

**Buckingham County  
Planning Commission  
Monthly Meeting  
Packet**



**July 26, 2021**



Buckingham County Planning Commission Agenda  
Monday, July 26, 2021 7:00PM  
County Administration Building  
Peter Francisco Meeting Room  
[www.buckinghamcountyva.org](http://www.buckinghamcountyva.org)  
[https://youtu.be/LiUkE1kU\\_iM](https://youtu.be/LiUkE1kU_iM)

1. Call to Order by Planning Commission Chairman

Invocation

Pledge of Allegiance

Establishment of Quorums

2. Adoption of Agenda

3. Approval of Minutes

a. June 28, 2021 Regular Meeting

4. Public Comment

5. New Business

1. Introduction of Case 21-SUP289 Howardsville Tower

6. Old Business

No Old Business at this time

7. Reports

A. Building Permits Report

B. Zoning Administrator Report

8. Commission Matters and Concerns

9. Adjournment



**In response to the COVID-19 epidemic, Public Comments AND Public Hearing Comments for Buckingham County Planning Commission Meetings and Hearings will be received using the following methods:**

- 1. Written comments may be mailed to the Planning Commission at PO Box 252 Buckingham, VA 23921. Please limit word count to 500 words.**
- 2. Emailed comments may be sent to [publiccomments@buckinghamcounty.virginia.gov](mailto:publiccomments@buckinghamcounty.virginia.gov). Please limit word count to 500 words.**
- 3. Telephone voicemail comments may be left to be played to the board by calling 434-969-5039**
- 4. To appear virtually to the Planning Commission for comments please email [publiccomments@buckinghamcounty.virginia.gov](mailto:publiccomments@buckinghamcounty.virginia.gov). You will receive notice with the link and/or telephone number necessary to connect virtually during the meeting.**
- 5. In person Public Comments will be permitted by signing up (signup sheet) to speak prior to the beginning of the meeting**

**Please note: Please state your name, district, address, and which hearing you are commenting on. The three (3) minute rule will apply to public comments. All correspondence must be received only by the methods above, and are due by 12:00 PM the day of the meeting.**

**\*In person attendance will be permitted at this meeting per the Governor's Safer at Home Phase Two Guidelines for All Business Sectors.**

**Buckingham County  
Planning Commission  
June 28, 2021**

At a regular meeting of the Buckingham County Planning Commission held on Monday, June 28, 2021 at 7:00 p.m. in the Peter Francisco meeting room, located within the Buckingham County Administration Complex, the following members were present: John Bickford; Alice T. Gormus; Patrick Bowe; Steve Dorrier; Joyce Gooden and Board of Supervisors' representative Danny Allen. Also present were Nicci Edmondston, Zoning Administrator, and E.M. Wright, Jr., County Attorney. Ashley Shumaker; and James D. Crews were absent.

**Re: Call to Order, Quorum Present, Invocation, and Pledge of Allegiance**

Chairman Patrick Bowe called the meeting to order. Alice Gormus gave the invocation, Steve Dorrier led the Pledge of Allegiance and it was said by all who were in attendance. Patrick Bowe certified there was a quorum- six of eight members were present. The meeting could continue.

**Bowe:** Adoption of the agenda. There's one minor change tonight. I think our packages indicated that it was a first time around is actually supposed to read that it was a public hearing tonight. It was advertised as such and the signs were placed so it will be a public hearing. Thank you.

**Gormus:** So moved.

**Bickford:** Second.

**Bowe:** Let's vote on the agenda. All in favor, raise your hand with the amendment or addendum approved six of six.

**Commissioner Gormus moved, Commissioner Bickford seconded and was unanimously carried by the Commission to approve the agenda with amendment.**

**Bowe:** Approval of minutes.

**Allen:** So moved.

**Gormus:** Second.



**Bowe:** All in favor, raise your right hand.

**Dorrier:** Abstain I wasn't at the last meeting.

**Bowe:** Five of six approved.

**Supervisor Allen moved, Commissioner Gormus seconded and was carried by the Commission 5-0-1 with Commissioner Dorrier abstaining to approve the minutes as presented.**

**Bowe:** Public comment.

**Edmondston:** Mr. Chairman, we don't have anyone signed up for public comment this evening.

**Bowe:** In that case we'll close the public comment. New business.

**Edmondston:** No new business.

**Bowe:** Old business.

**Edmondston:** Under old business we have a public hearing for case 21-ZMA 283. You may remember the introduction last month its landowner Wayne Beasley and applicant Shelly Mays couch for tax map 196 parcel 38 contains about 1.65 acres, and it's located at 3875 South James Madison highway in Farmville. Miss Mays Couch is asking the Planning Commission to recommend a public hearing date to hear the request for rezoning from agricultural A1 to business B1 for the purpose of operating non retail office space and other permitted uses. And Miss Mays Couch is in the audience tonight and can address any questions or concerns that you may have.

**Bowe:** Good evening, you want to come up now? How are you this evening?

**Mays-Couch:** I'm well yourself?

**Bowe:** I'm fine. Thank you. Do the commissioners have any questions or statements they'd like to make?

**Gormus:** I thought you did a nice job of explaining last time and I wish you well.  
**Mays-Couch:** Thank you.

**Gormus:** Well, I'd like to move this on with approval to the next step.

**Allen:** We haven't opened it up yet.

**Gormus:** Oh, no. I got excited for a new business.

**Mays-Couch:** Thank you.

**Bowe:** Does anybody else have any questions or?

**Allen:** I know we were talking about offices, but it's professional offices that we're putting it up under right?

**Mays-Couch:** Yes, sir.

**Allen:** But what really what you're trying to do is people coming out prison, you go help them, teach them things to do, help them get education they may not have plus jobs, plus, you're there to help them out with whatever you can do, right?

**Mays-Couch:** Yes, sir. That is one of the businesses that operates in that building. That's LOC Family Services. So that's one of the line of works that we do.

**Allen:** You got multiple businesses?

**Mays-Couch:** Yes, sir.

**Allen:** What is it your other businesses do?

**Mays-Couch:** The other business is called love over crisis and that helps elderly and disabled individuals get the care that they need in their homes. So we provide care coordination along with other consultations as well. So we really do provide a list of services that basically provide help for the community at large. So there's a lot that we do within the course of a day on different aspects of business.



