



DEVELOPMENT SERVICES DEPARTMENT  
MAX L ROTHSCHILD P.E. DIRECTOR

## PLANNING COMMISSION

### MEETING RESULTS (Unofficial)

(Audio and audio/video copies of the meeting are available at the Office of the Development Services Department)

Planning Commission (PC) Meeting  
Tuesday, January 6, 2015  
El Paso County Development Services Department  
2880 International Circle, Hearing Room  
Colorado Springs, Colorado

**PRESENT AND VOTING: TIM TROWBRIDGE, JANE DILLON, JERRY HANNIGAN, BOB CORDOVA, JIM EGBERT, TONY GIOIA, BOB NULL, SABRINA RAINEY AND ALAN CREELY**

**PRESENT AND NON-VOTING: WALTER ERNST AND KEVIN CURRY**

**ABSENT: ANDREW WIMBERLY, BRIAN RISLEY AND DIANE SNEAD**

**STAFF PRESENT: MAX ROTHSCHILD, MARK GEBHART, CRAIG DOSSEY, RICH HARVEY, NINA RUIZ, KARI PARSONS AND COUNTY ATTORNEY COLE EMMONS**

### Report Items

**Sunshine Law – Motion made by Jerry Hannigan, seconded by Jane Dillon  
Approved unanimously**

**A. Development Services Department – Nina Ruiz**

### 2. Consent Items

**A. Approval of the Minutes – December 16, 2014  
Minutes were approved unanimously.**



B. PUD-14-006

PARSONS

**PLANNED UNIT DEVELOPMENT  
THE DUNES AT WOODMOOR**

A request by Lake Woodmoor Development, Inc for approval of a Planned Unit Development (PUD) development plan. The parcels, totaling 15.16<sup>+/-</sup> acres, are zoned Residential Rural (RR-5), Obsolete (R-4), Obsolete (C-2). The applicant is proposing to development 56 detached single-family lots. The property is located north of Monument Hill Road, East of Woodmoor Drive and south of Willow Park Way in Sections 11 and 14, Township 11 South, Range 67 West of the 6th P.M. The property is within the Tri-Lakes Comprehensive Planning Area.  
(Tax Schedule Nos. 71142-00-043, 71142-00-011, and 71142-00-025)

**PC ACTION: DILLON MOVED/RAINEY SECONDED TO APPROVE CONSENT ITEM NO. 2B, PUD-14-006 (UTILIZING RESOLUTION PAGE 29 MORE PARTICULARY DESCRIBED ON PAGE 15-001) WITH THREE (3) CONDITIONS AND TWO (2) NOTIATIONS AND THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS (BOCC) FOR CONSIDERATION. THE MOTION WAS UNANIMOUSLY APPROVED (9-0)**

C. SP-14-011

PARSONS

**PRELIMINARY PLAN  
THE DUNES AT WOODMOOR**

A request by Lake Woodmoor Development, Inc for approval of a preliminary plan in the proposed Planned Unit Development (PUD) district for 56 single-family residential lots, and public right-of-way. The parcels are 15.16<sup>+/-</sup> acres and is located north of Monument Hill Road, East of Woodmoor Drive and south of Willow Park Way in Sections 11 and 14, Township 11 South, Range 67 West of the 6<sup>th</sup> P. M. The property is within the Tri-Lakes Comprehensive Planning Area.  
(Tax Schedule Nos. 71142-00-043, 71142-00-011, and 71142-00-025)

**PC ACTION: DILLON MOVED/RAINEY SECONDED TO APPROVE CONSENT ITEM NO. 2C, SF-14-011 (UTILIZING RESOLUTION PAGE 25 MORE PARTICULARY DESCRIBED ON PAGE 15-002) WITH SEVEN (7) CONDITONS AND ONE (1) NOTATION WITH A FINDING OF WATER SUFFICIENCY FOR WATER QUALITY,**

**QUANTITY AND DEPENDABILITY AND THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS (BOCC) FOR CONSIDERATION. THE MOTION WAS UNANIMOUSLY APPROVED (9-0)**

