

SPECIAL USE PERMIT- NARRATIVE

Applicant: Milestone Communications, Inc.

Owner: Virginia Electric and Power Company

Representative: Charles W. Payne, Jr., Hirschler Fleischer

Property: Tax Map Parcel 21-A-93A

Project Name: DVP Chancellor Substation Tower

Request: Special Use Permit to allow a telecommunication tower in the RU District

Date: December 20, 2016, as last revised August 15, 2017

File No.: SUP16-0013

I. Project Overview.

This Application made by Milestone Communications, Inc. (the “Applicant”) is a request for a special use permit (“SUP”) to construct a telecommunication tower (the “Telecommunication Tower”) pursuant to Sections 23-6.24.3 (37), 23-4.5.1, et al. and 23-7A.2.1, et al. of the County of Spotsylvania (“County”) zoning ordinance (“Ordinance”) on Tax Map Parcel 21-A-93A (the “Property”).

The Property is currently zoned Rural (RU) and is located within the Chancellor Magisterial/Voting Districts. The Property is within the Reservoir Protection overlay district and is not located within the primary development boundary.

The Applicant desires to operate a Telecommunication Tower on a portion of the Property. The Telecommunication Tower shall consist of a monopole one-hundred fifty feet (150’) in height and associated equipment within a thirty five foot (35’) by seventy-four foot (74’) square foot fenced compound located on less than one acre of the Property, all as more particularly described on the Generalized Development Plan, entitled “Special Use Permit Tax Map 21-A-93A DVP Chancellor Substation 11100 Gordon Road, Fredericksburg, VA 22407,” prepared by Entrex Communication Services, Inc., dated May 26, 2017, as last revised August 15, 2017, attached hereto and incorporated herein as **Exhibit A** (the “Plans”).

The Applicant’s goal is to provide high quality, seamless wireless communication coverage with as few new communication towers as possible. An analysis of its network coverage in Spotsylvania County shows that there are significant coverage issues and gaps in the area near the Property. The lack of coverage reflects the impact of population growth, increased demand, and the lack of telecommunication towers in the immediate area. The negative impact on Applicant’s network is the degradation of the service quality experienced by customers to make and maintain calls in the area and utilize data services, which is shown on the propagation

maps, attached hereto and incorporated herein as **Exhibit B** (collectively the “Propagation Maps”).

As noted above, with more subscribers being added each day and the addition of new wireless communication services to meet the personal and business needs of the public, additional telecommunication towers are necessary to provide the high quality network coverage the public expects. This public demand cannot be met by the existing telecommunication towers currently located within the County. Access to high speed internet in today’s society is considered a necessary utility. Wireless access is an appealing and essential alternative in areas like the Property where fiberoptic broadband services may not be available. With one-half of emergency calls made on cellular telephones, the Telecommunication Tower on the Property should improve the provision of emergency services by providing a critical link between first responders and those in need of emergency assistance.

Per the NB+C “T-Mobile – Chancellor Substation 11100 Gordon Rd., Fredericksburg, VA 22401 Evaluation of Alternative Sites,” which is attached hereto and incorporated herein as **Exhibit C**, a search ring for an area west of Salem Fields and east of Ashby Woods, in the area along Gordon Road, revealed a gap in coverage that requires a cellular site to fill that gap. To address the degradation of its service quality and coverage gaps, the Applicant first attempted to collocate its antennas on existing telecommunication towers located within the vicinity of the coverage gap. The Applicant reviewed the towers located within a 1.5 mile radius of the Property. The Applicant found that no existing monopoles, towers, or water tanks exist within a 1.5 mile radius of the Property. The lone transmission tower that would potentially provide the coverage needs is occupied by Verizon Wireless and does not have the structural integrity to support another carrier’s collocation. The next closest tower is too far south, and the closest tower to the north is located at 7502 Old Plank Road, which is over 1.5 miles from the coverage objective and too far away to fill the coverage gap. Thus, no opportunity for collocation exists in the immediate vicinity. Applicant and T-Mobile agreed to change the tower design from a monopole to a treepole tower based on community feedback. Milestone was informed by the County’s independent reviewers that the use of a treepole design at this location was discouraged due to safety concerns. The tree design was switched back to a monopole structure based on this feedback.

