

David Dameron

From: Mark DeCoursey <mdecoursey@gmail.com>
Sent: Wednesday, September 4, 2019 9:38 AM
To: Aimee Mann; David Ross; David Dameron
Subject: [EXTERNAL]: Tower

Dear neighbors,

I would like to add my voice to those in favor of the proposed tower at Peace United Methodist Church. They are a great neighbor to our community and I trust that they have considered the pros and cons and landed on a good decision. I believe this is an opportunity for the church to leverage their resources and increase their positive impact in the community.

As for those opposed to the tower, the arguments hold no water. The tower will be invisible to most and to those who can see it, it will be unoffensive. There is no scenic skyline that will be impacted. As for the health concerns, there is no basis in science. We are surrounded by radio waves and microwaves and the tower will not change that. There is nothing to indicate that quality of life and health will be negatively impacted. Tinfoil hats will continue to be optional.

I like my cell service. I like my internet service. I have no experience with it, but I am certain I would like my 911 service when I do need it. I am willing to sacrifice a tall, narrow piece of my neighborhood to enhance these.

Please approve the application of Peace United Methodist Church to do with their land as they see fit.

Sincerely,

Mark DeCoursey

Waverly Neighborhood

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David Dameron

From: Comcast email <tc46@comcast.net>
Sent: Wednesday, September 4, 2019 8:28 PM
To: Aimee Mann
Cc: David Dameron; David Ross
Subject: [EXTERNAL]: Cell Tower at Peace United Methodist church

To the Spotsylvania Board of Supervisors, Mr. Ross and Mr. Dameron,

I am emailing to express my support for the cell phone tower that is proposed to be erected on the property of Peace United Methodist Church on Maple Grove Road. I understand this petition is coming up for a final vote at the September 10th Board of Supervisors meeting.

I can think of 2 instances where a close cell tower could have been a help.

The first instance was when we had the earth quake that shook the area. At the time I didn't know what was going on. I tried calling my husband who was working in D.C. and couldn't get through.

The 2nd incident was when a neighbor across the street from Peace United Methodist church had a medical issue. A family member was with the individual but clearly needed help with the situation. I was on my way home and called 911 for them. To my surprise, I was connected to Fredericksburg City's 911 operator. She connected me to Spotsylvania 911. The point is, time was lost, by not getting through to Spotsylvania 911 right away.

In both cases, having the cell tower on the church property might have made a difference, as far as me being able to get through to people I needed to talk to.

I also live around the corner from the church and am not worried about my property values declining or the cell tower giving off anything to affect my health.

Please approve the application for the cell tower.

Thank you,
Penny Cline
Maple Grove Subdivision

Sent from [Mail](#) for Windows 10

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This email was Malware checked by UTM 9. <http://www.sophos.com>

**AT&T – Peace United Methodist Church Proposed Cell Tower
SUP 18-0011**

To the Board of Supervisors of Spotsylvania County:

My name is Stephen W. Kerr and I serve on the Board of Trustees for Peace United Methodist Church. You will be taking action on our joint application with AT&T for a proposed cell tower adjacent to the church on September 10, 2019. I would like to provide you with additional background information about this application in light of the negative testimony presented by neighbors to the church at the BOS public hearing held on August 13, 2019.

AT&T approached the church almost five (5) years ago with a proposal to locate a cell tower next to the parking lot of the church. At first, the congregation was skeptical of the proposal for some of the reasons expressed at the BOS public hearing – e.g. radiation concerns and visual concerns. However, as representatives of the church continued to meet with AT&T, they were able to alleviate our concerns with the information presented by their engineers and other technical experts. The congregation was asked to vote on whether to work with AT&T on the project or walk away from it. The majority of the church congregation indicated that they would like the church to proceed with the application.

As a result of this decision, the church entered into a lengthy series of negotiations on a lease agreement that would meet the needs of AT&T but would also protect the church from unseen hazards such as the tower being leased to a subcontractor, abandonment of the tower, damage to the tower, etc. These lease negotiations were also reviewed by an attorney we retained, the Board of Trustees, and several members of the congregation with experience in church negotiations with cell tower companies (myself included).

In the meantime, a balloon test and citizen information meeting was held in December 2016 by AT&T and the church to provide citizens living in the subdivision an opportunity to review the proposal and provide feedback. A small group of citizens turned out and made some specific recommendations regarding the location and appearance of the tower and some came out to express their support for the application. Based on the feedback received, AT&T moved the proposed cell tower from the middle of the open land next to the church parking lot farther back toward a tree line bordering the property and also agreed to disguise the tower. The AT&T engineers also explained that cell tower signal transmissions are not in a concentrated signal like they were in the beginning of cellular communications (approx. 20 years ago) but are now in a much more disbursed pattern that does not cause any radiation concerns whatsoever.