**D. SF-14-001**

**PARSONS**

**FINAL PLAT  
CUCHARS RANCH FILING 7**

Request by FMI Cuchares Ranch LLC, for final plat approval. The 11.3 acre site is zoned RS-6000 (Residential Suburban). The applicant is proposing to subdivide the property into 55 single-family residential lots. The property is located south of Drennan Road and east of Marksheffel Road in the northeast quarter of Section 3, Township 15 South, Range 54 West of the 6<sup>th</sup> P.M., El Paso County, Colorado. This property is located within the Highway 94 Comprehensive Plan (2003) (Tax Schedule No's 55031-00-006, 55031-00-007, and 55031-00-008)

**PC ACTION: DILLON MOVED/RAINEY SECONDED TO APPROVE CONSENT ITEM NO. 2D, SF-14-001 (UTILIZING RESOLUTION PAGE 19 MORE PARTICULARY DESCRIBED ON PAGE 15-003) WITH SEVENTEEN (17) CONDITIONS AND ONE (1) NOTATION WITH THE FINDING OF SUFFICIENCY FOR WATER QUALITY, QUANTITY AND DEPENDABILITY AND THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS (BOCC) FOR CONSIDERATION. THE MOTION WAS APPROVED (9-0)**

**E. PUD-SP-14-001**

**FITZPATRICK**

**PLANNED UNIT DEVELOPMENT  
MERIDIAN RANCH FILING 8**

GTL Development, LLC, requests approval of a PUD development plan, to include approval as a preliminary plan, to authorize the development of 145 single-family lots, rights-of-way, and open space tracts. The 55.56 acre PUD development plan consists of 20.43 acres of residential lots, 12.10 acres of rights-of-way, and 12.46 acres of open space which includes a 3 acre community park. The site is located off the extension of Rainbow Bridge Drive between Rex Road and Londonderry Drive, and is within Sections 19 and 20, Township 12 South, Range 64 West of the 6th P.M. and is within the boundaries of the Falcon/Peyton Small Area Master Plan (2008). (Tax Schedule No. 42000-00-403)

**PC ACTION: DILLON MOVED/RAINEY SCONDED TO APPROVE CONSENT ITEM NO. 2E, PUD-SP-14-001 (UTILIZING RESOLUTION PAGE 29 (PUD) AND PAGE 25 (PRELIMINARY PLAN) MORE PARTICULARY DESCRIBED ON PAGE 15-004) WITH FIVE (5) CONDITIONS AND THREE (3) NOTATIONS AND THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISIONERS (BOCC) FOR CONSIDERATION. THE MOTION WAS APPROVED (9-0)**

**F. SP-14-014**

**FITZPATRICK**

**PRELIMINARY PLAN  
CLAREMONT COMMERCIAL**

Case International Co. requests preliminary plan approval for a two (2) lot commercial subdivision of a 3.75 acre parcel in the CS (Commercial Service) district. The site is located at the northwest corner of the intersection of Marksheffel Road and Meadowbrook Parkway and is within Section 5, Township 14 South, Range 65 West of the 6th P.M. (Tax Schedule No. 54050-00-038)

**PC ACTION: DILLON MOVED/RAINEY SECONDED TO APPROVE CONSENT ITEM NO. 2F, SP-14-014 (UTILIZING RESOLUTION PAGE 25 MORE PARTICULARY DESCRIBED ON PAGE 15-005) WITH THREE (3) CONDITIONS AND TWO (2) NOTATIONS AND THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISIONERS (BOCC) FOR CONSIDERATION. THE MOTION WAS APPROVED (9-0)**

**H. MHR-14-001**

**FITZPATRICK**

**RURAL MOBILE HOME PARK  
MALFUNCTION JUNCTION**

William Poupard requests approval of a map amendment (rezone) of a 40 acre parcel in the A-35 (Agricultural) district to the Rural Mobile Home Park (MHR) district to authorize the future development of a 12 unit rural mobile home park. The site is located on Log Road between Judge Orr and Falcon Highway, and is within Section 2, Township 13 South, Range 63 West of the 6th P.M. and is within the boundaries of the Ellicott Valley Comprehensive Plan (1989). (Tax Schedule No. 33000-00-265)