**Allen:** As far as the elderly people are you sending nurses or somebody else to like help them at the home?

**Mays-Couch:** Love over crisis has two service facilitators, three, including if you would include myself, but I do so many other things. But that is one of the things I have under my belt is as a service facilitator, we provide care coordination. So we assist those individuals who are consumers get the care that they need, if they select a family member or a friend, we help those individuals get paid through the state, if they have Medicaid, and we set that those services up, so they don't have to have an agency come in to provide that care, their family members or their friends can provide that care and be paid by the state. So that is something that's, you know, really becoming popular now since covid hit back last year, and it's growing, you know, rapidly and we're trying to continue to keep that growth going.

**Bowe:** And you stated previously that you were also working with the drug people?

**Mays-Couch:** LOC Family Services is the organization that works with individuals coming in to the community from incarceration, so that organization provides services for individuals who sometimes are addicted to substances, and we're having to connect to the resources that's needed to help aid them along. And hopefully, you know, our whole goal is to keep them out in the community because it's more costly if they are in the jails or prisons.

**Bowe:** Anyone else have any more questions?

**Dorrier:** What would your working hours be? How available would you be?

**Mays-Couch:** So practically, I'm usually on call my phone rings, several different hours of the night in the morning. But the building is typically open from 9 to about 7:30pm. With, we have about seven staff who operates between those times. So I usually allow them to be flexible according to the best time they can work. And as long as our organization is being productive, we set those times with our staff the way it works for them and for myself as well.

**Dorrier:** Monday through Friday?

**Mays-Couch:** Typically, it is Monday through Friday, sometimes you will see a Saturday or Sunday if we need be. If there's emergencies that occur. So our schedules are usually flexible, but typically it is Monday through Friday.

**Allen:** So only thing I really wanted to make sure of as office professionals is it going to take care of everything you need to do?

**Mays-Couch:** Yes, sir. That sounds about right.

**Allen:** That's going to be under B1.

**Bowe:** Well if nobody else has any more questions. Alice. I guess we're ready for your motion...

**Allen:** Did you open it? You got to open it.

**Bowe:** Though we decided we weren't having a public hearing being a nobody showed up.

**Edmondston:** We don't have anyone signed up but the public hearing is...

**Bowe:** Okay.

**Allen:** Yeah, we just got to open and close it either way.

**Bowe:** We'll open up for public hearing. Close the public hearing. Now Alice, are you ready?

**Gormus:** Now I'm ready. Okay. I would like to move this on to the Board of Supervisors with their approval and our recommendation that they also approve and let the lady get back to work.

**Gooden:** I second.

**Bowe:** Motion has been made and seconded. All in favor, raise your right hand.. That'll be on July the 12th. Board of Supervisors.. Good luck.

**Mays-Couch:** Thank you so much.



**Commissioner Gormus moved, Commissioner Gooden and it was unanimously carried by the Commission to move 21-ZMA283 on to the Board of Supervisors with approval.**

**Edmondston:** Next on the agenda this evening is public hearing for case 21-ZMA 284. This case was also introduced last month. The landowner an applicant is Kyanite Mining Corporation. It's tax map 172 parcel 78 approximately 32 acres located off Plank Road State Route 600, colonial pipeline crosses this property it has no 911 address. It's in the Curdsville magisterial district. Kyanite mining corporation is asking the Planning Commission to recommend a public hearing date to hear the request for rezoning from agricultural A1 to industrial heavy M2 for the purpose of zoning consistency and continuation. I believe Kristin Gee. Yes. is in the audience with us on behalf of Kyanite Mining Corporation to address any questions or concerns you may have.

**Bowe:** Okay, we'll open the public hearing.

**Edmondston:** We have no one signed up to speak Mr. Bowe.

**Bowe:** We will close the public hearing. Would you like to come to the podium please, ma'am?

**Kristen Gee:** Good evening.

**Bowe:** Good evening to you. Commissioners help yourselves.

**Bickford:** Miss Gee I have a question. I wasn't here for the introduction of this. I was just asking, I saw those concerns about notifying Mrs. Thomas on... when you're mining on this property, what is the requirements as a buffer for property lines is 50 feet? Is there anything that says you can't go that close to the property line or what is it?

**Gee:** For mining purposes? You mean? I'm actually not John I am going to need you. I brought him along just in case. I don't know of there being a buffer.

**Bickford:** I didn't know either. I was just asking. Do you know if there's a buffer?

**John Snoddy:** I think that division mineral mining does have a buffer to the property line. I don't know what that is, if you can visualize this property, and the closest neighbor to the property might be Mrs. Thomas.

**Bickford:** Well, they don't live there.

**Snoddy:** But that is the closest property owner. We'll call it that. But before that piece of property, as you're traveling from north south along. As you're looking at that piece of property on a map, the colonial pipeline right away, runs, basically, South West to North East, I'll say, and we would never mine because of that right away any further south than the right way, because there are a couple of pipes in the ground.

**Bickford:** Understandable.

**Snoddy:** And so the piece of property that you're referencing, Mrs. Thomas's property is even further south than that. So we wouldn't even get to our own property line, much less property boundaries set back set forth by the DMM.

**Bickford:** That was just a question. I felt I was pretty sure I was going to get so that's the reason I asked, appreciate you.

**Snoddy:** Your very welcome.

**Bickford:** Mr. Chairman that's all I have.

**Allen:** I was trying to look it up while yall talk go ahead.

**Gooden:** Mr. Chairman, looking at the map, this piece of property is surrounded by your own property anyway.

**Gee:** Yes. on two sides,.

**Gooden:** On all sides.

**Snoddy:** We are the only property owners who touch and we have no comment.



**Dorrier:** I'm like, Johnny, I wasn't at the meeting last time, but will this use be used for mining?

**Snoddy:** Yes, sir.

**Dorrier:** It will be?

**Snoddy:** Yes.

**Dorrier:** Okay. That was something I needed to clear up.

**Gee:** In addition to the quarry.

**Dorrier:** So okay. Additionally.

**Bowe:** Just for my own curiosity, all the mining thus far has been up on the mountain. This is kind of in the valley. Does this have to do with the vein or something?

**Snoddy:** No, sir. The quarries that we operate are, like you said on top of Willis mountain, but we also operate a quarry and have since the 70s. On the east Ridge, a mile and a half to the east of Willis mountain. So across the valley that you just referenced. And this piece of property crosses that ridge. So the most northern crossing that ridge line.

**Gormus:** Mr. Chairman, as I understand it, this is just a housekeeping issue, to get it in compliance with the rest of the mine around it. That's all it boils down to.

**Bowe:** So would you want to make a motion?

**Gormus:** I would like to make a motion that we move this long with our approval. And as for the approval of the Board of Supervisors.

