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**Benton County Planning Board
Public Hearing
Technical Advisory Committee Meeting**

DETSY BARRELL
CITY PROBATE CLERK
BENTON COUNTY, AR

October 7, 2020
6:00 p.m.

Benton County Administration Building
215 East Central Avenue
Bentonville, AR 72712

Meeting Minutes

PUBLIC HEARING:

Call to Order: The meeting was convened at 6:00 p.m. by the Planning Board Chair, Mr. Torrez.

Roll Call: Bob Bracy, Sean Collyge, Ron Homeyer, Terry Maienschein, Stephen Torrez, Bethany Rosenbaum, and Rick Williams were present.

Staff present: Taylor Reamer – Director of Planning, Madison Kienzle – County Planner

Public Present: Five members of the public were in attendance.

Disposition of Minutes: September 16, 2020

Mr. Maienschein motioned to approve the September 16, 2020, Planning Board Meeting minutes. The motion was seconded by Mr. Bracy.

Motion approved: 6-0

General Public Comment:

Old Business:

- I. Capps – Verizon Telecommunications Tower, case no. 20-179, 22078 US Hwy 62, Garfield; 18-00305-000

Representative: Jennifer Waymack Standerfer

Ms. Waymack-Standerfer: This is a 250 ft monopole self-support tower with a 65 ft by 65 ft fence compound. This started a year and a half ago when Verizon presented it with CMI Engineering. At that time, they were in a different location further east in the middle of the property line on the eastern border. That location required a variance, which was denied at the time. Verizon went back to the drawing board, and they moved the tower to the northwest part of the property. This does comply with all code requirements for the County code. We've provided all of the permitting that is required, and there are no needs for variance requests for you to deviate from your code.

There have been questions generally about the buffer zone on the northern property that we've addressed before, this does meet the County requirements in regard to that.

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ARWELL
CLERK
BENTON COUNTY, AR

A couple of things that were asked at the last meeting which were maybe addressed was the need for the technology, which I sent an email in preparation for this meeting which gave our RF engineers' expert opinion about the need for this. This is essential technology, not just for Verizon, but for the State of Arkansas. We do have an issue with broadband statewide, and this is going to help us comply with what our government is currently funneling state dollars into.

Additionally, there were questions about public safety, and I sent an infographic to the members and just wanted to further emphasize Verizon's commitment to public safety. 98% of their sites stayed operational during Hurricane Harvey. This infographic gives some great example of the spending that Verizon puts into safety and that their facilities are actually holding up in severe storms and major disasters and they are committed to assisting coverage and communication with law enforcement agencies.

We were tabled because of a notice question, there were four additional land owners who were not notified due to an error. They have been notified as of today. We realized that one of those land owners is the Dible family that lives in Rogers now. I reached out to them to see if they had anything to say, and I actually talked to Brad this morning and he indicated that he was not opposed. He indicated that he was happy that service might be a little better. He is not a direct neighbor, there is another property in between but the property is within that half mile. I just wanted to make the point that there is some additional info from folks who aren't here today who may not have as much of an objection. 20.29

Staff gave a presentation.

Mr. Bracy motioned to reopen public comment. Dr. Rosenbaum seconded the motion. The motion was approved 7-0

Mr. Hardin: I appreciate your due diligence in listening to this, and I know this is a difficult decision. But the decision you are about to make will impact many of the life dreams of many of my clients and related parties. This is their homes, where they have chosen to live. They chose this area because of its beautiful pristine condition. Many of them have put their life savings into residences out there, and now they find that someone is wanting to build a 250 ft cell tower less than 400 ft from their home and that's a travesty and we ask that you not allow to happen.