**PC ACTION: DILLON MOVED/RAINEY SECONDED TO APPROVE CONSENT ITEM NO. 2H, MHR-14-001 (UTILIZING RESOLUTION PAGE 27 MORE PARTICULARY DESCRIBED ON PAGE 15-007) WITH THREE (3) CONDITIONS AND ONE (1) NOTATION AND THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISIONERS (BOCC) FOR CONSIDERATION. THE MOTION WAS APPROVED (9-0)**

**I. VA-14-001**

**RUIZ**

**VARIANCE OF USE  
HIGHWAY 94 & CORRAL VALLEY CMRS FACILITY**

A variance of use request by Nathan Nordby and the property owner, BLR Ranch, LLC for a Commercial Mobile Radio Service (CMRS) facility to allow a new 100-foot freestanding monopole tower in the Residential Rural (RR-5) zone district. The property is located aproximately one mile south of highway 94 and aproximately 2 miles east of Marksheffel, Sections 14 and 15, Township 14 South, Range 65 West, El Paso County, Colorado. The property is not located within a small area plan. Tax Schedule No. 54000-00-195

**PC ACTION: DILLON MOVED/RAINEY SECONDED TO APPROVE CONSENT ITEM NO. 2I, VA-14-001 (UTILIZING RESOLUTION PAGE 51 MORE PARTICULARY DESCRIBED ON PAGE 15-008) WITH EIGHT (8) CONDITIONS AND TWO (2) NOTATIONS AND THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISIONERS (BOCC) FOR CONSIDERATION. THE MOTION WAS APPROVED (9-0)**

**Regular Item**

**G. SF-14-026**

**FITZPATRICK**

**FINAL PLAT  
CLAREMONT COMMERCIAL**

Case International Co. requests final plat approval for a two (2) lot commercial subdivision of a 3.75 acre parcel in the CS (Commercial Service) district. The site is located at the northwest corner of the intersection of Marksheffel Road and Meadowbrook Parkway and is within Section 5, Township 14 South, Range 65 West of the 6th P.M. (Schedule No. 54050-00-038)

**CORDOVA HAD QUESTIONS REGARDING WATER. PROJECT MANAGER REVIEWED ISSUES WITH THE PLANNING COMMISSION REGARDING INSUFFICENCY FOR WATER QUALITY, QUANITY AND DEPENDABILITY.**

**PC ACTION: DILLON MOVED/CORDOVA SECONDED TO DENY REGULAR ITEM NO. 2G, SF-14-026 INSUFFICIENCY FOR WATER (UTILIZING STANDARD RESOLUTION PAGE 20 MORE PARTICULARLY DESCRIBED ON PAGE 15-006) MOTION APPROVED (7-2) WITH GIOIA AND NULL IN OPPOSITION.**

**DISCUSSION:**

**TONY GIOIA** FELT DENYING THE PROJECT DID NOT GIVE THE PLANNING COMMISSION THE OPPORTUNITY TO HEAR THE PROJECT WHEN THE WATER ISSUES WERE MET. HE STATED DENIAL WAS BEING DISENGENIOUS.

**3. AL-14-001**

**RUIZ**

**SPECIAL USE  
HIGHWAY 83 CMRS TOWER**

A special use request by Nathan Nordby (applicant) on behalf of CDOT (owner), for a Commercial Mobile Radio Service (CMRS) facility to allow a new 45-foot freestanding monopine tower in the Residential Rural (RR-5) zone district. The proposed tower is located approximately .25 miles directly north of the intersection of Highway 83 and North Powers Boulevard Sections 14 and 15, Township 12 South, Range 66 West, El Paso County, Colorado. The property is not located within a small area plan. Tax Schedule No. 62000-00-556

**NINA RUIZ**, PROJECT MANAGER, INTRODUCED **NATHAN NORDBY** WITH Q3 CONSULTING INC. WHO PROVIDED THE OVERVIEW OF THE PROJECT AND ANSWERED QUESTIONS AS PRESENTED BY PLANNING COMMISSION MEMBERS.

