

BLAND COUNTY PLANNING COMMISSION

Meeting Minutes for September 18th, 2008

Members Present:

R.B Anderson, Jim Baker, Meagan Bradshaw, Guy Boone, Henry Blessing, Elmer Chewning, John Dodson, Deborah Looney, and Robert Trobaugh

Members Absent:

Stephen Kelley, and Jerry Mercer

Others Present:

Joel K. Cagle, Planning Commission Secretary; Jonathan Sweet Bland County Administrator

CALL TO ORDER

At 6:30 PM, Planning Commission Vice-Chairman Chewning called the meeting of the Bland County Planning Commission to be order, having been continued from September 8th, 2008 at the Bland County School Board Office; Bastian, Virginia. The Invocation was given and allegiance was pledged to the flag of our country.

ROLL CALL

Planning Commission Secretary Joel Cagle took the roll call and announced that a quorum was present.

PUBLIC HEARING

- A time was set aside at the beginning of the public hearings to receive general comments/questions from the public or Planning Commission. Commissioner Anderson stated that a person had approached him and stated that he did not want the tower(s) and informed him that they stood for progress and he liked Bland County as is. Again the public was invited by Mr. Sweet to provide comments/questions, about the towers in general.

There being no speakers, Vice-Chairman Chewning moved on with the business.

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- A public hearing was opened for the purpose of receiving public comments on the application from Verizon Wireless, requesting a Conditional Use Permit to install a self-supporting telecommunication tower on Tax Map # 56-A-2; @ 13803 E. Blue Grass Trl; Owned by Jeffrey and Laura Reed.

Nathan Holland, representing Verizon Wireless, spoke on this site. It is proposed to cover the Mechanicsburg and Blue Grass Trail area. Verizon Wireless is looking to change the tower height from 250 feet to 199 feet. There is no FAA requirement for lighting at this height. Roads to site will be built and maintained by Verizon Wireless. Commissioner Anderson brought up the question about note one from section 62-134 of the Zoning Chapter, which deals with a buffer of evergreen screening that may or may not be required, Mr. Holland stated that Verizon Wireless agrees to go ahead and install the buffers. (The specific conditions will be worded to say “shall” instead of “may”.)

There being no one from the public to offer comments, Vice-Chairman Chewing closed the public hearing, and asked for a motion to recommend the application to the Board of Supervisors, with the following specific use conditions as amended from Chapter 62 of the Bland County Zoning Ordinance, Section 62-134:

- (1) A buffer of evergreen screening (trees or hedging) shall be required around the entire facility with the exception of any associated office building. A section of fence at least six feet in height shall be provided completely around the base of the tower and any associated equipment.
- (2) As part of the application for a conditional use permit, a site plan of the proposed facility must be submitted to and approved by the zoning administrator. As part of the site plan submittal, the applicant must provide the county with detailed information regarding the proposed facility's location, latitude and longitude, and proposed service area.
- (3) The facility shall not interfere with the radio, television or communications reception of nearby property owners in residence at the time of construction and each subsequent company location. The applicant shall take steps to successfully eliminate any such interference.

- (4) All towers and other structures shall meet all safety requirements of all applicable building codes.

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- (5) All towers and their related compound shall be set back from the property line and related structures, including fences, a minimum distance of 30 feet in the agricultural district and shall be set back from the property line that distance required in the zoning regulations for other zoning districts in which the tower is to be located; provided, however, that set backs may be increased by the board of supervisors as a specific condition of approval for any tower.
- (6) Verifiable evidence of the lack of antenna space on existing towers, buildings or other structures suitable for antenna location, or evidence of the unsuitability of existing tower locations for co-location must be provided by the applicant.
- (7) An engineering report, certifying that the proposed tower is compatible for a minimum of four uses, must be submitted by the applicant.
- (8) Documentary evidence of compliance with all Federal Aviation Administration and Federal Communication Commission requirements shall be submitted by the applicant.
- (9) Towers may be required to be camouflaged or otherwise made as unobtrusive as possible but otherwise shall only be painted and/or lighted if required by the Federal Aviation Administration, and documentary evidence from the FAA requiring such painting or lighting must be provided to the county by the applicant.
- (10) All applicants must provide documentary evidence that the facility will not exceed applicable health standards established by the federal government and/or American National Standards Institute.
- (11) No advertising of any type may be placed on the tower or accompanying facility.
- (12) All tower structures must be dismantled by the owner of the structure if

not properly maintained and if unused for a period exceeding 24 consecutive months. The board of supervisors may require the posting of surety by the applicant in an amount sufficient to cover the costs of dismantling, and the surety shall be submitted to the county prior to the issuance of the conditional use permit.