Bottom line, my clients do not want a cell tower there. Forty-three people signed a petition in opposition, and an additional seven people have sent in objections. The only person who is not against it does not even live in Benton County, they live in Eureka Springs, they want better cell service. If you look at a map you would find that better cell service could be achieved by placing a tower in a less densely populated area. One thing we did submit is a density population chart for Benton County. You should know that this tower will be located in a highly densely populated area. If you go just a couple of miles south, you'd be in a much less densely populated area. If you would go east into Carroll County, you would serve a much broader area of people without having the adverse effects. We don't think this is the best location for a tower. It would have a severe economic impact on many people, in some cases devastating their life dreams. We think that is unfair for that to happen. Last time this was discussed, people expressed concerns about the visual impact. Verizon ensured that the trees would cover it up. At my suggestion, some of my clients got a balloon and raised it to a height

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DEBBY HARRELL
CLERK
DEWITT COUNTY, AR

of 250 ft and took pictures. It was windy so the balloon did not rise to 250 ft, but it shows that this tower will be visible and a nuisance from many areas. They superimposed a picture of a tower on existing photographs to show what it will look like. It will have a severe detrimental economic impact on many people including some businesses in that area. We feel it is incompatible with the existing surroundings, it will detract from future development in this area. It is a scenic highway, lots of people want to drive this highway. The more economic non-natural sites there, the less of an impact it will have. Respectfully, we request that the Board deny this application so that my clients will not be damaged economically, financially, health-wise, and emotionally.

Pamela Wilson-Brush 22070 Highway 62

Mrs. Wilson-Brush: My late husband and I bought our property in 2002 in a complete wooded area. We wanted the nature. We took everything we had from where we raised our children. Sold it. Bought property. Took all of our money, we built a nice home that we wanted because we were both disabled and now this tower is going to hover right over our property. My daughter and my grandchildren live there, this is our family home. This is where she hopes to raise her children. We didn't even want electric lines, we buried our electric so that we could enjoy the pristine forest. We made our own road back to the house. We live in the woods right up next to Mark Twain National Forest. Because we didn't want people back there. We wanted to raise our grandchildren in a natural setting. Now this tower with the lights, the sound, the safety issues of it, it's like 400 ft from my daughter's bedroom window. Not to mention the light blinking all the time. My grandkids out in the yard, we have a storage building that we tinker with the lawn mowers right on that section of property that you say we're not going to be able to do anything with in that 300 ft. We mow, my grandchildren play out there, and I strongly encourage that you do not let this pass because this is something we've worked our whole life for to give to our family. Now that my husband is deceased this is what our heritage for them, to give to them is and I hope you decide not to put this there.

Barbara King 22038 Hwy 62

Mrs. King: We moved out there 20 years ago for all of the beauty that is out there. We love to sit in the yard, watch the deer, the armadillos, the rabbits and its just a beautiful place. If this tower goes in, due to the things I have googled about the towers, the vibrations and stuff, the animals will leave. Who wants to look at an ugly, tall cell tower? If I want to see that I can go toward Eureka or I'll go to Gateway. I don't want to see one in my area. So please vote against this. We don't need it.

Susan Pang

Mrs. Pang: My husband and I are the ones who did the balloon test. We spent tons of money and time and energy to do those tests and we are all shocked about how high 250 ft is. What it takes to launch a balloon, the atmosphere is different up there it's like a totally different universe. I've grown to really love my neighbors here, and I feel their pain. They are suffering more than we are because some of them literally have the tower shining in their bedroom window, and its further away from our house than theirs. Martin Greer and Janette Greer have worked their whole lives, they have a multi-generational business, people stop there on the way to Eureka and back, on the way to Branson and back in an idyllic candy-land setting. I was thinking of having a

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HAROLD KING
PROBATE CLERK
BENTON COUNTY, AR

business, but I will not pursue it if this happens. I know also that there is cell phone coverage and there is good reception for children because the last time attorney said that the poor school children of Benton County don't get cell service when they're virtual learning, well that's not true either. Someone sitting in the audience has two kids that are virtual learning and they're doing fine. Just about every single thing has been untrue, we were in the forest today one mile into the woods we had three bars again. We deplore you please to turn this down there are other places to put it. Today we noticed the sign on hwy 62 only has printing on one side, half the map that needed cell phone coverage was not sent notices, so bambi didn't get a notice, and the other half of the sign didn't have any printing on it so people who are travelling to Eureka Springs that so called notice that they we supposed to have put up was blank. And we have pictures of it if you don't believe it. Everything is kind of half-assed. Half the people were sent notices last time. Half the people can see the sign because the other side is blank. It's unbelievable. Thank you for your time, and please turn this down.