**NINA RUIZ**, PROJECT MANAGER AND PLANNER PROVIDED A PLANNING OVERVIEW OF THE PROJECT AND ANSWERED QUESTIONS PRESENTED BY THE PLANNING COMMISSION MEMBERS. THE ENGINEER FOR THIS PROJECT **GILBERT LAFORCE** ANSWERED QUESTIONS PRESENTED BY THE PLANNING COMMISSION.

THERE WAS ONE PERSON IN THE HEARING ROOM IN OPPOSITION OF THE PROJECT. SHE WAS OFFERED TIME TO ADDRESS THE REASONS SHE WAS IN OPPOSITION TO THE PROJECT.

**SPEAKING IN OPPOSTION:**

**LINDA SAMUELSON** homeowner at Shoup and Highway 83. Opposition reasons are 1.) strategic location 2.) property values are currently healthy 3.) believe it could become a safety hazard – tower is 30 feet taller than any trees planned to be planted.

4.) AT&T has not shown there are no other options to a shorter tower that could serve the same purpose.

**DISCUSSION:**

**BOB NULL** CONCERN IS RAISED BY WHERE IT SITS AND I THINK 30 DAYS FOR MORE REVIEW IS A GOOD IDEA BEFORE IT GOES TO THE COUNTY COMMISSIONERS.

**PC ACTION:** DILLON MOVED/GIOIA SECONDED TO APPROVE REGULAR ITEM NO. 3, AL-14-001, HIGHWAY 83 CMRS TOWER (UTILIZING RESOLUTION ON PAGE 41, MORE PARTICULARLY DESCRIBED ON PAGE 15-009), WITH EIGHT (8) CONDITIONS, TWO (2) NOTATIONS, AND THAT THIS ITEM BE FORWARDED TO THE BOARD OF CONUNTY COMMISSIONERS (BOCC) FOR CONSIDERATION.

UPON VOTING THE MOTION TO APPROVE THE REGULAR ITEM NO. 3, AL-14-001 APPROVED DUE TO A VOTE OF 8-1. VOTING AGAINST THE MOTION WAS BOB NULL.

**4. WSEO-14-002**

**DOSSEY**

**GOLDEN WEST WIND ENERGY PROJECT  
WIND AND/OR SOLAR ENERGY GENERATION PLAN  
OVERLAY DISTRICT REZONE**

A request by Golden West Power Partners, LLC, a subsidiary of NextEra Energy Resources, LLC, for approval of an overlay rezoning for the Golden West Wind Energy Project pursuant to Section 4.3.5, Wind and/or Solar Energy Generation Plan Overlay District (WSE-O), of the El Paso County Land Development Code. The approximately 23,000 acre overlay rezoning area includes multiple existing zoning designations, including the previously approved WSE-O overlay zoning for the Golden West project (see DSD File: WSEO-13-001), but is predominantly zoned A-35 (Agricultural) and is generally located south of Highway 24, north of Vorenberg Road, east of Soap Weed Road, and west of Ramah Highway and is within: Townships 11 and 12 South, Range 60; Townships 11, 12, and 13, Range 61; Townships 12 and 13 South, Range 62; Township 12 South, Range 63; Townships 12 and 13, Range 64; and Township 13 South, Range 65; all West of the 6th P.M. The applicant is proposing to overlay rezone the area from the previously approved WSE-O Plan to a new WSE-O Plan to allow for an approximately 250 MW wind energy generation facility. The WSE-O rezoning includes: reconfiguration of the approved turbine siting envelopes, increased maximum height of the turbine siting envelopes, rerouting a portion of the approved transmission line siting corridor, and relocation of the approved project substation, operations and maintenance facility, laydown yard, and temporary batch plant siting envelopes. (Multiple Schedule Numbers)

**COLE EMMONS**, SENIOR ASSISTANT COUNTY ATTORNEY PROVIDED THE APPROPRIATE GUIDELINES FOR THE REVIEW AND RECOMMENDATIONS ON THE DEVELOPMENT AGREEMENT FOR THE OVERLAY REZONING.