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- (13) The applicant shall provide evidence that adjoining property owners and other residents of the community have been contacted to discuss specific proposals prior to public hearings before the planning commission and board of supervisors. Prior to the initial public hearing on any application the applicant shall conduct a "balloon" or other demonstration to evidence the location and height of the tower to be constructed with notice of the date and time of such demonstration provided to the adjoining property owners, members of the planning commission, members of the board of supervisors and director of planning. Additionally, such notice of the demonstration shall be advertised for at least one week prior to the demonstration in a newspaper of general circulation.
- (14) All owners of tower structures shall annually on or before January 30 of each year, provide in writing to the county commissioner of revenue the name and address of the owner of all antenna or other structures located on any tower as of January 1 of that year.
- (15) All towers and all antenna located thereon shall obtain all necessary local, state and federal permits, including building permits, prior to construction, provided antennas located on a permitted tower shall not require an additional conditional use permit.
- (16) Any conditional use permit issued hereunder shall expire if the tower is not constructed and has a service provider located thereon within 180 days from approval of the permit by the board of supervisors may grant on extension of up to 180 days for completion of the work.
- (17)As part of the application for a conditional use permit, unless the applicant

is a provider of radio, television or communication signals, an executed lease or letter of intent for space on the proposed tower by a provider of radio, television or communication signals shall be submitted. At the time of obtaining a building permit the applicant or tower provider shall provide evidence of a lease for space on the tower.

- (18)The owner of the tower shall notify the County of any changes in carriers or positions that they occupy on the tower and that same information to be provided to the E-911 Coordinator within 30 Days after such changes occur.

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- (19)The owner of the tower shall provide Bland County antenna space on the tower, at no cost to the County, at an elevation of 130' or at another height to be determined jointly by the owner of the tower and the County's Emergency Service Staff to accommodate the County's Emergency Services and other County Communication needs.

- (20)The Owner of the tower shall supply the County with a Coverage Area Map by individual Carrier.

Commissioner Baker made the motion to recommend for approval, to the Bland County Board of Supervisors, the application of a Conditional Use Permit from Verizon Wireless, to install a self-supporting telecommunication tower on Tax Map # 56-A-2; @ 130803 E. Blue Grass Trl; Owned by Jeffrey and Laura Reed, with the above referenced conditions. Commissioner Trobaugh seconded the motion, and the vote was unanimous.

- A public hearing was opened for the purpose of receiving public comments on the application from Verizon Wireless, requesting a Conditional Use Permit to install a self-supporting telecommunication tower on Tax Map # 80-A-40; @ 6219 Walker Creek Rd; Owned by James Muncey.

Stephen Waller, representing Verizon Wireless, spoke on this site. It is proposed to cover the Point Pleasant area. Verizon Wireless is looking to change the tower height from 250 feet to 199 feet. There is no FAA requirement for lighting at this height.

Mr. Waller stated that Verizon Wireless agrees to go ahead and install the buffers. (The specific conditions will be worded to say “shall” instead of “may”.)

There being no one from the public to offer comments, Vice-Chairman Chewning closed the public hearing, and asked for a motion to recommend the application to the Board of Supervisors with the specific conditions as amended, (Listed in detail above).

Commissioner Looney made the motion to recommend for approval, to the Bland County Board of Supervisors, the application of a Conditional Use Permit from Verizon Wireless, to install a self-supporting telecommunication tower on Tax Map # 80-A-40; @ 6219 Walker Creek Road; Owned by James Muncey, with the specific use conditions as referenced above. Commissioner Trobaugh seconded the motion, and the vote was unanimous.

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- A public hearing was opened for the purpose of receiving public comments on the application from Verizon Wireless, requesting a Conditional Use Permit to install a self-supporting telecommunication tower on Tax Map # 106-A-37; @ 4508 South Scenic Hwy; Owned by Lonnie and Joyce Keene.

Nathan Holland, representing Verizon Wireless, spoke on this site. It is proposed to cover the West Blue Grass Trail area. Verizon Wireless is looking to change the tower height from 250 feet to 199 feet. There is no FAA requirement for lighting at this height.

There being no one from the public to offer comments, Vice-Chairman Chewning closed the public hearing, and asked for a motion to recommend the application to the Board of Supervisors with the specific conditions as amended, (Listed in detail above).