Harold King 22038 Hwy 62

Mr. King: Capp's place joins mine on two sides. There's a deep holler behind, and a deep holler to the East. Anywhere they put that blasted thing, I'll be able to walk out on my porch and it'll be right there looking at me. I don't want it; I have no use for it. It's not going to benefit the people out there. Rumor is they're building it for Seligman. If they are, build it in Seligman we don't need it. We have a lot of people out here who have medical issues. I worry about a lot of them. I call them my people. Because that is my people. God's given to me as friends and neighbors. Each one of them's got a medical issue. We moved back there for our retirement for the peace and quiet. This thing goes up we lose our scenic route. I lose \$40,000 on my place, because there's a percentage of I can't use. That's not right because it belongs to me. Capps doesn't even live out there. He don't care what's happening to the people. But I do, and God does. And I'm asking you to deny that thing. We don't need it out there because of the radiation will be right there at my house, the lights will be flashing, the tower will be humming, we'll be putting up with all kinds of racket out of it. The biggest worry that I have, is that I've had open heart surgery. I have lung disease, which I carry an inhaler. I also wear a defibrillator. What will this thing do to my defibrillator? Does it mean I have to die to prove a point?

Mr. Hardin: I would like to point out one more thing. Exhibit number 5 to their application shows a post capacity coverage after it's done. I strongly encourage the Board to look at that exhibit. Approximately 60% of the additional coverage is in the State of Missouri. Most of which is in the Mark Twain National Forrest. Although it does go up to Seligman and that area and it does give them much better service. That's not Benton County Arkansas. The increased service does not even go to the Eastern boundary of Benton County. It goes North, it doesn't benefit the people who live in Benton County. The problems, the cost, the pain will be upon people who live in Benton County. Please consider that when you make your decision.

Ms. Waymack-Standerfer: I'm going to try to touch on everything. Mr. Hardin mentioned that Kei and Susan Pang his clients have chosen to make their home there. I do want to be clear; I think that is one of their homes. I believe they also live elsewhere part-time. That's not to say that they don't have an interest, but I did want to be clear.

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DESSY MARSHALL
CLERK
BENTON COUNTY, AR

There have been a lot of questions about better cell service, that you should go to a less densely populated area if you want better cell service. There has been an assertion that the cell service improves in Missouri but not in Benton County, and that you should go somewhere else if you want better cell service. That is simply not the way this works. The technology works by putting in this new cell tower, it doesn't just cover the two mile radius around it. It takes the impact off of the other towers that are near it. It increases coverage not just for a larger region, but it also makes the other towers stronger because of the way they boost each other. We have provided a statement from our RF engineer who is an expert in his field. This necessity is governed by federal law, and federal regulatory authorities, and we've complied with everything that we are required to comply with, in order to show that this is necessary technology, it is need based. Mrs. Pang said that we said that you couldn't get on the internet in Benton County and that is not at all what we said. It is important to note that statewide the state of Arkansas we are at a critical mass for broadband. We do not have broadband access consistently throughout the State, and we do not have it particularly in our rural communities. It's important because we are funneling tax payer dollars to build that up right now, and this is an example of where private industry steps up and spends private money and uses the market to fix a need that the government is calling out for. They may have cell tower access where they are, they may have what they feel is appropriate cell capacity. That's not surprising. But that doesn't diminish the importance of the technology to increase capacity all over the area. The Telecommunications Act is there because of this argument. The arguments that's being made that this tower only helps Missouri, it doesn't help us. It's bigger than us. That's why the federal government got involved. While I understand your concerns, and I understand your objections, it's just not valid under our legal considerations right now.

There's been a lot of discussion about the visual impact, the tree coverage, the balloon test. I want to note that we have moved this location further away from Highway 62. Which we have never said makes it invisible, but it does decrease visibility. Because of the topography, because it is mountainous and there are variations in the treeline, and the curvature of Hwy 62 itself, there are places along that strip that you will never see it, and there are places that you will. My clients have gone through great expense and great effort for the last year and a half to decrease the visual impact on the area and to comply with this body's requirements and with County code.