**STEVE SCHLEIKER**, EL PASO COUNTY ASSESSOR ADDRESSED THE IMPACT THAT THE WIND FARM MAY HAVE ON PROPERTY VALUES.

**CRAIG DOSSEY**, PROJECT MANAGER AND PLANNER PROVIDED A PLANNING OVERVIEW OF THE PROJECT AND ANSWERED QUESTIONS PRESENTED BY THE PLANNING COMMISSION MEMBERS. THE ENGINEER FOR THIS PROJECT **RICHARD HARVEY** ANSWERED QUESTIONS PRESENTED BY THE PLANNING COMMISSION.

**CRAIG DOSSEY**, PROJECT MANAGER, INTRODUCED **DAVID GIL** WITH NEXTERA ENERGY INC. ALSO KNOWN AS GOLDEN WEST ENERGY WHO PROVIDED THE OVERVIEW OF THE PROJECT AND ANSWERED QUESTIONS AS PRESENTED BY THE PLANNING COMMISSION MEMBERS.

THERE WERE 75 PEOPLE PRESENT IN THE HEARING ROOM EITHER IN FAVOR OF THE PROJECT OR OPPOSED TO THE PROJECT. EACH PERSON WAS OFFERED TIME TO ADDRESS THE REASONS THEY WERE IN SUPPORT OF THE PROJECT OR TO ADDRESS THE REASONS THEY WERE IN OPPOSITION TO THE PROJECT.

**SPEAKING IN FAVOR:**

**Wes Howard** 2 reasons I approve of the project 1.) Glad to see this project happening in the U.S., we can replace coal plants. 2.) I have a lot of land and 2,500 feet of line acceptable to me.

**Frank Murr** property looks the same as in 1950. It is a private company putting their money into our community and agree with it.

**Pete Lowe** all over Europe there are windmills and the countries have lowered their dependency on oil.

**Cathy Racow** impacted with power lines, happy it is a company working with the community.

**Jenny Olson** agree with Frank & Kathy everybody wants alternate energy as long as it does not impact their property.

**Layla Dillie** good for the community and I am in agreement with all that has been said.



**Jason Wilson** this project basically saved our land. Without this we would have been forced to sell the land.

**Gary Paul** President of El Paso County Farm Bureau. Applicants have used due diligence to complete this project and we are all supporters of private land rights and support this project.

**Nick Carpenter** this can help El Paso County with energy and although we may not directly get the energy we could purchase the energy.

**Lorenzo Pagan** I worked for one of the major railroad companies that come through Colorado Springs and Denver area and I see the amount of coal they bring in and the process and effects to the environment so I am for this project.

### **SPEAKING IN OPPOSITION:**

**Laura Foye** spent the day after Christmas at the Planning Commission office researching pieces of this proposal regarding the wind farm transmission line and this proposal is regarding a lot of changes not just one or two. I believe that creating this pathway is damaging and would have an ongoing negative impact on my home. Mountain View Electric already has an existing above ground transmission line pathway in the area a little further south. It was on some of the planning maps that Mr. Gil had back in September because he showed me maps that included that pathway as a possibility but it was removed from the proposal because it was not the cheapest and easiest alternative. So please know they do have other alternatives other than cutting through a residential area that currently does not have these high voltage power lines through it.

**Joe Shaffer** I speak for myself and son, both property owners. We heard about 10 jobs we are getting, 10 jobs? I'm not against the windmills but against the power lines.

**Don Harrow** I live adjacent to this project. I didn't even know they had an approved route. I was not told the total truth when I asked about why the lines could not be in a main corridor where one would expect to see them rather than through a residential area I was told because of archeological impact. It sure seems to me we could reach a better resolution and I definitely think we could come to a better solution to bury the lines verses impacting all these people in their residential homes.