Commissioner Looney made the motion to recommend for approval, to the Bland County Board of Supervisors, the application of a Conditional Use Permit from Verizon Wireless, to install a self-supporting telecommunication tower on Tax Map # 106-A-37; @ 4508 South Scenic Hwy; Owned by Lonnie and Joyce Keene, with the specific use conditions as referenced above. Commissioner Anderson seconded the motion, and the

vote was unanimous.

- A public hearing was opened for the purpose of receiving public comments on the application from Verizon Wireless, requesting a Conditional Use Permit to install a self-supporting telecommunication tower on Tax Map # 120-A-9; @ Red Oak Road; Owned by Steven King and Marion Peck, Jr.

Stephen Waller, representing Verizon Wireless, spoke on this site. It is proposed to cover the Rt. 42, Rt. 622, and Rt. 623 area. Verizon Wireless is looking to change the tower height from 200 feet to 199 feet. There is no FAA requirement for lighting at this height.

Commissioner Dodson asked the reason of lowering the towers, Mr. Waller stated that Verizon Wireless had lowered the towers in response to a representative of the Appalachian Trail's request that the flashing beacon would be obtrusive to the Trail. Commissioner Dodson stated that he hoped the lowering of the towers would not affect the coverage area, Mr. Waller stated that the engineer's software showed no significant amount of less coverage area.

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Mr. Sweet brought up the subject of proffers, in that to make the towers more attractive to Bland County, Verizon Wireless could offer to pay for co-locate, or engineering costs for the County to co-locate with Emergency or other equipment. Verizon Wireless representatives stated that they would look into the matter and would consider it prior to the Board of Supervisors meeting to be held on Tuesday September 23rd, 2008.

There being no one from the public to offer comments, Vice-Chairman Chewing closed the public hearing, and asked for a motion to recommend the application to the Board of Supervisors with the specific conditions as amended, (Listed in detail above).

Commissioner Trobaugh made the motion to recommend for approval, to the Bland County Board of Supervisors, the application of a Conditional Use Permit from Verizon Wireless, to install a self-supporting telecommunication tower on Tax Map # 120-A-9; @ Red Oak Rd; Owned by Steven King and Marion Peck, Jr., with the specific use conditions as referenced above. Commissioner Anderson seconded the motion, and the vote was unanimous.

- A public hearing was opened for the purpose of receiving public comments on the application from Verizon Wireless, requesting a Conditional Use Permit to install a self-supporting telecommunication tower on Tax Map # 104-A-37; @ 1831 Shewey Valley Road; Owned by Richard Lambert.

Nathan Holland, representing Verizon Wireless, spoke on this site. Verizon Wireless is looking to change the tower height from 250 feet to 199 feet. There is no FAA requirement for lighting at this height. Mr. Holland stated this site would be an ideal candidate for the buffer of evergreens.

Mrs. Diane Lindamood spoke on the visibility of this site. She voiced her concern of cancer causing radio/microwave frequencies of not just Verizon Wireless, but other Carriers that would be allowed to co-locate. Mr. Holland stated that a study would be performed for each carrier prior to their being allowed to co-locate. Mrs. Lindamood asked the question on screening, trees vs hedging. Verizon Wireless asked her what her preference would be, stating they would install something as accommodating to the landscape and public as possible. Mrs. Lindamood also stated she was concerned about the location of this site so visible out in the open verses a site located more in a wooded area. Verizon Wireless stated they had reviewed sites and re-calculated to allow function of towers with minimal disruption of the landscape.

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There being no further public to offer comments, Vice-Chairman Chewing closed the public hearing, and asked for a motion to recommend the application to the Board of Supervisors with the specific conditions as amended, (Listed in detail above).

Commissioner Anderson made the motion to recommend for approval, to the Bland County Board of Supervisors, the application of a Conditional Use Permit from Verizon Wireless, to install a self-supporting telecommunication tower on Tax Map # 104-A-37; @ 1831 Shewey Valley Rd; Owned by Richard Lambert, with the specific use conditions as referenced above. Commissioner Bradshaw seconded the motion, and the vote was unanimous.

Vice-Chairman Chewing asked Verizon Wireless the time frame of construction of the above referenced towers. Verizon Wireless stated that these five were expected to be completed by the end of this year, with the entire network operating by April of next

2009.

ADJOURNMENT

There being no further business to come before the Planning Commission at this time, Commissioner Anderson made a motion to adjourn the meeting; Chairman Baker provided the second, Vice-Chairman Chewning obliged and the meeting was adjourned.

Joel K. Cagle- Secretary
Planning Commission
County of Bland