There has been no actual evidence that there will be a detrimental economic impact. There has been no indication or reliable scientific study that there will be an impact on the neighbors. There were questions about the lights raised, again those are a slow red blink light. It will be a lazy light after dark. That is required by federal law and federal regulation.

With regard to the safety concerns that were raised, I would note that Verizon has a reputation for taking that into account. For building good facilities. Facilities that survive hurricanes and that provide emergency coverage and service. I understand the neighbors' position, but the fact is that it is about more than a handful of people. If I'm correct of the four additional people who were notified, I don't believe any of them have appeared. I talked to the Dibbles myself, and Brad indicated that they didn't have an objection to it, they didn't see an issue here. So, I ask you to consider that. We've complied with everything that's been required of us. We ask that you approve our application.

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DEPT. OF REVENUE
CO. & PROBATE CLERK
BENTON COUNTY, AR

Mr. Bracy: When this was brought up a year ago, I believe the Board requested that you lower the tower from 250 ft to 200 ft, which was agreeable for your client. Why would we go back to 250 ft when the Board recommended 200 ft.

Ms. Waymack Standerfer: That was at the other location. At that time, they were willing to do that to try to compromise, to sacrifice some of their coverage to meet a height that would fit that particular location better. My understanding is that they went down as much as they could for that location. By shifting it to the north west corner of the property it did require them to go back and adjust the height. This is the height that they deemed necessary to meet code requirements and provide the services that they need to provide.

Mr. Bracy: Can we see a topo of that, because I didn't see that the elevation change was that great actually on that whole property.

I read a number of emails, as the Board did, there seems to be a misnomer from what I understand our County code is. The setback requirements are for towers. They are not restricting personal property to do anything that you want to it within that boundary. This is solely a County requirement that a tower cannot be positioned within those requirements, but if it overlaps into private property that are adjacent to the property in question, there is no legal detriment to those properties. You can build anything you want right up to your property within County setbacks.

Mr. Reamer: I would agree with that statement.

Mr. Bracy: The other question I had last time was line of sight. Highway 62 is bordered by a lot of tree line except for the Southern portion of it. The tower is in the Northern part of that. The line of sight from the highway, seemed to be obscured from the tree line. Did you say it's not 100% obscured or partially obscured?

Ms. Waymack Standerfer: What portion of the highway are we talking about? If we're talking about the portion that abuts Mr. Capps' property, from what I can see its obscured. But I can't say that nowhere on 62 will you ever see it. There may be a portion where you're driving through and, in the distance, you can see it. Obviously, depending on which property you're on there are going to be places where it is not completely obscured. However, it does reduce the visual impact and it does obscure it more by moving it back to the northwest corner.

Mr. Reamer: The proposed location based on the contour intervals that we have provided by our County GIS, the approximate location of the proposed tower will be 1,580. The original location which was down near the frontage with US highway 62 would be at that contour or below.

Ms. Waymack Standerfer: If I could respond, it is not solely about topography. The elevation is not the only factor in that. I do have Dave McGhee our engineer from CMI on the line.

Mr. Bracy: The reason I ask, towers occupy airspace. The higher you go the greater your airspace and coverage. So, if you're in a topography that was at sea level and you now go to five feet below sea level, that doesn't change the airwaves that are

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BETSY HARRILL
PROBATE CLERK
BENTON COUNTY, AR

above certain height that much. And if you were willing to do that for whatever reason, why technically would we want to change that activity? Your expert can explain.

Mr. McGhee: Last year when we had the site and requested a variance, the RF engineers agreed to a compromise to better meet the setback variance. When we moved it to the rear of the property, since it met the setbacks, they went back to the original height that the engineers determined provided the field of coverage gap and provided the needed coverage. Some specifics and minor changes in topography I don't know. But being that we are not requesting a variance, we went back to the original design height.

Mr. Torrez: You mentioned in the past that a compromise was willing to be made. Now we're at a new location so you are asking for the full 250 again. We've talked about height, and location, and terrain and that you would want to be at 250 ft, but you're saying that it could work at 200 ft. So, if it worked at 200 ft there, couldn't it work at 200 ft in the new proposed location? I feel that is somewhat of a compromise to the surrounding community.