After the citizen meeting, lease agreement negotiations continued for some time with the finalized lease agreement being executed between the church and AT&T in March 2018. The 50+ page lease agreement is extremely detailed and covers all envisioned scenarios of issues that could occur with cell towers. Included in the lease agreement is an enhanced landscaping plan that the church requested AT&T to agree to ensure that the cell tower equipment building on the property would be more than sufficiently screened from the residences across the street. I believe that this lease agreement goes far above and beyond the average cell tower proposal and is a significant plus for the county since it protects the church and the county from a wide range of legal and technical issues.

Once the lease agreement was completed, AT&T proceeded with filing the special permit application. The county application review meeting was held on October 11, 2018 and no significant issues were raised by the staff. At the meeting, AT&T was asked to provide information on how the tower would meet “First Net” emergency communications requirements (which they did) and to provide some additional graphics regarding what the mature vegetation would look like around the cell tower equipment building and how the tower would be disguised (which they did).

Due to the lack of issues regarding the application and the fact that AT&T had addressed all of the county concerns, the Cable Television & Telecommunications Commission meeting was cancelled. However, the county requested AT&T to hold a second citizen information meeting since it had been some time since the last meeting was held. The second meeting was held in February 2019 and approximately 20 people showed up.

There were no petitions against the tower and no one expressed any concern about radiation. AT&T set up information tables and people could walk around and learn the details about all aspects of the tower design, location, and operation. Some people also expressed their desire to get the project approved so their cell signal strength would improve.

The staff review and subsequent report on the special use permit application was positive. The staff found the application in conformance with the comprehensive plan and all applicable provisions of the zoning ordinance and recommended approval of the application. The Planning Commission held their public hearing on the special permit application July 17, 2019. Four (4) speakers showed up and spoke against the application citing radiation and visual concerns. Prior to making his motion, the Courtland District Planning Commissioner advised the citizens that health concerns and location are not permissible reasons for the Planning Commission to recommend denial of the application as they are controlled by Federal law and the FCC. The Planning Commission went on to recommend the approval of SUP-0011 by the BOS 7-0.

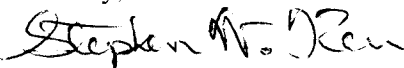
As you are aware, at the BOS public hearing held on August 13, 2019, six (6) speakers spoke against the application, again citing radiation and visual concerns, factors that cannot be considered by the BOS in acting on an application. One of the speakers mentioned they had a petition with over 100 names on it opposing the cell tower application. The vast majority of these people never attended either citizen information meeting as they would have learned that radiation is a non-factor in this application and there was never any petition presented at the citizen information meetings like the one submitted at the BOS meeting. What you had were some uninformed citizens that never learned anything about the application and started a fear mongering process by posting signs in the neighbor opposing the cell tower. Where were they when all of the review and discussion was going on two (2) years prior to this public hearing?

So, where do we stand now? Let me summarize the facts as I know them:

1. AT&T and Peace United Methodist Church have an airtight comprehensive lease agreement that protects the church and the county
2. AT&T and Peace United Methodist Church held not one, but two citizen meetings to give an opportunity to provide input and make changes to the application in response to the citizen input received
3. AT&T has agreed to provide "First Net" emergency communications technology on the tower to assist the county
4. SUP 18-0011 was determined by the staff to be consistent with the comprehensive plan and it meets all applicable provisions of the zoning ordinance
5. Staff recommended approval of SUP 18-0011
6. The Planning Commission recommended approval to the BOS by a 7-0 vote
7. Under federal law and FCC regulations, local governments cannot deny a telecommunication facility based on health concerns or the location of the telecommunications facility

The Spotsylvania County Board of Supervisors is not going to get a better cell tower application than this one. It goes far beyond the normal requirements and I urge you to approve this application.

Sincerely,



Stephen W. Kerr, Trustee.
Peace United Methodist Church

P.S. I served as Assistant Director of Zoning Evaluation for Fairfax County Dept. of Planning & Zoning from 1985 – 2000. During this time we processed thousands of zoning applications, including a number of cell towers. I empathize with your dilemma when dealing with citizen concerns – I heard about every citizen complaint you can think of. However, there are times when you just have to say "I'm sorry" to the citizens because you do not have any real legal reason to deny the application.



