

Linda L. Reynolds

PO Box 1356, Williamsburg, KY 40769

April 4, 2018

RECEIVED

APR 09 2018

PUBLIC SERVICE
COMMISSION

Executive Director's Office
Public Service Commission of Kentucky
P.O. Box 615
Frankfort, KY 40602

In Re: CASE NO. 2018-0095

TO WHOM IT MAY CONCERN:

I, Linda Reynolds, am a property owner adjacent to the proposed building site referenced in Case No. 2018-00095. I own approximately seventy (70) acres of land in close proximity to the proposed building site. My family has owned said property for approximately 20 years. When my family first purchased said property it was raw land. In the last 20 years my family built, within close proximity to the proposed building site, 5 very nice log style homes and established a fully functioning livestock farm. In the building and planning of said homes my family took into great consideration the types, amount, style, property values, and limited number of homes to be established in the community so as to preserve the rural and natural beauty of the area. As it is commonly known, your home is one of, if not, your greatest investment, and this was taken into account when my family and each community member purchased property and a home in this area. This area is DIRECTLY adjacent to the proposed building site and it is home to a *teacher, doctor, lawyer, assistant principal, United States Postal Service employee, Kentucky State Highway employee, secretary to the Chief Judge for Whitley and McCreary Counties, and a local HVAC business owner.*

I was one of, if not the first person approached by "Appalachian Wireless" employees in an attempt to purchase property for their proposed building site. My family and I DENIED

“Appalachian Wireless” the opportunity to purchase any of our property for their proposed project, in so that we have worked tirelessly to build what we have and do not want to see a 300+ foot tower in the middle of our beautiful rural community. After that denial, there were very few people left to approach for a proposed building site because, my family and I own most of the property in the area. However, “Appalachian Wireless” purchased property at the end of Harold Leforce Road, a dead-end road. The property purchased by “Appalachian Wireless” has the lowest property value in our community and has been known for drug trafficking in the past. Said property is also located very closely to Interstate I-75. Recently, my son purchased a small home and 10 acres on Harold Leforce road for the sole purpose of preserving our community. Before said purchase the property was in deplorable condition and not well maintained. Since that purchase I have fenced and cleaned up the property, a property on which I do not maintain a residence, in an attempt to maintain our rural community, and add value to my adjacent property and other properties on Harold Leforce Road.

The proposed location is in an area that it is ILLEGAL and IMPOSSIBLE to gain a permit to place a billboard. A billboard placed in the same area as the proposed building site would be considered a public nuisance and against the laws of the Commonwealth of Kentucky pursuant to the following statutes:

(1) *KRS 177.841 Billboard advertising prohibited- Exceptions*, states:

(1) Except as otherwise provided in KRS 177.830 to 177.890, the erection or maintenance of any advertising device upon or within six hundred sixty (660) feet of the right-of-way of any interstate highway or federal-aid primary highway is prohibited. (2) The erection or maintenance of any advertising device located outside of an urban area and beyond six hundred sixty (660) feet of the right-of-way which is legible and/or identifiable from the main traveled way of any interstate highway or federal-aid primary highway is prohibited with the exception of: (a) Directional and official signs and notices: (b) Signs advertising the sale or lease of property upon which they are located: or (c) Signs advertising activities conducted on the property on which they are located.

The proposed building site is within 660 feet of Interstate 75. The 300+ foot tower will be very visible to every person traveling Interstate 75.

(2) KRS 177.850 Purpose of KRS 177.830 to 177.890, states:

The general purposes of KRS 177.830 to 177.890 and its specific objectives and standards are: (1) To provide for maximum visibility along interstate highways, limited-access highways, federal-aid primary highways, turnpikes, and connecting roads or highways; (2) To prevent unreasonable distraction of operators of motor vehicles; (3) To prevent confusion with regard to traffic lights, signs or signals or otherwise interfere with the effectiveness of traffic regulations; (4) To preserve and enhance the natural scenic beauty or the aesthetic features of the aforementioned interstate highways, limited-access highways, federal-aid primary highways, turnpikes, and adjacent areas; (5) To promote maximum safety, comfort and well-being of the users of said highways.

The proposed 300+ foot tower would be a distraction to all drivers on Interstate 75 and would significantly impair the natural scenic beauty and aesthetic features of the area. Additionally, the proposed building site is not located in or near a commercial or industrial area.

(3) 603 KAR 10:010 states in part:

Section 1. General Conditions Relating to Off-Premise Static Advertising Devices.