Ms. Waymack Standerfer: I certainly understand your concern. I understand what you are offering. At this point I can say that my clients are a year and a half in, they weren't approved a year and a half ago, they have gone back to the drawing board with all of their engineers reworked and re-negotiated with Mr. Capps, which has been a significant expense to them at this point, and it is important that they get the coverage that their experts tell them they need. I have received no indication from them that it would be appropriate or doable for them to reduce that. And at this point they're ready to move forward. We were here three weeks ago with a compliant application; we've complied with the law. I do understand the community's concerns if not here then where does it stop? My clients are going to respect the decisions of this body, and they are going to act accordingly with the law. We have made sure that we have a tower that complies with your code, but a tower that is safe, a tower that serves the larger community. I am not at liberty to agree to that, and I have no indication from my clients that if I went back to them that they would. Every indication is that they need the 250 ft.

Dr. Rosenbaum: Who is your client? Is it the Capps family or is it Verizon?

Ms. Waymack Standerfer: I represent Verizon. Verizon has a lease on the property that is included in the application materials. The portion that we are building on has been leased by Mr. Capps and he has authorized that. The authorization is in there. I represent Verizon but Mr. Capps has leased this portion of the property to Verizon for this purpose.

Dr. Rosenbaum: One of the common themes of the public comment was visual impact. It seems like you are all trying to use elevation and topography to try and reduce visual impact but I was wondering if there could be anything done to the actual tower? The reason I'm thinking that is because I am looking out my window, and I see the Bentonville water tower. Water towers are about 165 ft tall. So, 250 ft is high. So, a compromise could be, can we make that thing look any better? If we can't change the landscape or the topography, is there anything we can do to the actual tower?

Ms. Waymack Standerfer: I think what's important to note from my client's perspective and from my perspective, we have compromised. We moved it back from Highway 62,

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JOHN HARKELL
PROBATE CLERK
DEWITT COUNTY, AR

we do not require a waiver, a variance, or any adjustments to your setback. We have gone through significant expense and time to compromise. I think it's important to note that while I understand, I can't make it invisible. The technology is just not invisible. This is how it works, and that is why we have the federal Telecommunications Act. Because there is not a way to make all of the neighbors happy. I expect even if we reduced it, there would be objections. I want to note that when you look at that area as a whole, you've got a lot of impact of utilities. Not within two miles, but you see in wooded areas cell towers. In fact, the campsite around Beaver Lake is built around the Dam. Which is a huge visual impact and which is not pretty. It is not something that I like to see. But these are the sorts of intrusions that technology requires. It is part of how we live as human beings. At this point my clients have compromised greatly, in order to provide this technology to our community and other communities.

Mr. McGhee: I would agree.

Mr. Bracy: If something works, and it's agreed upon at 200 ft, you consider that a way to come into compliance with our code, but from a technical perspective moving it a couple hundred feet changing the elevation by a miniscule amount would not change the airwaves that greatly and may still be a compromise that might help the community. Yes, there are a lot of cell towers. I drove through Arkansas and Missouri on my way to St. Louis and specifically tried to see them all, because you just drive by them and you pay no attention. Our responsibility is to the community to progress, but also to the local community that is there. I am curious that I don't understand your coverage aspect. I understand how towers work, how they boost one another. And yes towers don't know boundaries and I'm not going to get hung up on this, because we may have a wooded area that is very dense and those places need greater coverage in this country. When people are out and they get lost and they don't have a way of communicating, that would be a great benefit. You say Arkansas is interested in boosting the broadband. You're not going to 5G with this, but you are boosting the broadband. Explain that in more lay-terms so that I can understand that. Are you boosting the broadband to Northwest Arkansas?

Ms. Waymack Standerfer: What's been raised by our state government is that internet access and broadband coverage are both crucial issues in the state that we're at a critical mass now for. This 4G does increase internet access and does assist in that by increasing the capability of the technology.

