

**From:** [Rachel Weir](#)  
**To:** [Sean Wood](#); [Randy Wheelock](#); [George Marlin](#); [Peter Lichtman](#); [Frederick Rollenhagen](#)  
**Subject:** Rezoning Case RZ2020-0004  
**Date:** Monday, January 04, 2021 6:32:59 PM

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Clear Creek County Commissioners,

I am a resident of Echo Hills and I am VERY upset and frustrated about the proposed rezoning cases in our pristine, mountainous community. I realize that tomorrow's meeting will not be focusing on the rezoning cases in Echo Hills; however, I believe it is critical that I share my thoughts with you with regards to the Upper Bear Creek community and the proposed Yankee Creek rezoning case. Not only will I be outlining conflicts of interest with these cases, but I will also provide my concerns as it pertains to the lack of due diligence required from Clear Creek Broadband and the many homeowners in the Upper Bear Creek area that are completely unaware about what is to come.

It is my understanding that all three towers are designed as a network. How can the one Yankee Creek tower and proposed rezoning case be approved which is on the same Clear Creek County staff report along with the other two in-network towers proposed for Echo Hills that were not approved? On 12/16/20, the Planning Commission requested that Clear Creek Broadband return to them with more information regarding the proposed towers in Echo Hills. The additional questions asked by the Planning Commissioners for the applicant to return with are as follows: Visual impact images from top of tower, who is likely to receive service/RF propagation details, an explanation about how this plan fits in with broadband incompatibility issues in relation to the Master Plan and a property value impact statement. Why wouldn't the same information and requested documentation not be important for the tallest tower that supposedly services the largest area of the three?

Also, please answer these questions for me during your meeting tomorrow: How many residents in the Upper Bear Creek proposed service area were informed that a 125 ft tower is on the table for approval at the county level? How many residents in the Upper Bear Creek proposed service area will be visually impacted by this tower? You see, I ask these questions because I have a strong feeling and it has been indicated to me by neighbors that many in the area know nothing about this proposed rezoning project.

Another important item that I would like considered are the conflicts of interest that exist among the Planning Commissioners and County Commissioner. First of all, the CFO of Clear Creek Broadband, Dave Kost, is an Associate Member of the Clear Creek County Board of Adjustments. I imagine that county staff and commissioners would feel more compelled to approve a rezoning case for a public-private business venture when a member of the private company's executive leadership is in a position of power at the county level. My next concern surrounds the commissioners who live in one of the service areas and would become a direct beneficiary of the proposed broadband service plan. Based on the service area maps provided by Clear Creek Broadband, it seems that Russell Clark, Dave Christensen, Robert Poirot and Sean Wood reside in the Upper Bear Creek subarea. Unfortunately, I do not feel like these rezoning cases are being considered from a neutral framework. Here are a couple of quotes from the Planning Commissioners during the most recent meeting on 12/16/20:

Russell Clark asked, "selfishly I looked at the coverage map and I see that I can't see this tower and I'm wondering how much taller would the tower need to be for me to use this service?" Russell is referring to the proposed 201 Valley View tower site. It is clear that Russell is not operating from a neutral framework and would like to be a direct beneficiary of this service. This is a clear conflict of interest and he should not have the opportunity to vote on any of these rezoning cases nor the case in its totality.

Around time marker 2:20, Dave Christensen said he was very interested in hearing from the citizens about what they have to say regarding this proposed rezoning plan. After public comments ended

(around time marker 4:18), you will notice a shift in his emotions along with his disappointing thoughts regarding those opposed as he said, “that’s the nature of how society grows [...] some people get the impacts and it isn’t quite fair, but it’s the way society works”. This is not how my society works and is in direct conflict with the Planning Commissioners Mission, Clear Creek County’s Master Plan and certainly not how I want the society that I live in to function and make decisions on my and my family’s behalf which seems to be in an inequitable manner. He also stated at time marker 4:40 that “immediate neighbors may take a hit on their property value and may move for reasons, but I think the vast bulk of the county will have a more marketable home”. Does this plan benefit the “vast bulk of our county”? Does this essentially mean that our family’s situation does not matter no matter what the cost is and no matter what the consequence is to us? I am eager to share this perspective with all residents and business owners in our county. I wonder what other Clear Creek County residents would think about this. I do not see language in Clear Creek County’s Master Plan to only support a capitalistic approach no matter who it harms. Would a County Commissioner make a statement like that to the public? I think not.

Both of these individuals should recuse themselves from this case and not have an opportunity to vote, nor should their previous votes be taken into consideration. Sean, I very much appreciate your time over the phone and look forward to the answers to my most recent questions via email. I do believe you should be recusing yourself from voting on these rezoning cases based on where you live, as well, especially since you mentioned over the phone that you did not feel comfortable with Clear Creek Broadband initially but have since changed your mind once you knew that Dave Kost joined Clear Creek Broadband. I must admit I have a very long list of issues as they pertain to my adjacent property in Echo Hills overall, which I will compile and send to this group separately.

