

**MINUTES OF A PUBLIC HEARING  
OF THE JACKSON COUNTY  
BOARD OF COMMISSIONERS  
HELD ON  
JUNE 23, 2020**

The Jackson County Board of Commissioners held a Public Hearing on June 23, 2020, at 12:50 p.m., Justice & Administration Building, Room A201, 401 Grindstaff Cove Road, Sylva, North Carolina.

Present: Brian McMahan, Chairman	Don Adams, County Manager
Boyce Deitz, Vice Chair	Heather C. Baker, County Attorney
Mickey Luker, Commissioner (via Zoom video conferencing)	Angela M. Winchester, Clerk to Board
Ron Mau, Commissioner	
Gayle Woody, Commissioner	

Chairman McMahan called the public hearing to order and stated the purpose of the public hearing was to receive public input concerning a request by Five Forty Broadcasting Company to waive requirements of the Wireless Communications Ordinance.

John Jeleniewski, Senior Planner, stated that Five Forty Broadcasting was proposing to construct an AM radio tower 199' in total height (196' tower structure, 3' concrete base) on the referenced property owned by Roy and Janice Burnette. This property was not located in a zoned jurisdiction, however, the Jackson County Wireless Communications Ordinance would apply. The tower structure and supporting appurtenances would be located near the center of the property with three guy wire assemblies extending from the structure 123.63' to 157.34'. In addition to the tower operation, approximately 120 copper grounding wires would be buried in an array surrounding the tower structure and vary in length from 60' to 160'. This tower type would be for broadcast radio and the introduction of security fencing (chain-link) would interfere with this use; a secured "compound" was not proposed, however, the applicant was proposing a wood fence surrounding the tower 12' from the base. The applicant also owns the adjacent property, which would be the access to this tower site; a secured gate/barrier would be installed across the proposed access road and managed by the applicant.

The subject property was moderately wooded with existing deciduous hardwood and evergreen trees, however, due to proposed grading and the required grounding array, existing vegetation would be removed leaving a natural vegetative buffer just beyond the buried grounding wires. Being that this tower use would be broadcast radio, future co-locate space would not be provided for any additional services due to interference concerns. The proposed tower structure would be accessed by a proposed 12' gravel driveway approximately 340' in length and 15% grade, which would connect to the existing driveway of the applicant/owner residence.

The applicant/owner property was accessed from Rufus Robinson Road (S.R. 1386), which was a public right-of-way maintained by the NCDOT. The proposed site construction plans show moderate grading to create the access driveway and associated storm water drainage with no proposed retaining walls. The submitted site construction plans also include measures for erosion control/storm water compliance; erosion control best management practices (BMP's) would be applied to this site. The power service for this proposed facility would be supplied by Duke Power and utility easements were not shown, but may be required by Duke.

The required balloon test was conducted on September 7, 2019; notice for this balloon test was published in the Sylva Herald on August 29<sup>th</sup> and September 5<sup>th</sup>, 2019; and formal notifications of this test were mailed to adjacent property owners on August 24, 2019. County Staff and the applicant met in a required “pre-application” meeting on December 11, 2019. The official Wireless Communication Application was received by the Planning Department on January 23, 2020. The Planning Department completed its administrative review of the submitted application on February 24, 2020. This proposed tower, supporting accessory structures, site construction and erosion control/storm water measures would be required to obtain all necessary permits prior to commencement of construction. Advertising and posting for the public hearing was as follows:

- At their scheduled Board meeting on April 7, 2020, the Board of County Commissioners called for a public hearing to be heard on June 23, 2020.
- The public hearing was advertised in the Sylva Herald on June 11 and June 18, 2020.
- Adjacent property owners were mailed notices of the public hearing on June 9, 2020.
- The property was posted with notice of the public hearing on June 9, 2020.

**PUBLIC COMMENTS:** None.

There being no public comment, Commissioner Deitz moved that the public hearing be adjourned. Commissioner Woody seconded the Motion. Motion carried and the meeting adjourned at 1:04 p.m.

Attest:

Approved:

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Angela M. Winchester, Clerk

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Brian Thomas McMahan, Chairman