Peace United Methodist Church

801 MAPLE GROVE DRIVE
FREDERICKSBURG, VIRGINIA 22407-6826
Telephone: (540) 786-8585

September 3, 2019

Paul D. Trampe, Chairman

Spotsylvania Board of Supervisors

P.O. Box 99

Spotsylvania, VA. 22553

Dear Chairman Trampe,

At the Board of Supervisors meeting of August 13, 2019, the issue of approving the AT&T cell tower to be located at Peace United Methodist Church (Peace UMC), 801 Maple Grove Drive, Spotsylvania, Va., was discussed. Some petitioners against the cell tower stated that the church does not pay taxes and thus attempted to paint a picture that the income derived from the tower would only benefit the church. This is naïve and uninformed information. I should like to set the record straight.

While the church does exist to further the spiritual needs of people who attend Peace UMC, the mission of the church is to be a "Light to the world for Jesus Christ." In fulfilling this ministry, we support many groups and missions in the Fredericksburg region, Virginia, and because Peace UMC is part of the greater United Methodist Church, the world.

Part of the income from the cell tower would be used to fund capital improvements to our facility such as parking lot paving, roof repairs, and such. We provide meeting space, free of charge for many groups outside of our church. These groups meet from weekly to monthly at our facility. The benefit to these groups of using our church is that we have ample free parking, meeting rooms, restrooms and they know that they can count on us to supply them with dependable meeting space month after month.

These groups include:

AA, Alanon, AlaTeen, and CODA

English As A Second Language (ESL)



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Boy Scouts of America and Girl Scouts of America

Dulcimer Players group

We also host birthday parties, weddings, and wedding receptions for which we occasionally charge a fee.

Missions that we support outside our walls to the greater Fredericksburg region and Virginia as a whole include:

Financial and volunteer support to the Thurman Brisben Center and to FredCamp.

Financial support to Heart Havens.

We fund and provide at no cost to the participants, a one week Vacation Bible School (VBS) during the summer for children.

We send missions teams to the ecumenical Appalachian Service project on an annual basis.

We provide new clothing and backpacks to students through the Fredericksburg region School Dressing Days.

We support National Night Out at Spotsylvania Mall.

We provide spiritual ministry to the residents of the Woodmont Center (formerly Woodmont Nursing Home) through singing and a pastoral sermon on a weekly basis.

Peace UMC maintains a food pantry that provides free food to approximately 100 needy families a week. We also offer utility assistance through the food bank to needy families as donations permit.

We provided the majority of the funding and coordinated a "potato drop" this past spring, where 40 tons of white potatoes were delivered by tractor-trailer to our parking lot and churches and groups from the Fredericksburg area, in cooperation with the Society of St. Andrew, bagged said potatoes. Regional food banks from NoVa, Richmond, Tappahannock and Fredericksburg, and local food pantries took all 40 tons and provided 100,000 meals to needy families that day.

Peace UMC held a "gleaning of the fields" in Westmoreland County in August and picked 17 tons of watermelons. In cooperation with the Society of Saint Andrew, those watermelons were distributed to needy families free of charge.



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We are starting a Stephen Ministry in our church to provide one-on-one care for persons going through difficult times. This ministry might be expanded on a referral basis outside our church in the future. see <http://www.stephenministries.org> for more information.

We also have a Peace UMC Preschool. This year's enrollment is 34 children.

As a member of the greater worldwide United Methodist Church, we support a host of worldwide missions including the Interdenominational Cooperation Fund, the Black College Fund, Africa University Fund and UMCOR (United Methodist Committee on Relief). UMCOR goes into regions devastated by natural disasters and provides long-term support. We fund help their efforts.

As you can see, Mr. Chairman, Peace UMC, provides a wealth of services to both our congregation and to the outside world, near and far. However, these services must be funded. We view the cell tower revenues as a gift from God, not to be squandered for our own selfish benefit, but to be shared throughout the local community and around the world.

Sincerely,

Rhett M. Lowery,

Chairperson, Peace United Methodist Church
Church Council

cc:

Chris Yakabowski, Battlefield District

Kevin Marshall, Berkeley District

Timothy J. McLaughlin, Chancellor District

David Ross, Courtland District



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Gary F. Skinner, Lee Hill District

Greg Benton, Livingston District

David Dameron, County Planner



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September 3, 2019

Case Number – SUP 18-0011
AT&T cell tower at Peace UMC

Mr. Paul D. Trampe – Chairman
Board of Supervisors
P.O. Box 99
Spotsylvania, VA. 22553

Dear Mr. Trampe:

I am writing to provide the Board of Supervisors an understanding of the extensive due diligence Peace UMC performed in determining whether or not to enter into an agreement with AT&T to build and operate a cell tower facility on our property. To listen to the vocal opposition to this project, one might believe that is this a dangerous activity that will be an eye sore in the community, our community. We worked very hard to evaluate the risks and to minimize the impact of the cell tower on both the church and the community.