**Karen Johnson** I live at 6510 Falcons Springs Point and I am speaking on behalf of my husband and I and my mother and step-father who own the adjoining 35 acres. The proposed new line goes along our entire west boundary. When we purchased that property about 11 years ago we did our due diligence and researched that there were not going to be any power lines. Our property is less than a year old we have barns on it and we raise horses on it. I have concern about our horses our two barns are located

on the west part of the property. The horses run up the hill to where the power lines are supposed to be. There are Golden Eagles and other migratory birds and I know they are not supposed to do construction if there is a nest in the route area.

**Barbara Hascek** I live in a South Fork area neighborhood with 2.5 acre homes mostly retired very few children. The alignment of the power lines on the Southside of subdivision is what concerns most residents. When you live in a farm land and rural land like we do a quarter mile is not much of a distance.

**Russell Watt** I would like to mention in Section 32 of the County's agreement compliant resolution process states project should not do financial burden or other undo impact on existing or future residents and businesses in El Paso County in saying that one of my major concerns is water. I currently live out there and my well is 675 feet deep and I am on a plateau and I am at an elevation of 6,398 feet. They are already talking about using 180 gallons a day just for dust control so I am really concerned where this water is coming from, if it is coming from the Town of Calhan or if it's coming from behind me that is a major concern for me. I also have a rental property and the tenant has epilepsy and will have to move if the project is approved. Cell phone service and national weather alerts are a concern and I cannot be without those services and they have already said there could be a problem with those. One of the other concerns is fire and the closest fire department is Calhan Fire Department and they do not have the proper training or equipment to handle these types of fires and the closet fire department is Falcon and they are over 14 miles away.

**Sandra Wolfe** we are going to be surrounded by windmill towers. We were planning on building homes and selling homes out there and these turbines are right on the property that we were going to build on. I totally disagree with the doctor and he should take into consideration the Wind Mill Syndrome and not act like it does not exist. Our property is right on the ridge line and our view is exquisite.

**Gavin Wince** This Company is acting like a typical company prepared to scheme etc. I will have 19 towers on my property within a quarter mile from where we plan to build a home.

**Millie Weaver** the applicant has stated that they are not aware of health effects until after the wind turbines have been constructed so by approving this you would kind of be approving a science experiment to be performed on myself, my unborn child and family and other adjacent residents of the City of Calhan.

**Ronald Heffner** when I bought in September 2014 I was not told about the windmill farm nor was it disclosed to me so I am of course against it. Number one concern is house values; I have dogs and 15 month old twin girls which I am greatly concerned about. I am close to two towers and concerned about health risks and about mice due to the vibration.

**Leslie Poole** I am an adjacent, adjacent homeowner from the project, we had no notification of this project. Views will be gone.

**Jay Kennedy** this is definitely going to affect our values. The proponents have been paid they are not just letting them go through because they think it is a great idea. The second issue I have is the health issues that have been talked about a little bit there again I can't say anything because it's unknown. I moved her 15 years ago and I bought that lot because of the views and because I did not want to be in the city. Now this is being almost crammed down my throat.

**Neil Hamilton** The South Fork subdivision will be directly impacted by this changing in lines. The easement is 150 feet wide and my house is in the back of the property. Really urge this be postponed. This is being re-routed around us and without enough notice.

**Micah Rasner** received notification 12 days before meeting. This is a 40 acre parcel that I purchased in 1998. The poles would be 100 feet from my property line. They need to go back to the original plan that was already approved.

