

River Bend Board of Adjustment
April 21, 2026
Town Hall
6:00 PM

Board Members present: Chairman Paige Ackiss, Chris Barta, Cinda Hill, Jon Hall, Kelly Forrest (ETJ Representative), Dave Zinni (Alternate)

Board Members absent: Vice Chair Patty Leonard, Rick Fisher (ETJ Alternate)

Others present: Councilwoman Lisa Benton, Town Manager Delane Jackson, Assistant Zoning Administrator Allison McCollum, Town Attorney Trey Ferguson, Amy Schaefer, Eric Dahl, Cal Morgan, and 3 members of the public

CALL TO ORDER

Chairman Paige Ackiss called the meeting to order at 6:00 PM on Tuesday, April 21st, 2026 at the River Bend Town Hall with a quorum present.

EVIDENTIARY HEARING

Chairman Ackiss introduced the case. The Board of Adjustment assembled to conduct an evidentiary hearing and consider a special use permit to construct a wireless communications tower on a portion of Parcel #8-205-2000, a parcel within the Town's Extraterritorial Jurisdiction (ETJ). The Application was submitted by Eric Dahl on behalf of Harmoni Towers Development Co., LLC.

Chairman Ackiss explained the quasi-judicial nature of the case.

Chairman Ackiss swore in the following attendees as witnesses: Town Manager Delane Jackson, Assistant Zoning Administrator Allison McCollum, Amy Schaefer (attorney representing the applicant), Eric Dahl (project manager and acting agent for the applicant), and Cal Morgan (licensed appraiser retained by the applicant).

Chairman Ackiss called for any necessary disclosures from the Board of Adjustment members. Chairman Ackiss disclosed that he had driven by the proposed building site to see it's location. No other disclosures were made.

Chairman Ackiss asked if anyone present wished to establish standing in the hearing. No one responded.

Assistant Zoning Administrator Allison McCollum presented 13 exhibits that Town staff had prepared as relevant materials for the case. (See attached.)

Amy Schaefer (representing the applicant) gave a PowerPoint presentation about the proposed wireless communications tower. She also presented a written document that provided the applicant's responses to the Special Use Permit criteria.

Cal Morgan (a licensed appraiser retained by the applicant) presented a document detailing that adjacent property values would not be impacted by the development of a wireless communications tower, in his professional opinion.

During the presentation, board members asked questions regarding security of the facility. Board Member Chris Barta asked several questions about FCC and FAA regulations. Eric Dahl responded that the applicant did not have FCC/FAA determinations as of yet, but would before construction. Board Member Chris Barta then asked about frequency and power levels. Amy Schaefer and Town Attorney Trey Ferguson noted that legally those factors could not be considered in the Board of Adjustment's decision.

Chairman Ackiss skipped items H-K on the agenda as there were no other parties present. He moved to open the deliberation portion of the meeting.

Chairman Ackiss asked if any board members had specific concerns or additional questions that they wanted to discuss. As there was no further discussion, Chairman Ackiss closed the evidentiary hearing.

DECISIONS

Following the testimony and discussion, the Board voted on the following motions:

1. Board Member Jon Hall moved that **the proposed use will not affect adversely the general plans for the physical development of the Town as embodied in these regulations or in any plan or portion thereof adopted by the Planning Board and/or the Town Council.** Board Member Cinda Hill seconded and the motion carried unanimously.
2. Board Member Chris Barta moved that **the proposed use will not be contrary to the purposes stated in the Town's zoning regulations.** Board Member Kelly Forrest seconded and the motion carried unanimously.
3. Board Member Kelly Forrest moved that **the proposed use will not affect adversely the health and safety of residents and workers in the zoned area.** Board Member Chris Barta seconded and the motion carried unanimously.
4. Board Member Chris Barta moved that **the proposed use will not be detrimental to the use or development of adjacent properties or other neighborhood uses.** Board Member Kelly Forrest seconded and the motion carried unanimously.
5. Board Member Cinda Hill moved that **the proposed use will not be affected adversely by the existing uses.** Board Member Chris Barta seconded and the motion carried unanimously.
6. Board Member Chris Barta moved that **the proposed use will be placed on a lot of sufficient size to satisfy the space requirements of the use.** Board Member Cinda Hill seconded and the motion carried unanimously.
7. Board Member Jon Hall moved that **the proposed use will not constitute a nuisance or hazard because of number of persons who will attend or use these facilities, vehicular movement, noise or fume generation, or type of physical activity.** Board Member Cinda Hill seconded and the motion carried unanimously.
8. Board Member Kelly Forrest moved that **the standards set forth for each particular use for which a permit may be granted have been met or will be met.** Board Member Chris Barta seconded and the motion carried unanimously.

9. Board Member Jon Hall moved that **the proposed use shall be subject to the minimum area, setback, and other dimensional requirements of the zoning district in which it will be located.** Board Member Cinda Hill seconded and the motion passed unanimously.
10. Board Member Kelly Forrest moved that **the proposed use shall be subject to the off-street parking and service requirements of these regulations.** Board Cinda Hill seconded and the motion carried unanimously.

Board Member Jon Hall moved that, **based on the testimony and hearing record before the Board of Adjustment, the pending application by Harmoni Towers Development Company for a special use permit to construct a 235-foot tall wireless cell tower as presented here tonight, does meet all standards of Chapter 15.02.120 of the Town's Zoning Ordinance for a special use permit, and therefore approve the issuance of a permit.**

Board Member Chris Barta seconded and the motion carried unanimously.

APPROVAL OF MARCH 28TH, 2024 MEETING MINUTES

Board Member Cinda Hill made a motion to accept the minutes from the March 28th, 2024 meeting of the Board of Adjustment. Motion was seconded by Board Member Kelly Forrest and the motion carried unanimously.

ADJOURNMENT

Board Member Chris Barta motioned to adjourn the meeting. Board Member Cinda Hill seconded the motion; it carried unanimously. The meeting adjourned at 6:38 PM.

Allison McCollum, Secretary