As a member of the public, I only have so much information at my fingertips. What I can tell you from my research and information gathering is that there is a ton of fraudulent information being circulated and shared. Original signatures from community members interested in an internet solution were collected for fiber optics, not tower installations and residential rezoning cases. Many of my neighbors were not told the truth about this new plan and during the recent Planning Commissioners meeting on 12/20/20, the applicant stated that Clear Creek Broadband went door to door to residents. As an adjacent property owner to the 1372 Sinton Rd rezoning case, I can honestly tell you that my home was not visited nor was I contacted. Also, we believe the misinformation provided by the property owner at 1372 Sinton Rd deterred neighbors from voicing their opposition as they were not given the facts. The property owner at 1372 Sinton Rd told me and neighbors that this would only be a broadband tower not exceeding the tree line. The Official Development Plan states otherwise. This type of misinformation is fraud which adds to my concern for the members of the Upper Bear Creek subarea and the lack of disclosure. Another list of errors is seen when reviewing the address list of residents who have minimal broadband speeds that was provided by Clear Creek Broadband. I can attest that my property is on that list and we have strong broadband signals and great internet provided by Rise Broadband. This error is consistent, and my home is not the only on this list that is inaccurate. I imagine you will be hearing this from my neighbors, as well.

I have read Clear Creek County’s Master Plan in its entirety. I am taking a wealth of my time and energy to look into these cases, the information presented and alternative solutions. Do I have a pledge from each of you that you will do the same or like Karl Schell, Director of Public Works, mentioned during your last County Commissioners meeting on 12/22/20 when discussing roads, are you trying to solve a long-term problem with a short-term fix? I thought long-term decisions and items in Clear Creek County’s Master Plan are made with a 20-year outlook. I strongly believe that a band aid is exactly what is being proposed with these three rezoning cases and, as we all know, low earth orbit broadband services are coming to Colorado soon.

I am happy to read this letter during the County Commissioners meeting tomorrow morning just in case this email is not received and read in time.

Rachel & Marcus Weir

**From:** [Karl Johnson](#)  
**To:** [Sean Wood](#); [Randy Wheelock](#); [George Marlin](#); [Frederick Rollenhagen](#)  
**Cc:** [Ulla-Carin Johnson](#)  
**Subject:** RE: Resolution #2104,,Rezoning Case #RZ20200004  
**Date:** Monday, January 04, 2021 9:21:04 PM

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Dear Clear Creek County Commissioners:

We are Echo Hills residents and are extremely concerned about the rezoning of residential property to commercial for the purpose of wireless communications.

I would like to open my comments with a statement. This is about the Land use and rezoning to allow tower construction inside a residential area as currently proposed. This is NOT a vote on broadband. Proponents for this application would like this to be a vote on broadband access. It is not. There are both alternative locations and offerings which will likely be available before this tower construction is complete.

As only one of the three rezoning cases under consideration for wireless towers is requiring action at this time, namely (Yankee Creek, Rezoning Case #RZ2020-0004), I would like to confirm and receive a pledge from the commissioners that this in no way requires the approval of the other towers under consideration as they are currently defined. If the Yankee Creek tower requires or influences or otherwise limits the proposed location of a tower to the Sinton Rd location (Rezoning Case #RZ2020-0002) and precludes changing of location of subsequent requests I would propose denying /delaying this decision until all three of the requests have been adequately investigated. There are alternative sites which were not investigated fully. In a response to our questions after the planning meeting CCB responded that the only other location they had deemed viable was on Snyder Mountain, and that they stopped looking when the property owner at 1372 offered their location.

As a property owner I am not willing to take a significant hit on my property value on behalf of a for profit business just to reduce their costs. Other residents have suggested alternative locations, one example being the Bergen Peak State Wildlife Area which has existing road access, the top is clear cut for fire safety as well as having clear views of both the Echo Hills community and King Murphy. Otherwise as is stated in the County Master Plan there is an option clearly laid out for county land use which should also be fully vetted as an alternative to not adversely affect homeowners.

Sincerely,

Karl Johnson

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Karl Johnson  
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**Clear Creek Broadband Communications Tower Network, Case No. RZ2020-0004**

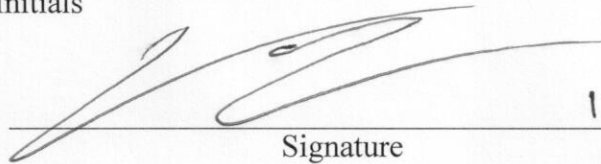
NAME(s): Adam Tisdell

ADDRESS: 190 Yankee Creek Rd. Evergreen CO 80439

AT I (we) have reviewed this proposal and have no conflicts.  
Initials

           See Comments below.  
Initials

           See Attached letter.  
Initials

  
Signature

11/30/2020  
Date

Please provide comments as necessary:

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Please send responses by mail to Clear Creek County Planning Department, Attn: Fred Rollenhagen, P.O. Box 2000, Georgetown, CO 80444, or by fax to 303.569.1103. Responses may also be e-mailed to [frollenhagen@clearcreekcounty.us](mailto:frollenhagen@clearcreekcounty.us) Please contact the Planning Department at 303.679.2360 with any questions.