- (2) A static advertising device within 660 feet of the right-of-way shall be prohibited unless the device:
 - (a) Is not visible from the main travelled way of an interstate, parkway, national highway system, or federal-aid primary highway; or.
- (3) A static advertising device that is visible from more than one (1) interstate, parkway, national highway system, or federal-aid primary highway shall meet the requirements for each highway independently.
- (4) The erection or existence of a static advertising device shall be prohibited in a protected area if the device:
 - (f) Interferes with, imitates, or resembles an official traffic sign, signal, or traffic control device;
 - (h) Includes or is illuminated by flashing, intermittent, or moving lights;
 - (i) Uses lighting, unless the lighting is:
 - 1. Effectively shielded to prevent a beam of light from being directed at the main traveled way of the interstate, parkway, national highway system, or federal-aid primary highway;
 - 2. Of low intensity that shall not cause glare or impair the vision of a driver or interfere with the operation of a motor vehicle; or
 - 3. Of a luminance less than 300 nits;
- (10) To establish a protected area, the distance from the edge of a state-owned right-of-way shall be measured horizontally and at a right angle to the centerline of the interstate, parkway, national highway system, or federal-aid primary highway for a distance of 660 feet.

Section 2. Off-Premise Static Advertising Devices on Interstates and Parkways.

- (1) If it is visible from the main traveled way of an interstate or parkway and meets the permitting criteria established in this administrative regulation, a static advertising device located in a protected area of an interstate or parkway shall be permitted by the department.
- (2) A permit shall not be issued unless a static advertising device:
 - (a) Complies with KRS 177.830 through 177.890, this administrative regulation, and county or city zoning ordinances and regulations; and
 - (b) 1. Is erected or maintained in a protected area of an interstate or parkway that is zoned industrial or commercial and was an incorporated municipality on September 21, 1959; or 2. Was zoned commercial or industrial and included a commercial or industrial land use on September 21, 1959.

Section 6. Scenic Highways and Byways.

- (1) After the designation of a scenic highway by the Transportation Cabinet, additional off-premise static advertising devices shall not be erected, allowed, or permitted that are visible from the scenic highway.
- (2) The sponsor of a scenic byway application may petition the Transportation Cabinet to impose the same administrative regulations for static advertising devices located on scenic byways as those located on scenic highways.
- (3) Only routine maintenance shall be performed on an off-premise static advertising device legally in existence on the date of the scenic highway designation.

The proposed location of the building site is within one mile of Williamsburg, KY Interstate 75 exit 15. This exit is commonly used by persons and tourists to travel to the #1 most visited state park in Kentucky, Cumberland Falls State Resort Park. This is a rural area known for its beauty, tourism, and small close-knit rural communities. A 300+ foot tower would greatly diminish property values in the area and have a detrimental impact on the local landscape.

The proposed building site is located at the end of Harold Leforce Road, a dead-end road. Harold Leforce Road is a small county road. The large trucks and machines necessary to build the proposed tower would greatly impact the ingress and egress of all community members. The additional traffic would be a nuisance to all community members in so that there is very little, to no traffic, on Harold Leforce Road. Most community members, and their children, ride their bikes, walk their dogs, run/walk the entire length of Harold Leforce Road. Some community members even stand near edges of the road way, often in the early mornings or late evenings to observe the natural beauty of the mountains and the wildlife that is very prevalent in our area. The additional traffic required to complete the construction project would significantly impact the safety of most community members.

The proposed building project would substantially impact wildlife in our community. Currently, as I previously stated, there is very little traffic on our dead-end street. Wildlife often cross Harold Leforce road in multiple areas. It is very common to see whitetail deer, turkeys, raccoon, foxes, bobcats, groundhogs and various other small animals near or from Harold

Leforce Road. The machinery, man power, additional traffic and the substantial structure that would result would substantially impact local wildlife.

“Appalachian Wireless”, pursuant to the applicable laws of the state of Kentucky, has not properly given notice to all adjacent property owners impacted by said building site.

THERE IS NO NEED/NECESSITY FOR A CELLUAR TOWER IN THIS AREA. The proposed building site is in such proximity to Interstate 75 that cellular service is impeccable. Additionally, there are multiple towers located in close proximity to the proposed building site, none of which are located in the middle of a small community.

FINALLY, our community has some of the highest property values in Whitley County. The construction of a 300+ foot tower would significantly impact the property values of our community by destroying the natural rural scenic beauty of the area, which is the reason so many people now call the Harold Leforce Road area home.

Please accept this as my formal request for intervention in the above referenced case and a request for a public hearing pursuant to the applicable laws of the state of Kentucky.

Sincerely Yours,



Linda L. Reynolds