A telecom structure exists on the Dominion Virginia Power property located at 11100 Gordon Road, Fredericksburg, Virginia 22407. However, as explained in the Dominion “Statement of Support” dated October 17, 2016, which is attached hereto and incorporated herein as **Exhibit D**, per company policy, no outside carriers are permitted to collocate on structures within Dominion Virginia Power Substations due to security and safety concerns. The existing telecom structure is located within a secured access area within the Dominion Virginia Power Substation compound, and allowing outside carriers to collocate on the structure would potentially expose untrained workers to a variety of safety hazards and would pose a threat to substation security. Additionally, the existing telecom structure was designed only to support Dominion Virginia Power internal communications equipment and is at full capacity with the existing and proposed future appurtenances.

As shown on the Plans, Applicant’s proposed Telecommunication Tower provides for Applicant’s antenna as well as availability for other carriers to collocate at least four (4)

additional antennas on the Telecommunication Tower in the future. Thus, the addition of the Telecommunication Tower in this area will permit the Applicant and other service providers to provide improved, high quality services and network coverage to meet the public demand as shown on the Propagation Map.

To minimize the visual impact of the Telecommunication Tower to neighboring parcels, (a) the Telecommunication Tower is located 159' feet from the western Property line, 706' feet from the northern Property line, 244' feet from the eastern Property line and 14' feet from the southern Property line, (b) the Telecommunication Tower is located more than 664' feet from any primary residence, (c) the Telecommunication Tower is buffered by the existing trees, and (d) an eight foot (8') foot high chain link fence shall be installed around the perimeter of the Telecommunication Tower. The proposed Telecommunication Tower will be located on property that also includes a Dominion Virginia Power Substation, which includes an existing telecom structure as described in more detail above.

The Applicant's Telecommunication Tower will improve the existing quality of wireless communication services surrounding the area and will provide for enhanced wireless communication and data services to Applicant's customers in Spotsylvania County. The Telecommunication Tower will not adversely impact water, sewer, transportation, or other Spotsylvania County public facilities and services, while improving wireless communication services with minimal impact on adjacent properties.

The site will incorporate landscaping, access and buffering as shown and noted on the Plans. In addition, all surrounding uses are likewise zoned RU and include a church, residential uses and vacant land.

The Applicant anticipates commencing construction of the facility no later than one (1) year after SUP approval.

II. Public Utilities, Facilities and Services. This project will not require access to public water and sewer, will have no impact on public utility demands and will not adversely impact schools, recreational facilities, or other public services and facilities. The Telecommunication Tower will provide improved wireless communication services in the area, provide coverage to an underserved broadband area and will benefit police and emergency services.

III. Environment & Cultural Resources. There are no known cultural resources present on the Property. There is a Resource Protection Area and an existing 50' Conservation Easement, both located along the western boundary of the Property, far from the proposed location of the Telecommunication Tower. Applicant does not believe the project will have an impact on the environment and will develop the facility in accordance with applicable state and County code requirements.

IV. Housing. The project will have no impact on County housing matters.

V. Transportation. The Property is located west of the intersection of Gordon Road and Ni River Landing. The Applicant shall construct a ten feet (10') wide gravel drive and turn around to

access the Telecommunication Tower from Salem Field Blvd. Projected traffic generated by the Telecommunication Tower does not trigger the requirement for a traffic impact analysis. The Telecommunication Tower will generate minimal traffic following construction, with infrequent visits by technical personnel approximately once per month.

VI. Comprehensive Plan Overview. This SUP application is consistent with the goals and guidance provided in the County's Comprehensive Plan (the "Comprehensive Plan"). The Property is located within the "Institutional" future land use category. The Property is currently zoned RU, and the proposed use as "telecommunication tower" is permitted under the RU zoning with a special use permit.

Per the Comprehensive Plan, a Guiding Principle is that "Spotsylvania County is a 'business friendly' community and local job creation is a priority." One of the underlying policies is to "Support the installation of broadband internet, telecommunications infrastructure, microwave towers, fiber optics, and similar communications systems that meet an identified need for communications support for businesses throughout the County."