**Bickford:** I second

**Bowe:** Motion has been made and seconded. All in favor, raise your right hand. Approved. Y'all will go to the board on the 12th of July. Good luck.

**Gormus:** Thank you all very much for doing business in Buckingham.

**Commissioner Gormus moved, Commissioner Bickford and it was unanimously carried by the Commission to move 21-ZMA284 on to the Board of Supervisors with approval.**

**Wright:** \*Inaudible\*

**Bickford:** I did some work for forestry company on 652 Bridgeport Road and we needed to leave a 50 foot buffer. Appreciate that Mr. Wright.

**Bowe:** Reports.

**Edmondston:** Your building permit report is included in the packet for informational purposes. And at this time, I don't have anything.

**Bowe:** Commission matters and concerns hearing none.

**Bickford:** I make a motion we adjourn, Mr. Chairman.

**Gormus:** A Second.

**Bowe:** Motion has been made and seconded. All in favor, raise your right hand. Unanimous. Adjourned.

**Commissioner Gormus moved, Supervisor Allen seconded, and was unanimously carried by the Commission to adjourn the meeting.**

There being no further business, Chairman Bowe declared the meeting adjourned.

ATTEST:

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Nicci Edmondston  
Zoning Administrator

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Patrick Bowe  
Chairman



- 2) All feed cables shall be hidden within the monopole and all access ports shall be sealed to prevent wildlife intrusion; and
- 3) Prior to permitting, Applicant shall provide a letter from the tower manufacturer certifying the proposed tower can support a minimum of six (6) arrays of similar design, including the primary user. The letter shall be signed by a licensed Virginia Registered Professional engineer; and,
- 4) If an emergency power backup generator is used, its noise level shall not exceed 65dBa at the nearest property edge. Testing shall be limited to the hours between 9:00A.M. and 4:00P.M, (Monday through Friday); and,
- 5) Should the highest antennas arrays be lowered in the future for capacity needs, the unused top portion of the tower shall be removed; and,
- 6) No advertising shall be installed on the fencing near the ground compound; and,
- 7) That all federal, state and local regulations, ordinances and laws be strictly adhered to.
- 8) In the event that any one or more of the conditions is declared void for any reason whatever, such decision shall not affect the remaining portion of the permit, which shall remain in full force and effect, and for this purpose, the provisions of this are hereby declared to be severable.
- 9) That any infraction of the above mentioned conditions could lead to a stop order and discontinuation of the special use permit, if it be the wishes of the Planning Commission or Board of Supervisors.
- 10) The County Zoning Administrator and one other County staff member, as appointed by the County Administrator, shall be allowed to enter the property, with proper notice, if a complaint is registered against the property for noncompliance with this permit. Any complaints not solely related to this permit will be given to the appropriate department or agency.
- 11) If the building permit is not obtained within six (6) months from the date of approval then the Special Use Permit shall be null and void.
- 12) That the applicant (s) understands the conditions and agrees to the conditions.
- 13) Tower shall not be constructed until a tenant is ready to locate on the tower immediately after building.
- 14) The construction of the tower must be complete within 2 years from the date of approval or this permit will be null and void.



15) The tower shall be constructed to fall within the lease area upon failure. Upon seeking a building permit, the applicant must certify and provide construction plans showing the break point technology.

What are the wishes of the Planning Commission?

Set a hearing, date and time?

August 23, 2021 7pm?



June 2, 2021

VIA Email and Federal Express

Nicci Edmondston  
Zoning Administrator  
Buckingham County Planning Office  
P O Box 252  
Buckingham, VA 23921

Andrew M. Condlin  
Richmond Office  
(804) 977-3373 (direct)  
acondlin@rothjackson.com

RE: SUP Application for 12994 Howardsville Road with Parcel ID: 13-12

Dear Ms. Edmondston:

At long last I believe we have everything necessary to complete the amendment of the SUP application for the above property on behalf of Cellco Partnership d/b/a Verizon Wireless to reduce the height of the requested tower from a height of 240' down to 199'. Accordingly, we would like to supplement and amend the existing application pending before the County and therefore provide the following revised and additional items:

1. Copy of Application for Special Use Permit previously submitted with a reference to the Applicant's Narrative.
2. Revised Applicant's Narrative providing an explanation of the request, with the following additional items to supplement and amend the existing application:
  - a. Revised Photo-simulated renderings
  - b. Revised Zoning Drawings dated January 27, 2021 (4 pages)
  - c. Verizon Certification Letter dated April 29, 2021
  - d. Engineer's Structural Certification Letter Dated February 25, 2021
  - e. Certification of Applicant dated November 6, 2020
  - f. Letter to other carriers dated May 2, 2021

As part of the prior application, we had previously paid the necessary fees. Per the enclosed email, those fees will cover the amendment to reduce the height.

Please let me know if you have any questions or need anything further. Thank you for your attention to this matter and I look forward to working with you.

Sincerely,

Andrew M. Condlin

{01234742;v1}

**RICHMOND**

1519 Summit Avenue, Suite 102, Richmond, VA 23230  
P: 804-441-8440 F: 804-441-8438

**TYSONS CORNER**

8200 Greensboro Drive, Suite 820, McLean, VA 22102  
P: 703-495-2525 F: 703-495-2526

Ms. Nicci Edmondston  
June 2, 2021  
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Enclosures

{01234742;v1}



**RICHMOND**

1519 Summit Avenue, Suite 102, Richmond, VA 23230

P: 804-441-8440 F: 804-441-8439

**TYSONS CORNER**

8200 Greensboro Drive, Suite 820, McLean, VA 22102

P: 703-441-1111

**SPECIAL USE PERMIT APPLICATION CHECKLIST**  
BUCKINGHAM COUNTY OFFICE OF ZONING AND PLANNING MINIMUM SUBMISSION  
REQUIREMENTS

The following table lists the information necessary to review a special use application. All items are required, unless otherwise stated, and must be submitted in order for the application to be accepted for review. This completed checklist must be submitted with the application.

