

## **Council approves modified use permit for wood carver**

**By Anthony Welch**

Wood carver Bill Fee's request for a change in hours of his conditional use permit definitely did not fall on deaf ears.

A few neighboring residents say Fee's business at 347 Manitou Ave., Nature of Things, is a nuisance and the noise from his gas-powered chainsaws his disruptive, despite Fee taking measures to minimize any noise. Meanwhile, some neighboring business people say they hear nothing, and Fee should be allowed to continue business as usual.

Fee came before Council to renew his conditional use permit, which was granted a year ago. He requested some of the conditions of the permit be revised. He asked that he be allowed to operate his chainsaw 9 a.m. to 5 p.m. Monday through Friday and 10 a.m. to 4 p.m. Saturday and Sunday.

The previously-approved conditions allowed for chainsaw use between the hours of 10 a.m. and 5 p.m. on week days. Operation of hand tools on Saturday and Sunday was limited to non-production repairs between the hours of 11 a.m. and 4 p.m.

Fee, who's been in business for 17 years, said he feels addressed every complaint and request over the past few years in regards to his business. Any noise from the business is well under the 55 decibel level that Fee was asked to comply with, he said.

"At the sidewalk across the street it's merely a low hum," Fee said. "Every time I comply with a request, the bar gets higher."

Council approved, on a 5-1 vote, a conditional use permit for Fee good through Dec. 31, 2012. It also approved operating hours of 10 a.m. to 6 p.m. Monday through Friday and noon to 5 p.m. Saturday. No chainsaws are to be operated on Sundays.

Resident Tom Lundgren, who lives on El Paso Boulevard, had requested Council deny Fee's request for extended hours. He felt Fee asking for more hours revealed an attempt to have a multi-shift, factory-like manufacturing operation, and that wasn't acceptable.

"While we've learned to live with the current level of noise, we don't want to live with more of it," Lundgren said. "I work in an office all day long. When I'm home, I spend an inordinate amount of time outside. I don't want chainsaw noise to be a constant from sun up to sun down."

iManitou Chief Operating Officer Roger Miller spoke in favor of allowing Fee to continue to operate. Miller said he spends eight to 12 hours a day across the street at the Manitou Springs Chamber offices and is never bothered by noise from Fee's business.

"Most of the ambience noise sources are cars and the creek. You have to strain to hear the chainsaws," Miller said. "If there was a nuisance, I'd let you know. There is a nuisance -our vehicle traffic approaching 80 decibels. (Fee's) really not the nuisance. It's the traffic that needs to be mitigated."

Miller also said claims that Fee was trying to operate a manufacturing business were inaccurate. Fee is an artisan that only has one carver onsite and only produces four pieces a day, according to Miller.

"The word manufacturing - if we wrongly use this word, we're going to greatly jeopardize a number of businesses," he said.

## **In other business, Council...**

- Approved a sponsorship for the Carnivale parade to take place Feb. 18. The City will pay 50 percent of the cost of the event, which totals \$1,245. Parade organizer Jack Elder said the rest of the costs are covered through donations. "We keep it simple as possible," Elder said. "We're very proud of that. We ask very little of very few people to make it happen."

- Approved re-appointments of Marcy Morrison as an at-large member of the iManitou Board of Directors, Curt Heimsoth as a business member of the Parking Authority Board, Spencer Wren as a business member of the Parking Authority Board and Gil Price as a regular member of the Planning Commission.

- Learned that the City of Manitou Springs was awarded a GOCO grant totaling \$397,500 to go toward the Iron Mountain purchase.

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