Mr. McGhee: I agree, good 4G coverage throughout the area is part of the reliable network that they are trying to achieve. This tower will improve reliability, coverage, which is 4G wireless coverage, and internet broadband. If you have a smartphone or a wireless hotspot device. Like she said this will offload some of the traffic burden from the towers in the surrounding areas so that they will work more efficiently. It is designed as an entire network and this is a critical piece of a puzzle. This location, the engineers determined to be best at that location and at that height to achieve that goal.

Mr. Torrez: Can you please remind the Board and the audience your role?

Mr. McGhee: I'm with a company called CMI acquisitions and we do site acquisition work for Verizon. I presented this case last year on behalf of Verizon, and I'm now in an informational advisory role for Jennifer who is representing Verizon now.

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BETSY HARNELL
CO. & CLERK
BENTON COUNTY, AR

Mr. Torrez: Are you more in the business of real estate or more in the business of engineering?

Mr. McGhee: We're more in the business of real estate. I am not an engineer, but we are bridge between the real estate and the engineer and you might say we have our foot in both doors. We work with the engineers who direct us and run the show in regard to where these locations are. These coverage maps and statement are the evidence that we are presenting that this is needed.

Ms. Waymack Standerfer: A lot of the concerns you are raising are great questions that I think are answered at upper levels of government. That is part of the reason to engage in this, I want to answer all of your question and help you understand as much as you can and have as much expertise as you can have in this. But a lot of what we're talking about here is not regulated at the county and city level, it's regulated at the federal level. So, we've done what we're supposed to do to comply with those regulations. So, I understand your concern about compromises, as I've said I feel like we have compromised, but also, we're jumping through hoops for other areas too. We're doing it at the federal level, we're doing it with administrative agencies, and we will continue to do that. So, we would just ask that you follow your code.

Mr. Bracy: We're not questioning whether you're following government or State regulations. This tower is not replacing any old technology? We've been experiencing with the new technology we're building new towers to support the width of the transmission devices that are now being put on the towers, but are we replacing and taking the old ones down in a way?

Ms. Waymack Standerfer: I've had no indication of that. I've had every indication that this is new technology.

Mr. McGhee: When they build a new tower, they always use the latest and greatest technology. They also spend a lot of time and money upgrading their existing network, but in this case, it will have their latest and greatest.

Mr. Bracy: You're not replacing older towers that are going obsolete?

Mr. McGhee: This is totally a new design, but it was designed to work with the existing network.

Mr. Bracy: 5G is coming. My understanding is that when 5G comes 4G is going to get more powerful. That what broadband is. You are taking transmission waves from one band and putting them on another band. 5G will be a long time from coming to Arkansas though. It's going to be in the big cities. Will this tower benefit 5G in the future?

Ms. Waymack Standerfer: This is a 4G tower.

Mr. Bracy: I know that it's a 4G tower, but when 5G comes it takes a lot of traffic off the 4G band. Will this tower benefit 5G?

Ms. Waymack Standerfer: 5G will build on 4G. It won't make it obsolete.

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Mr. Bracy: Will we have to build more 5G towers right next to 4G towers?

Ms. Waymack Standerfer: I don't believe that would comply with your code at this time to build within two miles of this tower. I don't have any indication that the 5G towers will have to be built right on top of the 4G towers or to increase the density of towers.

Mr. Maienschein: We have a responsibility to our property owner with regard to what he does with his property, if it fits within the codes and rules, and if they've complied with all of the federal rules, and they've complied with the County rule on height, etc. I don't think we can limit his rights just because it doesn't look nice.

Mr. Torrez: Can we look at the compatibility matrix as it relates to a cell tower, with surrounding residential? To Terry's point and to Jennifer's point, you're right you've done everything that we've asked and you've met the code. With the exception of our matrix, if I understand a cell tower is considered industrial...

Mr. Reamer: It would be utilities.

Mr. Torrez: ... When we look at it next to residential, that is why we're here is because it's questionable. Just because we say you've done everything correct, and I don't disagree with you, but this part of the code is kind of key. I understand your task here, and I understand the time and money and resources that have gone into being here. But I also understand that last time you agreed that you would build at 200 ft. But now that you're at a different location its 250 ft. This is the only leverage that the residents and surrounding community have.

