow Up Flag: Follow up
Flag Status: Completed

Thanks for passing this along. I had not seen this particular one

Juliet Richey
Washington County Planning Director
2615 Brink Drive
Fayetteville, AR 72701
(479) 444-1724

On Apr 1, 2013, at 2:21 PM, "Mardis, Jimmy" <jimmy.mardis@tyson.com> wrote:

FYI. You may have already seen this.....

From: Deb Griffin [<mailto:deb.griffin@fayar.net>]
Sent: Monday, April 01, 2013 12:38 PM
To: tlundstrum@co.washington.ar.us; jmardis@co.washington.ar.us; hbowman@co.washington.ar.us; bussery@co.washington.ar.us; jpatterson@co.washington.ar.us; rbailey@co.washington.ar.us; rcochran@co.washington.ar.us; bfitzpatrick@co.washington.ar.us; emadison@co.washington.ar.us; jfirmin@co.washington.ar.us; cclark@co.washington.ar.us; raman@co.washington.ar.us; aharabison@co.washington.ar.us; bpond@co.washington.ar.us
Subject: FW: proposed cell tower

TTT
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From: Deb Griffin
Sent: Friday, March 29, 2013 11:19 AM
To: 'mspears@co.washington.ar.us'
Subject: proposed cell tower

Hello,

I am writing to you to protest the proposed location for a cell tower on Illinois Chapel Road. The tower is proposed to be built on a 400 acre tract of land directly behind The Scott Farm. They own a boarding kennel and also train border collies. They have lived there a number of years and have invested a great deal of money into their home and farm. The tower would be their main view out their back porch and living room and would loom in their vision from any point on their farm. It not only will be an eye sore to the Scotts and others who live close by, but will endanger the nearby family's home and children. It will decrease the property value of all homes and land. There is ample room for the proposed tower to be built further back on the 400 acre tract, which would be out of sight and therefore pose no danger for the family whose home is currently threatened by tower, nor would it lower the property value of land/homes. The only drawback to locating it further back and out of sight on the land according to the person who wants to build this cell tower is that it 'would cost him more money'. Don't the residents of this area have more of a say in this than someone who wants to make a profit off of this tower for years to come? I urge you to speak with your fellow justices concerning this matter and stand up for the

people who will be hurt by this. Please don't let this company ruin the lives of the people who have worked so hard to live in a beautiful rural setting!

Thank you,
Deborah Griffin
10912 S. Appleby Rd
Farmington, AR 72730

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