**Adjacent Property Owners List and Affidavit** (pages 4, 5 & 6 attached). This list can be obtained from the Clerk of Courts Office: ☒ YES ☐ NO

**Completed application for special use permit** (page 3 attached). If not signed by the owner, a Power of Attorney must accompany the application: ☒ YES ☐ NO

**Interest Disclosure Affidavit** (page 7 attached). Must be signed by the owner: ☒ YES ☐ NO

**Power of Attorney** (page 10 attached). Required if anyone other than the owner is signing the application form or proffer statement on behalf of the owner: ☒ YES ☐ NO

**Written Narrative** (page 11 guidance in preparing the Written Narrative): ☒ YES ☐ NO

**Fees:** ☒ YES ☐ NO

**Deed:** YES ☒ NO

**Plat** (15 copies). The plat information may be incorporated into the Special Use Permit General Site Plan, in which case, copies of a separate plat are not required. The plat must be prepared by a certified land surveyor or licensed civil engineer and contain the following:

- A. Bearings and distances of a scale of 1" = 100' or less for all property lines and existing and proposed zoning lines: ☒ YES ☐ NO
- B. Area of land proposed for consideration, in square feet or acres: ☒ YES ☐ NO
- C. Scale and north point: ☒ YES ☐ NO
- D. Names of boundary roads or streets and widths of existing right-of-ways: ☒ YES ☐ NO

**Tax Map** (15 copies). Identify property that special use is being considered for and identify by name all adjacent landowners.

**Special Use General Site Plan (15 copies)** The General Site Plan must contain the following:

1. Vicinity Map – Please show scale: ☒ YES NO N/A
2. Owner and Project Name: ☒ YES NO N/A
3. Parcel Identification numbers, name, present zoning, and zoning and use of all abutting or adjoining parcels: ☒ YES NO N/A
4. Property lines of existing and proposed zoning district lines: ☒ YES NO N/A
5. Area of land proposed for consideration, in square feet or acres: ☒ YES NO N/A
6. Scale and north point: ☒ YES NO N/A
7. Names of boundary roads or streets and widths of existing right-of-ways: ☒ YES NO N/A
8. Easements and encumbrances, if present on the property: ☒ YES NO N/A
9. Topography indicated by contour lines: ☒ YES NO N/A
10. Areas having slopes of 15% to 25% and areas having slopes of 25% or greater clearly indicated by separate shading devices (or written indication of "no areas having slopes of 15% to 25% or greater"): ☒ YES NO N/A
11. Water Courses to include the approximate location of the 100 year floodplain (if applicable) based on FEMA maps (or written indication of "not in floodplain"): YES NO ☒ N/A
12. Delineation of existing mature tree lines or written indication of "no mature tree lines": ☒ YES NO N/A
13. Proposed roads with right-of-way width that will connect with or pass through the subject property: ☒ YES NO N/A
14. General locations of major access points to existing streets: ☒ YES NO N/A
15. List of the proposed density for each dwelling unit type, and/or intensity of each non-residential use: YES NO ☒ N/A
16. Location of any open space and buffer areas, woodland conservation areas, storm water management facilities, and community and public facilities: YES NO ☒ N/A
17. Location of existing and proposed utilities, above or underground: ☒ YES NO N/A
18. Vehicular and pedestrian circulation plan, including traffic counts and typical street sections, right-of-way improvements, access points, travel ways, parking, loading, stacking, sidewalks, and trails: YES NO ☒ N/A
19. Layouts and orientation of buildings and improvements, building use, height, setbacks from property lines and restriction lines: ☒ YES NO N/A
20. Location and design of screening and landscaping: ☒ YES NO N/A
21. Building architecture: ☒ YES NO N/A
22. Site lighting proposed: ☒ YES NO N/A
23. Area of land disturbance in square feet and acres: ☒ YES NO N/A
24. Erosion and Sediment Control Plan submitted (10,000 square feet or more): YES ☒ NO N/A 

Will be provided during further permit submissions prior to construction
25. Historical sites or gravesites on general site plan: ☒ YES NO N/A
26. Show impact of development of historical or gravesite areas: ☒ YES NO N/A
27. A copy of the current status of all real estate taxes of all property owned in Buckingham County. If real estate taxes are not current, an explanation in writing and signed by the owner shall accompany this application. Any liens or other judgments against property shall also be explained in writing and signed by the owner: YES NO ☒ N/A

**APPLICATION FOR A SPECIAL USE PERMIT**

CASE NUMBER: \_\_\_\_\_

(Case Number Assigned by Zoning Administrator)

DATE OF APPLICATION: 02-OCT-2020

Special Use Permit Request: Cellco Partnership d/b/a Verizon Wireless propose to construct  
a new 250 ft (254 ft including all appurtences) communications facility

Purpose of Special Use Permit: The Applicant kinds directs you to the project narrative  
provided with this application for further details.

Zoning District: A-1 Number of Acres: 300.92+/-

Tax Map Section: 13 Parcel: 12 Lot: \_\_\_\_\_ Subdivision: \_\_\_\_\_ Magisterial Dist.: \_\_\_\_\_

Street Address: 12994 Howardsville Road, Howardsville, VA 24562

Directions from the County Administration Building to the Proposed Site: See attached from  
Google Maps

Name of Applicant: Euan Fuller (Authorized Cellco Partnership Agent)

Mailing Address:  
1111 E Main St, Suite 1905, Richmond, VA 23219

Daytime Phone: 804-510-6888 Cell Phone: \_\_\_\_\_

Email: efuller@bci-mail.com Fax: N/A

Name of Property Owner: Monmouth Farm, LLC

Mailing Address:  
Please direct contact to Authorized Agent above

Daytime Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

Email: \_\_\_\_\_ Fax: \_\_\_\_\_

Signature of Owner: Elizabeth J. Raich Date: Oct 2, 2020

Signature of Applicant: ESME Date: 02-OCT-2020

Please indicate to whom correspondence should be sent:

☐ Owner of Property ☐ Contractor Purchaser / Lessee ☒ Authorized Agent ☐ Engineer  
☐ Applicant



## ADJACENT PROPERTY OWNER'S LIST

(Required)

The applicant shall provide a list of all adjoining landowners, including subject property and all property immediately across the street/road from the subject property. Any body of water does not constitute a boundary line for this purpose, therefore a body of water and the property adjoining the subject property but separated by a body of water is still considered an adjoining landowner. County boundary lines and those adjoining property owners in the next County are considered adjoining property owners if the land adjoins the subject's property. Adjoining landowners can be verified through the Buckingham County Clerk of Courts or the Clerk's Office in the adjoining County, or by personal contact. The list shall include the name, address, town/city, zip code, road route number, tax map section number, parcel number, lot number, and subdivision. The list shall be typewritten or printed legibly. Failure to list all adjoining landowners could delay the process.