Over four years ago Peace UMC was approached by AT&T/New Cingular Wireless PCS expressing their interest in building and operating a cell tower on the east side of our property. We were skeptical in the beginning. Many of our team had heard about the potential health risks and problems with cell towers. As a result, we began an extensive research effort to determine if we even wanted to pursue this opportunity. The following is an outline of our work process.

1. We interviewed other Methodist churches that had gone through the process of assessing and then having cell tower facilities installed and operated on their properties. We learned about their experiences, the risks they addressed, problems working with cell companies, the impact on their church programs and membership, and the potential impact on their surrounding communities. We also wanted to know about the mistakes they had made. Based on this information we had a general road map for how to move forward and the pitfalls to avoid.
2. We hired a consulting company – Steel in the Air – to provide information, guidance, and expertise on negotiating and structuring an agreement with a cell company. This proved to be highly valuable as the church had little internal expertise and the lack of experience was cited by many of the churches we interviewed as a major mistake they made in structuring their agreements with cell companies. We gained information on pricing, contract features favorable to the church, problems to avoid, risks, etc.
3. Armed with the information from items 1 and 2, we started discussions with AT&T about the potential contract terms as we needed to define the opportunity before we could assess whether or not to take on this project. We eventually came up with the overall

parameters of what the business arrangement would contain, including income to the church, our responsibilities, the cell company's responsibilities, protections for the church, etc.

4. The next step was, given general terms of the transaction as defined in number 3, whether this opportunity made sense for the church. We had discussions among church members and the leadership and it was determined that there would be a benefit to the church from undertaking this project, but only if there were no health or environmental risks to the church or the community.
5. We performed a detailed review of the research that had been conducted on the health risks associated with cell towers. There is considerable misinformation available on this subject and it was somewhat difficult to separate what was false from what was true. Ultimately, we focused on government research and analyses from independent sources that pointed to the safety of cell towers. We reviewed the cancer risks from radiation and the spectrum of radiation frequencies and found that radio frequency (RF) waves from cell towers are low risk. Also, we found research and conclusions provided by the American Cancer Society to be very helpful. If there were a true cancer/health risk from cell towers, the ACS would be a vocal opponent to cell towers, which they are not. See the following link to read a summary report by the ACS - <https://www.cancer.org/cancer/cancer-causes/radiation-exposure/cellular-phone-towers.html>
6. The fact that the church would have to live with the tower on its property, right next to the parking lot, for 25 years or more, the attractiveness of the tower became a major issue. We worked with the AT&T design team to come up with the most attractive tower possible. The double density monopine will help disguise the tower receptors. Also, we negotiated for extensive evergreen plantings around the facility fencing to hide the enclosure. In addition, we had major concerns about the removal of the tower when the contract ended and maintenance of the appearance over its life time which were addressed to our satisfaction.
7. Given all the above work we held internal leadership discussions over a long period of time to determine the interest in the church pursuing this project. This included assessing the benefits and the risks/problems with having a cell tower facility on our property. The cell tower team acted as an information provider to church leadership, not an advocate for or against the tower. Leadership finally moved to recommend that we pursue going forward with this project.
8. After further negotiation on the terms of the agreements with AT&T, we held a church conference to allow members discuss and then vote on whether or not they wanted the church to have the cell tower on our property. The vote came out 74 percent in favor. Following that vote we went to our district office of the Virginia Conference to gain their approval, which was given.
9. Through the later portion of the review and assessment process we used the services of a cell tower legal firm. They advised us on the final language and terms of the agreements that would control the relationship with AT&T going forward. Following the church conference vote, we began finalizing the language in the option and lease agreements. We went through further extensive negotiations on contract language to define the protections that were required to safeguard the church and the community

going forward. Key items included the removal of the tower facility, repair of damages to the facility, maintenance of the facility, controls on access, control of changes to the tower, etc. We believe the terms of our agreements with AT&T are the best possible and protect the church and the community against adverse actions or problems with the tower.

Throughout this long process, we worked to minimize the impact of the cell tower on both the church and the surrounding community. The proposed tower is the best we can do in terms of disguising it and the supporting enclosure.

The proposed facility will bring improved wireless and emergency communications services to the area. Revenues will be invested directly back into the church and will help it support many community programs, including its food bank and preschool, Boy and Girl Scouts, English as a second language, Alcoholics Anonymous, AlaTeen, and many more. Our church can do a lot of good with the income from this cell tower.

Sincerely,

A handwritten signature in cursive script that reads "Dan Measell".

Dan Measell
Chairman
Cell Tower Committee
Peace United Methodist Church

cc:

Chris Yakabouski, Battlefield District
Kevin Marshall, Berkeley District
Timothy J. McLaughlin, Chancellor District
David Ross, Courtland District
Gary F. Skinner, Lee Hill District
Greg Benton, Livingston District
David Dameron, County Planner