



## TOWN OF BEAUX ARTS VILLAGE

### PLANNING COMMISSION

#### MINUTES

June 20, 2019  
Moloney

**Present:** Chairperson Kim Moloney, Commissioners Steve Tegeler, Jeremy Laws

**Excused:** Commissioner James McCarthy

**Staff:** Planner Mona Green, Deputy Clerk Angela Kulp

**Guests:** None

Chairperson Moloney called the meeting to order at 7:05pm.

**MINUTES:** Commissioner Laws moved to approve the May 16, 2019 minutes as written. Chairperson Moloney seconded. Vote: 3 For, 0 Against. Motion carried.

**COUNCIL UPDATE:** Deputy Clerk Kulp informed the Planning Commission of the following Council updates:

- A new Planning Commissioner is still forthcoming but not yet confirmed
- The Shoreline Management Plan was passed

**OLD BUSINESS:** There was no old business to discuss.

#### **NEW BUSINESS: 5G Technology Analysis**

Planner Green shared her review of the Yarrow Point Small Wireless Deployment Franchise Agreement Code, being used there for provider entities and their contractors. She described how this overriding platform is helpful for doing business with these entities with an updated franchise agreement. She noted a standard, agreed upon request can be approved with an administrative review process, but any deviation submitted must be reviewed through a Planning Commission. Commissioners agreed with her assessment, wanting a franchise code to the Council quickly.

Planner Green also noted specific design standards may be included in an existing zoning code, or a new wireless code including separate zoning requirements. She suggested rather than two new codes for wireless and franchise agreements, just focusing on one franchise code would be enough, as it could reference the existing zoning and right of way codes and permitting processes as warranted. Commissioners agreed this strategy makes sense for a quicker timeframe and approved of proceeding, hoping to complete specific design standards in their review of the franchise code draft where applicable.

Deputy Clerk Kulp shared a neighbor observing a T-Mobile truck driving up and down village streets this week. When asked, the driver responded they were completing their site map for 5G poles in Beaux Arts. Commissioners agreed this observation was concerning and their timing likely imminent. Consensus was found with a sense of urgency about getting 5G regulations in place before receiving any provider submittals, even if specifics of this observation are not yet known. Commissioner Tegeler mentioned also seeing a public comment sign for a 5G pole on Main Street in Bellevue and will reach out to Bellevue to learn more. The Commissioners agreed getting something in place soon and updating as needed later is preferable to taking the time for a more comprehensive approach down the road.

The commissioners shared their research for Planner Green's addition to the code being drafted.

- Commissioner Laws explained co-location of carriers is not a technical issue, but a crowding one, noting poles may not be able to handle all the space needed for each provider, and some equipment may additionally require ground or underground installation. He also wondered if additions should be made to the ROW Code.
- Commissioner McCarthy, who couldn't attend the meeting, communicated he couldn't find much about designating corridors for antennae, and much of his search yielded incredibly repetitive information lacking details.
- Chairperson Moloney shared in researching how 5G will impact our trees and vegetation, she learned Verizon has a 2,000-foot range, not 100 feet, and line of sight was not critical, as was previously reported. She noted each provider entity may also have different requirements. She also inquired about current franchise agreements and remediation for trees, urging any mapping should be based on sound science. She noted legal challenges by other jurisdictions over safety and visibility for example, noting our trees and narrow roads as considerations.
- Commissioner Tegeler shared Bellevue's code and his thoughts after a conversation with a Bellevue contact about their regulations.

Planner Green thanked the commissioners for their time and research and suggested they focus on Bellevue City Council's staff summary that provides additional depth to the topic. She also noted regarding reaching out to the carriers, that it would be a worthwhile exploration. She said crafting a regulation that considers Beaux Arts' unique geographic position and dense tree canopy will be challenging, and the input from the carriers could be helpful.

Commissioners discussed and suggested additional code inclusions such as utility corridors on one side of the street, requiring pole distance from other poles or intersections, and lining up new poles with property lines. They agreed upon a co-location requirement, and an engineering proof with town review charged to a provider when co-location was not viable.

Deputy Clerk Kulp reminded commissioners additional consideration is still needed to address Mayor Gillem's previously noted concerns. Commissioners agreed to be mindful when reviewing the upcoming drafted 5G code with their feedback, and use creativity, risk management and character preservation when considering:

- Dead zones and service coverage by provider
- Pole design
- How Beaux Arts is different
- What can be located inside a pole
- What can be undergrounded & how does that impact our trees
- What landscape requirements can be included
- Tree impacts to sight lines

Planner Green noted character preservation can be achieved by requiring a reference to the Comprehensive Plan, which is a good resource when considering our uniqueness and approaches needed.

Planner Green suggested inviting a provider or utility expert to speak, may answer additional questions and concerns. Timing and conflicts were noted, although providers should be surveyed for details to alleviate most of the mayor's concerns.

Planner Green agreed to have the drafted code for Small Wireless Deployment Franchise Agreements completed and distributed for review by the end of June. Planning Commissioners agreed the Council should also have a copy of this drafted code for additional feedback, and the commissioners will have their July meeting at a special time and place prior to the next Council meeting. This will allow the commissioners to formalize their feedback and any other code suggestions to present a status report to the Council and agree on the next course of action and its timing. The Council does not meet in August, but the Commissioners can meet as needed.

**Adjourn:** Commissioner Laws moved to adjourn the meeting. Commissioner Tegeler seconded. Meeting adjourned at 8:25pm. Vote: 3 For, 0 Against. Motion carried.

The Planning Commission bid farewell to retiring Planner Green and thanked her for many years of service to the Town.

**Next Meeting:** The Planning Commission will have a special meeting on July 9, 2019 at 6:00pm at Chairperson Moloney's home, before proceeding to the Council meeting.

Respectfully submitted,  
Angela Kulp, Deputy Clerk