1. Name: SEE ATTACHED LIST

Mailing Address: \_\_\_\_\_

Physical Address: \_\_\_\_\_

Tax Map Section: \_\_\_\_\_ Parcel: \_\_\_\_\_ Lot: \_\_\_\_\_ Subdivision: \_\_\_\_\_

2. Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Physical Address: \_\_\_\_\_

Tax Map Section: \_\_\_\_\_ Parcel: \_\_\_\_\_ Lot: \_\_\_\_\_ Subdivision: \_\_\_\_\_

3. Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Physical Address: \_\_\_\_\_

Tax Map Section: \_\_\_\_\_ Parcel: \_\_\_\_\_ Lot: \_\_\_\_\_ Subdivision: \_\_\_\_\_

4. Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Physical Address: \_\_\_\_\_

Tax Map Section: \_\_\_\_\_ Parcel: \_\_\_\_\_ Lot: \_\_\_\_\_ Subdivision: \_\_\_\_\_

6. Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Physical Address: \_\_\_\_\_

Tax Map Section: \_\_\_\_\_ Parcel: \_\_\_\_\_ Lot: \_\_\_\_\_ Subdivision: \_\_\_\_\_

7. Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Physical Address: \_\_\_\_\_

Tax Map Section: \_\_\_\_\_ Parcel: \_\_\_\_\_ Lot: \_\_\_\_\_ Subdivision: \_\_\_\_\_

8. Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Physical Address: \_\_\_\_\_

Tax Map Section: \_\_\_\_\_ Parcel: \_\_\_\_\_ Lot: \_\_\_\_\_ Subdivision: \_\_\_\_\_

9. Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Physical Address: \_\_\_\_\_

Tax Map Section: \_\_\_\_\_ Parcel: \_\_\_\_\_ Lot: \_\_\_\_\_ Subdivision: \_\_\_\_\_

10. Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Physical Address: \_\_\_\_\_

Tax Map Section: \_\_\_\_\_ Parcel: \_\_\_\_\_ Lot: \_\_\_\_\_ Subdivision: \_\_\_\_\_

11. Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Physical Address: \_\_\_\_\_

Tax Map Section: \_\_\_\_\_ Parcel: \_\_\_\_\_ Lot: \_\_\_\_\_ Subdivision: \_\_\_\_\_

## ADJACENT PROPERTY OWNERS AFFIDAVIT

STATE OF VIRGINIA  
COUNTY OF BUCKINGHAM

This 02 day of OCTOBER, year 2020

I EWAN FULLER hereby make oath that  
(printed name of owner/contract purchaser/authorized agent)

the list of adjoining landowners is a true and accurate list as submitted with my application.

Signed: (to be signed in front of notary public)

EWAN FULLER

( owner / contract purchaser / authorized agent - please circle one )

NOTARY:  
COMMONWEALTH OF VIRGINIA

COUNTY OF Richmond City

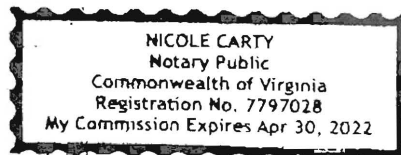
STATE OF Virginia

Subscribed and sworn to me on the 2<sup>nd</sup> day of October

of the year 2020. My Commission expires on April 30, 2022.

Notary Public Signature: Nicole Carty

Stamp:



## INTEREST DISCLOSURE AFFIDAVIT

STATE OF VIRGINIA  
COUNTY OF BUCKINGHAM, VIRGINIA

On this 02 day of OCTOBER, of the year 2020

I, Elizabeth F. Raich (printed name of owner)

hereby make oath that no member of the Buckingham County Board of Supervisors nor the Buckingham County Planning Commission has interest in such property either individually, or by ownership of stock in a corporation owning such land, or by partnership, or as a holder of ten percent (10%) or more of the outstanding shares of stock in or as a director or officer of any corporation owning such land, directly or indirectly by such members of his/her immediate household, except as follows:

N/A

Signature of Owner: (to be signed in front of notary public)

Elizabeth F. Raich

NOTARY PUBLIC

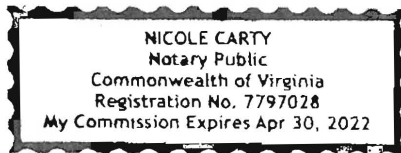
COUNTY OF Richmond City STATE OF Virginia

Subscribed and sworn to me on this 2<sup>nd</sup> day of October

of the year 2020. My commission expires April 30, 2022.

Notary Public Signature: Nicole Cartz

Stamp:



**CULTURAL RESOURCE ASSESSMENT AND RECORD CHECK FOR  
PENDING DEVELOPMENT APPLICATIONS**

Case Number / File Name: \_\_\_\_\_

Visual Inspection Findings (describe what is on the property now):

This property is being fully screened as part of the necessary NEPA/ SHPPO filing  
requirements for new communication facilities. At this time no adverse findings have been  
brought to the attention of the project team. All approvals will be forwarded in due course.

County Records Check (describe the history of this property):

See above  
\_\_\_\_\_  
\_\_\_\_\_

Were any historical sites or gravesites found on site, or be suspected by a reasonable person to be on the site? Yes \_\_\_\_\_ No x \_\_\_\_\_

If yes, please explain and show on the site plan the location of such and explain any historical significance:

There is the old family cemetery on the same parcel as the proposed facility, this is clearly  
marked on the zoning drawings provided. The proposed facility and access have been designed  
to avoid this. As per previous, all NEPA and SHPPO findings will be provided in due course.

Will this proposal have any impact on the historical site or gravesite? Yes \_\_\_\_\_ No x \_\_\_\_\_

If yes, please explain any impact:

The proposed facility is designed to avoid the family cemetery. There has been no adverse  
impact brought to the attention of the project team at the time of filing. All necessary approvals  
will be provided in due course prior to construction.

Owner/Applicant Signature: ESM Date: 02 Oct 2020

Printed Name: Euan Fullin Title: QA Director  
(Validation with NEPA AUTHORIZED SIGNATURE)

### APPLICATION FOR A TRAFFIC IMPACT DETERMINATION

Please fill out the following information before presenting to VDOT:

Case Number / File Name: \_\_\_\_\_

Applicant: \_\_\_\_\_ Euan Fuller (Cellco Partnership Authorized Agent)

Location: \_\_\_\_\_ 12994 Howardsville Road, Howardsville, VA 24562

Proposed Use: \_\_\_\_\_ New communications facility

**For VDOT use only:**

\_\_\_\_\_ A Traffic Impact Statement is required per 24 VAC 30-155-60.

\_\_\_\_\_ A Traffic Impact Statement is not required. The traffic generated by the proposed zoning change / development does not exceed normal thresholds.

\_\_\_\_\_ The Traffic Impact Analysis has been waived by the Zoning / Planning Department for the following reasons:

\_\_\_\_\_  
\_\_\_\_\_

Does the existing entrance meet VDOT requirements for the proposed use?