Mr. Reamer: If we look at the utility's classification within this matrix, immediately adjacent to low density residential, that is determined to be incompatible unless they meet the criteria that is outlined within our code. Which is setbacks, for structures on our site greater than 20 ft. The site plans as submitted, which show a greater than 20 ft of setback from structure to property line. I would require 40 ft or greater in depth of vegetation, I don't think site plans call out existing vegetation, but aerial images can be supplied to the board. I think the three tier plantings are included in existing in vegetation that is naturally occurring onsite.

Mr. Torrez: So, if it is incompatible on the matrix, but then you met these guidelines.

Mr. Reamer: I will revert to an existing graphic. While the scale is not given, in relation to a 300 ft setback requirement polygon that I have superimposed on this property, there is existing vegetation that is to remain, that is not within the lease area.

Mr. Bracy: I'm still looking at line of sight. If I'm looking at this circle, and I'm standing in the perimeter with the existing foliage that is there, am I going to see that tower?

Mr. Waymack Standerfer: I'm not going to say that you're not going to see the tower. I'm not willing to say that because it depends on where you are standing and what is nearby, and whether its fall, spring, or summer. The tower will be visible, but we've done what we can to minimize the impact, and its not a prohibited use. Any use of discretion to discourage an allowed use that meets with code, I would ask that you not do that.

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CLERK
BENTON COUNTY, AR

Mr. Bracy: I am asking you questions for general information. I don't see anything within your proposal that does not comply with regulations. But line of sight has a lot to do with what is being discussed here. If I'm looking at a 300 ft radius and I'm standing on the ground and there is a twenty-foot tree in front of me, am I going to see this tower?

Ms. Waymack Standerfer: They may or may not.

Mr. Maienschein motioned to approved. Sean Collyge seconded the motion.
Motion approved 7-0

New Business:

- I. **WEN Investment Group Site Plan Review – Major Amendment, case no. 20-194, 14635 US Hwy 62, Garfield; 18-04272-000**

Representative: Derek Hileman

Staff gave presentation.

Applicant had nothing to add.

Planning Board members had no questions or comments.

Public comment: None.

Mr. Homeyer motioned to approve. Mr. Maienschein seconded the motion.
Motion approved 7-0

TECHNICAL ADVISORY COMMITTEE

- 1. **Call to Order**
- 2. **Old Business / Ongoing Applications: None**
- 3. **New Business: None**
- 4. **Other Business: None**
- 5. **Staff Updates - Administrative Approvals:**
 - I. **Stewart Minor Subdivision, case no. 19-054, 8668 Buening Lane, Decatur; 18-11305-000**
 - II. **Poulter Minor Subdivision, case no. 20-189, N Mt Olive Rd & Hodge Rd, Gravette; 18-15195-003**
 - III. **Davis Property Line Adjustment, case no. 20-192, 10011 Boyles Rd, Gentry; 15-01649-000**
 - IV. **Hubar Minor Subdivision, case no. 20-195, 14170 Springtown Rd, Siloam Springs; 18-10978-000**
 - V. **Williams Minor Subdivision, case no. 20-196, W Hwy 102, Decatur; 18-14266-004**

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- VI. King Lot Combination, case no. 20-197, 21432 Eagle Ridge Ln, Rogers; 18-00988-110
 - VII. Rone Lot Combination, case no. 20-198, 10618 Mill Dam Rd, Bentonville; 18-09305-000
 - VIII. Blankenship Minor Subdivision, case no. 20-200, 17225 River Valley Rd, Siloam Springs; 18-12838-000
 - IX. Williams Minor Subdivision, case no. 20-201, 9531 Pleasant Valley Rd, Gentry; 18-11538-000
6. Discussion Item: Welcome Dr. Rosenbaum!

Meeting Adjourned: 7:30 p.m.

Next Meeting: October 21, 2020

APPROVED THIS 21st DAY OF OCTOBER, 2020.

ATTEST:


PLANNING DIRECTOR

APPROVED:


PLANNING BOARD CHAIR or
PLANNING BOARD VICE CHAIR