**L.J Mott** Director of District 2 of Upper Big Sandy Water District. I received a phone call from Black Nair Energy in Avon, Minnesota asking about withdrawing 32 million gallons of water from Upper Big Sandy Basin. That phone call prompted a meeting with Mr. Dossey and Mr. Gil in which I explained to them the rules of the Upper Big Sandy and how the rules of the Upper Big Sandy would prevent this from happening. The Ground Water Commission controls all of the aquifers that are below Upper Big Sandy boundary which is on the northern end of the wind farm. In terms of water usage for construction there is essentially two components for that 1.) to make concrete and 2) for dust control. The copies of the emails that I gave you put NextEra energy on notice that the Upper Big Sandy aquifer is in a very fragile condition right now and at the end of roughly a ten year drought. All the wells in the Upper Big Sandy are declining and below the Upper Big Sandy we have bedrock aquifers which everyone knows are declining so we have rules against export. These wells can sell water but in the Upper Big Sandy there are rules that limit how much water those wells can sell. There would be enough water that could legally be sold from these wells to cover the concrete portion but there is not sufficient water that could come from those wells that could cover the dust control portion. NextEra would have to apply for an export from the Upper Big Sandy and at this time we do not have any actions up before the Upper Big Sandy Board. For an export to be approved which would be enough to cover the dust control all of the Directors who are present at the hearing have to approve it. There will be no export approved from the Upper Big Sandy. So there is a limit to where the water can come from.

**Kris Rineck** the wind farm would be located in a migratory fly way. Property values have tanked; property values are down 50-60% and that is from people I know who have tried to sell their property. The aquifers are a big problem and wells have dried up already and they have had to drill new wells. Mountain views would be obstructed. Doppler and cell phone service will be an issue.

**Richard Hahn** my place is my retirement and my family's inheritance. I Googled Limon and there are no homes within miles of the Limon wind generators. What it comes down to for me is the safety of the people out there.

**Joan Wilson** I am on the very south western side. The power poles will be all along the trees that line the property. Everything within our subdivision is underground that is one of the advantages to buying in our area. I have neighbors that have problems with heart, hearing and they are scared to death that these towers are going to interfere with their pacemakers and their pets.

**Andrew Alexander** my wife and I just bought our house in August. Why are we being asked to take the risks considering we are not benefiting from the risk? We are paying the consequences simply for moving into the area.

**Brandon Clary** I live in the South Fork Subdivision directly to the north of where the new transmission lines are going to go. I heard the question asked earlier about fires; go to Google type in "wind turbine fires" it shows how quickly they can go up. I witnessed one last year and the pieces of the turbine can really travel especially with all the oil and grease that they have on them. We do not want them. They have lights on the top so then we will also have the flashing lights.

**Donna Bryant** I moved to El Paso County for the views not for the wires. I own two properties that will be affected by this and I received no notification about this situation. I purchased this home just 14 months ago this is my retirement home but I do not want to be faced with having seizers due to the overhead power lines. If I had known 14 months ago I would not have even offered a dollar but I offered more than the asking price because I wanted the view. If the original proposal was underground why can't it stay underground? Historically above ground power lines are more costly because they are very difficult to maintain. Therefore below ground cables are the way to go. Every model that has been given to us is based on sea level, conditions that do not exist in El Paso County, that don't exist in Falcon and that don't exist in Calhan.

**Kristen Miller** the road that Donna was referring to that the emergency services had a problem with is an easement that comes along here and continues down the easement It was a washboard and it did cost \$100,000 to fix so that we could get the fire department access.

**Karen Oliver** our property is surrounded by the wind generators. I own 80 acres, my main concern is the impact also of selling the property and being able to get even what I paid for it; recouping the money that I put into it. I have a well and am concerned about how much it will go down. My other concern is 911 services, if they are even able to get our phone calls.

**Earnest Mikita** very concerned about where water is going in the area. I have the only dairy farm left in the area. Sympathize with opponents because I can't agree with exporting water.

**Carla Lewis** own property adjacent to the windmill project. Owned the property for 22 years and we have had two full offers on our property prior to the turbine project. This water should have been worked out long ago. We have 3 wells on our property and have had to have them reset deeper within the last 5 years. We are cattle producers and if we do not have water we cannot water our cattle. If someone told me that a turbine was going to be 680 feet from a house I think I would rethink agreeing to that. I too am very concerned about the towers.

**John Aaland** property owner on ridge south of Calhan. My biggest concern is water because we are on top of the hill, when we lose our water who will replace it? When we look out over the hill we will see flashing lights.