Yes \_\_\_\_\_ No \_\_\_\_\_ If no, please explain the necessary steps to bring into compliance with the requirements for the proposed use:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature of VDOT Resident Engineer: \_\_\_\_\_

Printed Name: \_\_\_\_\_ Date: \_\_\_\_\_



## SPECIAL POWER OF ATTORNEY AFFIDAVIT

STATE OF VIRGINIA  
COUNTY OF BUCKINGHAM

On this 02 day of OCTOBER in the year of 2020

I, Elizabeth F. Raich the owner of 13-12  
(printed name of landowner) (Tax Map Number)

CELCO PARTNERSHIP d/b/a VERIZON WIRELESS

Hereby make, constitute, and appoint AND THEIR AUTHORIZED REPRESENTATIVES  
(printed name)

my true and lawful attorney-in-fact, and in my name, place, and stead give unto him/her said full power and authority to do and perform all acts and make all representation necessary, without limitation whatsoever, to make application for said zoning. The right, powers, and authority of said attorney-in-fact herein granted shall commence and be in full force and effect on the day 02 of the month OCTOBER in the year of 2020 and shall remain in full force and effect thereafter until actual notice by certified mail with return receipt requested is received by the Zoning / Planning Office of Buckingham County stating that the terms of this power have been revoked or modified.

Signature of Landowner (to be signed in front of Notary Public):

Elizabeth F. Raich

NOTARY PUBLIC

County of Richmond City State of Virginia

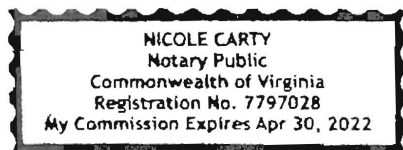
Subscribed and sworn before me on the 2nd day of October

in the year 2020. My commission expires April 30, 2022.

Signature of Notary Public:

Nicole Carty

Stamp:



## **WRITTEN NARRATIVE**

The Written Narrative shall describe the relationship of the proposed project to the relevant components of the Comprehensive Plan. Please be very detailed and describe in depth each and every component 1 through 15. The following outline is provided to aid you in preparing the written narrative:

1. Land Use
2. Community Design
3. Cultural Resources
4. Economic Development
5. Environment
6. Fire and Rescue, Law Enforcement
7. Housing
8. Libraries
9. Parks and Open Spaces
10. Potable Water
11. Sewage
12. Schools
13. Telecommunications
14. Transportation
15. Solid Waste

If this proposal is for an event, describe the handling of the entire event, including but not limited to: number of participants, schedule of events, police, security, food, beverages, water, sanitation, emergencies, crowd control, entrances and exits, traffic control, signage, advertisement, parking, fee collection, control of animals, trash disposal, site clean-up, fighting, alcohol, abuse of alcohol and/or illegal substances

## SIGNAGE AT PROPERTY

The Buckingham County Zoning Ordinance requires the following:

The applicant in any case which requires a public hearing shall post signs furnished by the agent on each parcel involved at least 21 days prior to the public hearing indicating that a public hearing is eminent, the date, a rezoning issue, and a County contact number. The signs shall be placed on the VDOT right-of-way closest to the applicant's property line and shall be clearly visible from the road with bottom of the sign not less than one and one half feet above the ground. If more than one public road abuts the property, the signs shall be placed in the same manner as above for each abutting road. If no road abuts a property, then the agent shall define an area for the signs. The agent may ask the applicant that the sign be moved to another area either on the property to achieve greater public visibility. The applicant shall be responsible for keeping the signs free from grass, weeds, and any other plants or vines that may obstruct the public's view. The applicant shall contact the Virginia Department of Transportation for any information concerning where the right-of-way is located. The applicant shall be responsible for the signs should VDOT or their contractor conduct mowing or clearing of the right-of-way in the area where the sign is located.

Any signs required shall be maintained at all times by the applicant up to the time of the final public hearing. No person, except the applicant or the agent or an authorized agent of either, shall remove or tamper with any sign furnished during the period it is required to be maintained under this section. All signs erected under this ordinance shall be removed by the applicant within 15 days following a decision at the final public hearing and shall be returned to the agent. The applicant shall purchase the signs at a fee as determined by the Board of Supervisors and shall be non-refundable. The applicant shall be responsible for the replacement of the sign(s) and shall contact the agent as soon as possible for another sign to be replaced as the manner described above. Should the sign(s) have to be replaced more than twice, this section shall no longer be forced upon the applicant.

I have read, understand and agree to the above requirements.

Applicant/Owner: ESM

Date: 02062020

## **TENTATIVE SCHEDULE FOR A SPECIAL USE PERMIT**

The application, site plan, written narrative, and all information requested in this application must be filled out in its entirety and supplied to the Buckingham Zoning / Planning Office and the fee must be paid before this case will be allowed to move forward.

Case will be introduced at a regularly scheduled Planning Commission meeting held on the fourth Monday of every month. Planning Commission may set a Public Hearing at this time to be held during a regularly scheduled meeting. Public Hearings offer an opportunity for citizens to speak concerning the case.

Following the Planning Commission Public Hearing, the Planning Commission may make a recommendation to approve / deny / or table the case for more information. Once the Planning Commission makes a recommendation to approve or deny, this recommendation will be forwarded to the Board of Supervisors at their next regularly scheduled meeting. The Board of Supervisors meetings are held on the second Monday of every month. The Board of Supervisors may set a Public Hearing at this time to be held during a regularly scheduled meeting. The Board of Supervisors will make the final decision to approve or deny the application after the public hearing.

### **Example Timeline:**

- |             |  |
|-------------|--|
| January 25  | Case is introduced to Planning Commission. Planning Commission sets Public Hearing for next regularly scheduled meeting on February 22.  |
| February 22 | Planning Commission Public Hearing. Planning Commission recommends to approve / deny / or table for more information. Once the Planning Commission reaches a decision to approve or deny, this recommendation will be forwarded to the Board of Supervisors at their next regularly scheduled meeting. |
| March 8     | Case is introduced to Board of Supervisors.  |
| April 12    | Board of Supervisors may approve / deny / table for more information.  |

The Planning Commission and the Board of Supervisors has a right to call extra public hearings at their discretion if the Board(s) decide they are needed.

You or your agent are encouraged to attend these meetings to answer any questions that may arise concerning your application / proposal. The County strongly encourages the applicant to visit the area around his proposed site and understand what the adjoining landowner concerns are.

