

BLAND COUNTY PLANNING COMMISSION
Meeting Minutes for December 1st, 2008

Members Present:

R.B. Anderson, Jim Baker, Henry Blessing, Meagan Bradshaw, Guy Boone, John Dodson, Stephen Kelley, Deborah Looney, Jerry Mercer, and Robert Trobaugh

Members Absent:

Elmer Chewning

Others Present:

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

CALL TO ORDER

At 6:30 PM, Planning Commission Chairman Jerry Mercer called the meeting of the Bland County Planning Commission to order 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.

APPROVAL OF MINUTES

Chairman Mercer invited a motion to approve the amended minutes of the November 3rd, 2008 meeting. Commissioner Dodson made the motion to approve the amended minutes of the November 3rd, 2008 meeting; Commissioner Trobaugh provided the second, and the motion passed unanimously.

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PUBLIC HEARING

- 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 # 132-A-4; accessed off of State Rt. 622; Owned by Lowell Hancock.

An explanation of an error was explained to the Commission. Verizon Wireless had originally submitted this application as Tax Map # 131-A-49. This site was also owned by Lowell Hancock. The error was discovered before the public hearing notifications were advertised. The zoning file was corrected and the proper tax map was advertised and the updated adjoining land owners were notified.

Also explained was the lack of a balloon test performed at this time. Verizon Wireless had applied to have the test advertised in the Bland County Messenger, with the test performed prior to these public hearings. The Bland County Messenger failed to advertise the test, and due to the Holiday schedule, Zoning Administrator Cagle allowed the balloon test to be set up for Tuesday December 2nd. Proper notification was provided through The Bland County Messenger prior to this new date.

Stephen Waller, representing Verizon Wireless, spoke on this site. It is proposed to cover the Ceres area. The tower height is to be 199 feet. There is no FAA requirement for lighting at this height. Mr. Waller stated that there were some historic properties located near the site.

There being no one from the public to offer comments, Chairman Mercer 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.

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- (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.
- (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.

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- (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.
- (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.

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- (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.
- (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 Kelly 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 # 132-A-4; accessed off of State Rt. 622; Owned by Lowell Hancock., with the above referenced conditions. 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 # 126-A-11; @ 154 Smith Hollow Road; Owned by A. Joyce Lindamood.

Stephen Waller, representing Verizon Wireless, spoke on this site. It is proposed to cover I-77 and St Rt 717. It is to connect to a proposed co-locate located on I-77. The tower height to be 250 feet, but can be adjusted if adjoining land owners are opposed to lighting requirements.

Billy Vanover spoke in favor of the tower.

There being no one else signed up to speak, Chairman Mercer 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 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 # 126-A-11; @ 154 Smith Hollow Road; Owned by A. Joyce Lindamood, with the specific use conditions as referenced above. Commissioner Looney 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 # 91-A-37; accessed off of Water Plant Ln; Owned by Bland Comm. Water Authority.

Stephen Waller, representing Verizon Wireless, spoke on this site. It is proposed to cover Downtown Bland, State Hwy's 42 and 52. The tower height to be 250 feet, but may be adjusted due to there being several historic properties around this site.

Jonathan Sweet spoke on behalf of Bland County. He stated the reasons that this site was selected. It would be a "win-win" scenario for the County. It would provide needed service of Emergency and Wireless Equipment of the County, and provide tax and lease revenue to the County.

There being no one else signed up to speak, Chairman Mercer 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 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 # 91-A-37; accessed off of Water Plant Ln; Owned by the Bland Comm. Water Authority, with the specific use conditions as referenced above. Commissioner Looney seconded the motion, and the vote was unanimous.

NEW BUSINESS

Commissioner Anderson addressed the Planning Commission with information on organic farming in Bland County.

OLD BUSINESS

None

ITEMS TABLED FROM PREVIOUS MEETING

None

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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 Dodson provided the second, Chairman Mercer obliged and the meeting was adjourned.

Joel K. Cagle- Secretary
Planning Commission
County of Bland