VII. Special Use Permit Standards.

Section 23-7A.1.2 of the County's Zoning Ordinance requires wireless telecommunication facilities to meet the following standards:

1. Accommodate wireless telecommunication services while minimizing the impact of tower sites on the community.

The Telecommunication Tower shall utilize only 0.0595 of an acre of the Property and will not interrupt land use in the surrounding area. The Telecommunication Tower will not hinder or discourage the appropriate development of adjacent land by providing appropriate buffering and screening to ensure impacts on adjacent properties are minimized. The Telecommunication Tower will be located on the same property as and just to the south of the Dominion Virginia Power Substation. The base of the tower is screened from view by the existing trees, as shown on the photo simulations attached hereto and incorporated herein as **Exhibit E** (the "Photo Simulations"). The Telecommunication Tower will also be buffered by an eight foot (8') high chain link fence around the perimeter of the Telecommunication Tower to minimize its visual impact to neighboring parcels.

2. Require wireless telecommunication facilities to be sited and designed in a way that minimizes infringement upon and degradation of the scenic and historical resources of the county and adjacent properties.

The Property is zoned RU and designated as Institutional on the Comprehensive Plan's Future Land Use Map. The properties in the area are either wooded, partially-wooded or developed with single-family dwellings or a church. The design of the Telecommunication Tower minimizes the adverse impact on nearby properties and will not change the character and established pattern of development in the area

while providing improved wireless communications services as shown on the Propagation Maps and balloon testing SIMS, attached hereto and incorporated herein as **Exhibit E**.

3. Encourage co-location of antennae on towers and/or alternative support structures.

The Telecommunication Tower monopole is one hundred fifty feet (150') in height to accommodate T-Mobile and four (4) additional carriers and to provide adequate coverage for topography of the immediate vicinity.

4. Comply with applicable federal, state and local rules and regulations so as to accommodate the provision of a broad range of wireless telecommunication services in a safe, effective and efficient manner.

The Telecommunication Tower will comply with all applicable federal, state and local rules and regulations.

5. Encourage economic development of Spotsylvania County to ensure the prosperity of future generations. Most cities and counties do not have the resources to provide a costly telecommunications infrastructure, thus the role of local government has evolved into providing an environment that encourages the development of this crucial infrastructure. Spotsylvania County takes seriously its responsibility for investing in and shaping the economic development of its communities, while, at the same time, protecting residential areas and land uses from potential adverse impacts of wireless telecommunications facilities.

Applicant is willing to provide tower space for County communication equipment through a mutually satisfactory agreement. Applicant is committed to assisting local emergency and safety services providers with emergency communication services and would welcome the opportunity to discuss the County's emergency services communication needs in the community.

6. Promote the public health, safety and general welfare of the community.
 - (a) To avoid potential damage to adjacent properties from tower failure and falling objects through engineering structural standards and setback requirements.
 - (b) To mitigate and address the potentially adverse effects of wireless telecommunications facilities on human health and safety.
 - (c) To require compliance of safety standards consistent with applicable federal and state regulations.

The Applicant has situated the Telecommunication Tower in a location that provides setbacks as shown and noted on the Plans. To mitigate the impact of the setback distance of the neighboring parcels, the monopole is engineered in such a manner that,

in the unlikely event of a structural failure, the tower will collapse onto itself, without impacting any structures located in its vicinity. The Applicant has sited the tower in the proposed location with due consideration having been given to the Property's topography and the screening provided by existing tree cover.

The Applicant's proposed tower will not be detrimental to the public welfare or injurious to the Property and will provide improved wireless communications and emergency communications in its vicinity. The Telecommunication Tower shall comply with all FCC regulations, and will not adversely impact the health and safety of persons residing or working in its vicinity.

VIII. Community Meeting. Pursuant to County requirements, the Applicant and its representatives held a community meeting on December 1, 2016 at Salem Fields Community Church to introduce and discuss the project with surrounding property owners. We addressed several questions from the two community members in attendance and believe the meeting went well. Exhibit F attached hereto provides a list of attendees.

Exhibit Index:

Exhibit A: Generalized Development Plan

Exhibit B: Propagation Maps

Exhibit C: NB+C “T-Mobile – Chancellor Substation 11100 Gordon Rd.,
Fredericksburg, VA 22401 Evaluation of Alternative Sites”

Exhibit D: Dominion “Statement of Support” dated October 17, 2016

Exhibit E: Photo Simulations

Exhibit F: List of Community Meeting Attendees