**County of Buckingham, Virginia**  
**Supplemental Letter**  
**Application for New Structure**



2423 S. Orange Avenue, #317  
Orlando, FL 32806  
Tel: 877.438.2851 Fax: 877.220.4593

July 12, 2021

Ms. Nicci Edmondston  
Zoning Administrator  
County of Buckingham  
13380 W. James Anderson Highway  
Buckingham, VA 23921

**Applicant/Provider:** Euan Fuller on behalf of Celco Partnership d/b/a Verizon Wireless  
**Provider Site Name:** VZW – Howardsville – Rawland  
**Site Location:** 12994 Howardsville Road, James River District 5, Buckingham County, VA  
**Latitude:** N 37° 44' 05.83" **Longitude:** W 78° 37' 55.14"  
**Proposed Structure:** 195' Monopole (199' including appurtenances)

Dear Ms. Edmondston,

At the request of Buckingham County ("County"), CityScape Consultants, Inc. ("CityScape") is providing this supplemental letter and follow-up review to its original review dated July 2, 2021 for an application for a new wireless facility proposed by Euan Fuller on behalf of Verizon Wireless ("Applicant"). This facility is intended to accommodate the antennas for Verizon and up to five (5) future co-locators. The Applicant has recently revised its proposal to specify a *monopole* tower instead of a *self-supporting lattice* tower and has submitted Plan Drawings to support this change in the Application. The monopole would be the same overall height above ground of 199 feet (195-foot monopole plus the four-foot lighting rod, *see Figure 1*) and at exactly the same location.

The Applicant also submitted documents to respond to CityScape's concerns of completeness of the proposal, as follows: 1) a Structural Letter signed by a Virginia Professional Engineer stating that the monopole will be designed by the tower manufacturer to collapse within the ground lease area, i.e., have a fall radius of 50 feet or less, *see Figure 2*, and; 2) an airspace navigation obstruction analysis performed by Federal Airways & Airspace demonstrating that the structure at 199 feet above ground would not exceed Federal aviation obstruction standards, and thus would not require FAA notification nor have aviation obstruction lighting installed.

CityScape has determined that the Applicant's latest submittal of documents fully support the issues that were intended to be addressed. Should the County approve the Application as modified, the following should be added to the list of recommended conditions: All feed lines shall be routed inside the monopole shaft and all antenna ports on the tower shall be sealed to prevent wildlife intrusion.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "B. Benjamin Evans".

B. Benjamin Evans  
Senior Project Engineer  
CityScape Consultants, Inc.

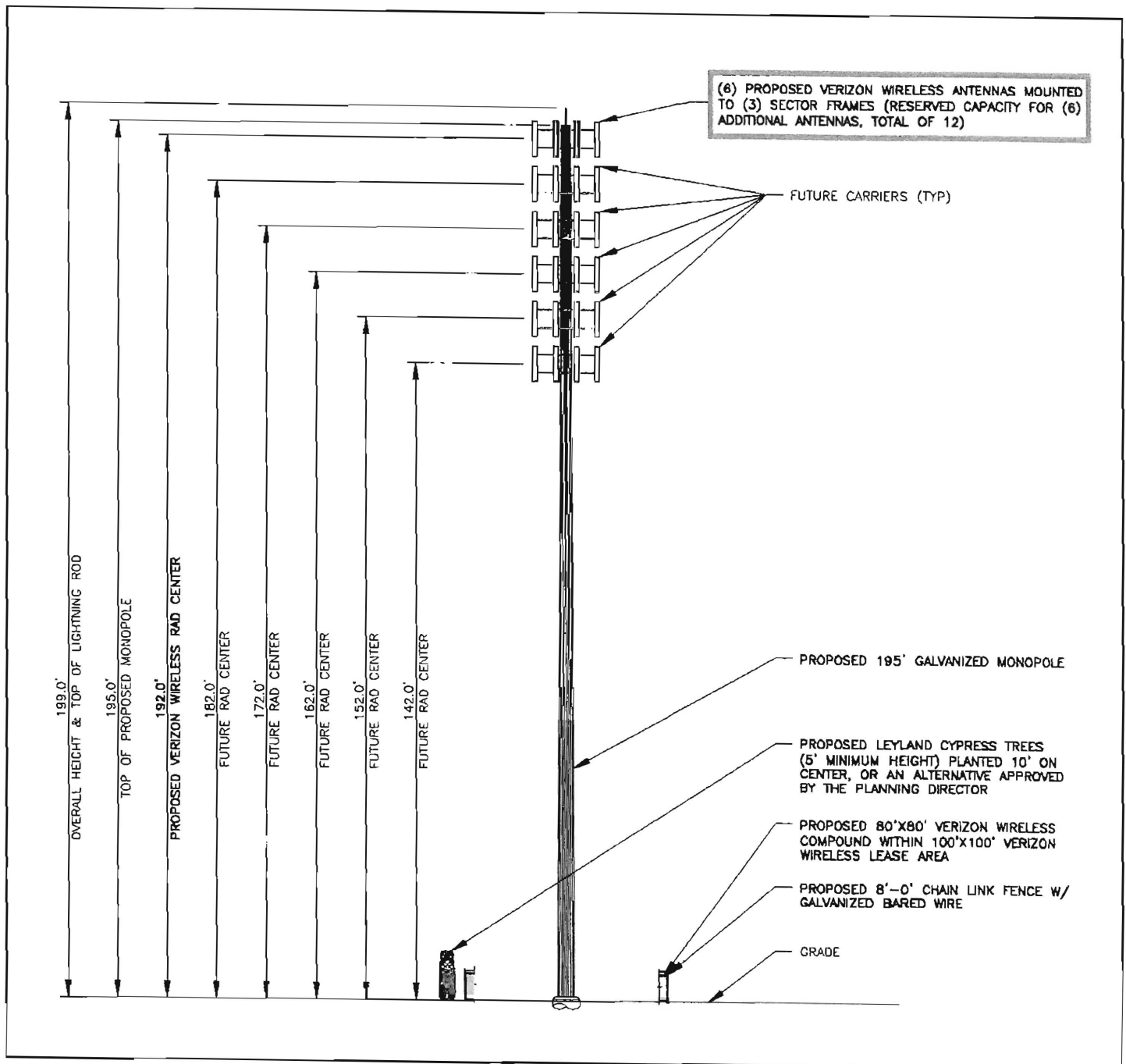


Figure 1. Tower Elevation Sketch





July 1, 2021

RE: TEC. W.O. NO.: 9820.HOWARDSVILLE  
VZW - HOWARDSVILLE  
12994 HOWARDSVILLE RD  
HOWARDSVILLE, VA 24562  
BUCKINGHAM COUNTY  
CERTIFICATION LETTER - REVISION 2

To Whom It May Concern,

This letter is written to address the proposed Verizon Wireless cell site installation located in Howardsville, Virginia at the following coordinates: N 37° 44' 5.83", W 78° 37' 55.14'.