### **REBUTTAL:**

**David Gil** provided rebuttal to the comments heard today. He stated that the project is a huge project for both property owners and NextEra. This project has been around since 2007. When project was purchased we were aware of willing property owners. Changes made were in response to comments we received from land-owners, the County and County agencies. Water was a common concern, we met with Mr. Motts and did have a discussion with him regarding the use of groundwater within the Upper Black Squirrel district boundaries and will continue to have further discussions. We have met the County requirements and have worked hard over the last year to meet those requirements. The notification over the holidays was not an effort to decrease the number of people attending or responding. Met with several of these people, talked to several of these people on the phone and answered any questions and addressed concerns. I wanted to address the health concerns, I understand people are scared and have heard a lot of misinformation and that is why I brought in a health expert who has experience, who has a Ph. D., who has worked on this for years. I brought him in as resource and to answer questions for everybody because we do not take the health concerns lightly.

**Tony Ryan** , Legal Counsel for the Applicant. In regards to the notices those were sent out per the Land Development Code so we were in compliance with the code.

**DAVID GIL AND KEVIN GILDISH** were presented with additional questions from members of the Planning Commission and answered the questions presented.

### **DISCUSSION:**

**BOB NULL** propose with regard to WSEO-14-002 that we recommend denial.

**TIM TROWBRIDGE** please specify which conditions you believe they are deficient in.

**BOB NULL** overall including the health safety and welfare. The fact that the approval was to bury the cable and now the proposal is not to bury the cable that to me is a safety factor.

**JIM EGBERT** I will vote against denial. I believe the information put together is a complete package. I believe with the 39 conditions and 2 notations that this project does meet the requirements.

**ALAN CREELY** I would vote to deny based on the criteria was to plan and implement land development so that it would be a functionally and aesthetically integrated within the context of the adjoining properties and I do not think that requirement was met.

**BOB CORDOVA** reason for my voting for denial is property right issues.

**PC ACTION: NULL MOVED/CORDOVA SECONDED TO DENY THE REGULAR ITEM NO. 4, WSEO-14-002, GOLDEN WEST WIND ENERGY PROJECT WIND AND/OR SOLAR ENERGY GENERATION PLAN (UTILIZING A WSEO PROJECT- SPECIFIC RESOLUTION), AND THAT THIS ITEM WILL BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS (BOCC) FOR CONSIDERATION.**

UPON VOTING THE MOTION TO DENY THE REGULAR ITEM NO.4, WSEO-14-002 PASSED BY A VOTE OF 6-3. VOTING FOR THE MOTION FOR DENIAL WAS DILLON, NULL, CORDOVA, GIOIA, RAINEY AND CREELY

VOTING AGAINST THE MOTION FOR DENIAL WAS TIM TROWBRIDGE, JEROME HANNIGAN AND JIM EGBERT

**CONTINUED DISCUSSION REGARDING REASON FOR MOTION:**

**JERRY HANNIGAN** I do not believe that it is reasonable to expect the applicant to actually underground that much of the lines to make effective use of the idea. It is not unreasonable to site this project where it is. And I do believe the applicant has made, is making and will continue to make every effort they can to make the project as palatable to the people being impacted. We are all impacted to some degree but the ones directly impacted deserve some extra credit there and I believe that will occur as possible.

**JIM EGBERT** the County sets rules as to how land will be developed in El Paso County and to further the rules was this concept of Wind/ Solar overlay rezoning so that was established. I believe the applicant has met the requirements of the Wind/Solar Energy zoning. I believe the applicant has met the requirements set by the County. Secondly, when it comes to transmission of electricity the County recognizes that this a public utility and along with public utilities you have to be able to get the community being

provided from point A to point B. So if I were voting for denial I would be voting my personal preferences and not doing my job as a Planning Commission member for this County.

**TIM TROWBRIDGE** I will associate myself with the comments from both Mr. Hannigan and Mr. Egbert as far as I believe the applicant did satisfy all of the conditions that are required for them and while I might share some of the concerns about routing of the transmission lines generally I think they did a good job. I agree with Mr. Hannigan I think the applicant will continue to work with residence in the area.

Adjourn.

*\*Minutes approved:*