The proposed cell site structure will be designed to adhere to the TIA-222-G-2005 Structural Standard for Antenna Supporting Structures and Antennas. In addition, the structure will adhere to the 2015 Virginia Uniform Statewide Building Code and any other local, state, and federal codes and requirements.

The proposed 195-foot monopole will be designed by the tower manufacturer to collapse within the ground lease area. The ground lease area is 100 feet by 100 feet with the monopole being proposed in the center of the lease area; therefore, the proposed monopole should be designed with a fall zone radius of 50 feet or less.

Furthermore, the monopole will be designed by the tower manufacturer with adequate structural capacity to support the collocation of equipment of at least five (5) additional wireless service providers.

If you have any questions or require additional information, please contact me at (804) 305-8936.

Sincerely,  
Tectonic Engineering Consultants P.C.

  
Graham L. Evans, P.E.  
Project Manager



Graham Evans  
I have reviewed this document  
2021-07-01 14:56:04:00

**Henrico Office**

3951 Westerre Parkway Suite 160 | Henrico, VA 23233  
804 217 8504 Tel | 804 270 0593 Fax

tectonicengineering.com  
Equal Opportunity Employer

**Figure 2. Structural Letter**



1831 Rady Court, Richmond, VA 23222

---

April 29, 2021

Buckingham County  
Zoning and Planning  
13360 W. James Anderson Hwy  
Buckingham, VA 23921

RE: Proposed Verizon Wireless Facility: 12994 Howardsville Road, Buckingham County VA


To whom it may concern,

Please allow this letter to serve as confirmation of the following:

- There are no existing wireless communications facilities or other structures in reasonably close proximity to the proposed facility that can be utilized by Verizon Wireless to accomplish the service improvements that are required by Verizon's customers.
- We have completed a thorough review of all existing structures in the greater geographic area within the County and surrounding the proposed facility. We have determined that the desired network improvements can only be achieved by building a new structure. These network improvements, which include highly necessary wireless broadband services, can only be accomplished in this part of the County with your approval of the proposed facility.

We respectfully request your approval of our Application for this project.

Sincerely,

  
Stefanie Lewis (May 5, 2021 11:56 EDT)

Stefanie M. Lewis  
Verizon  
Sr. Manager - Real Estate and Regulatory  
Washington/Baltimore/Virginia  
[Stefanie.lewis@verizonwireless.com](mailto:Stefanie.lewis@verizonwireless.com)

cc: Andrew Condlin, Esq.  
Linda French, Engr III Spec-RE/Regulatory  
Zelic Jones



May 24, 2021

Buckingham County  
Zoning and Planning  
13360 W. James Anderson Hwy  
Buckingham, VA 23921

To whom it may concern,

Please find attached three copies of the letters that were mailed to known wireless service providers in the county along with the certified mail receipt. These letters were sent out to meet the requirements stated in Article 9, Section Two: #1. (2)(b) of the Buckingham County Telecommunication zoning requirements.

Sincerely,

Zelic Jones  
Site Acquisition Manager  
BCI representing Verizon Wireless Network  
[zjones@bcj-mail.com](mailto:zjones@bcj-mail.com)  
715 N. 33rd Street  
Richmond, VA 23223



May 19, 2020

Dish Asset Management  
Attention: Mike Whorton  
4870 Sadler Road  
Suite #300  
Glen Allen, VA 23060

Mike,

Pursuant to the requirements of the Buckingham County Zoning Ordinance, Article 9 is hereby providing you with notice of our intent to meet with the county staff in a pre-application conference to discuss the location of a free-standing wireless communications facility that would be located at 12994 Howardsville Road, Howardsville, VA 24562 (37° 44' 5.83"N, 78° 37' 55.14"W). In general, we plan to construct a support structure of 195 feet in height for the purpose of providing wireless service. Please inform the County Staff if you have any desire for placing additional wireless facilities or equipment within 2 miles of our proposed facility. Please provide us and Buckingham Planning Department with this information within twenty business days after the date of this letter. Your cooperation is sincerely appreciated.

Sincerely,

Zelic Jones

Site Acquisition Specialist  
BCI representing Verizon Wireless  
804.901.5580 | [zjones@bci-mail.com](mailto:zjones@bci-mail.com)  
BCI | 715 N 33<sup>rd</sup> Street, Richmond VA, 23223  
[www.bammanconsulting.com](http://www.bammanconsulting.com)





May 19, 2020

AT&T Tower Asset Group  
Attention: VA/WV Market Tech  
1025 Lenox Park Blvd NE  
3<sup>rd</sup> Floor  
Atlanta, GA 30319

To Whom It May Concern:

Pursuant to the requirements of the Buckingham County Zoning Ordinance, Article 9 is hereby providing you with notice of our intent to meet with the county staff in a pre-application conference to discuss the location of a free-standing wireless communications facility that would be located at 12994 Howardsville Road, Howardsville, VA 24562 (37° 44' 5.83"N, 78° 37' 55.14"W). In general, we plan to construct a support structure of 195 feet in height for the purpose of providing wireless service. Please inform the County Staff if you have any desire for placing additional wireless facilities or equipment within 2 miles of our proposed facility. Please provide us and Buckingham Planning Department with this information within twenty business days after the date of this letter. Your cooperation is sincerely appreciated.

Sincerely,

Zelic Jones

Site Acquisition Specialist  
BCI representing Verizon Wireless  
804.901.5580 | [zjones@bci-mail.com](mailto:zjones@bci-mail.com)  
BCI | 715 N 33<sup>rd</sup> Street, Richmond VA, 23223  
[www.bammanconsulting.com](http://www.bammanconsulting.com)





---

May 19, 2020

T-Mobile Tower Asset Group  
Attention: VA Market  
200 Westgate Parkway  
Suite 200  
Richmond, VA 23233

To Whom It May Concern:

Pursuant to the requirements of the Buckingham County Zoning Ordinance, Article 9 is hereby providing you with notice of our intent to meet with the county staff in a pre-application conference to discuss the location of a free-standing wireless communications facility that would be located at 12994 Howardsville Road, Howardsville, VA 24562 (37° 44' 5.83"N, 78° 37' 55.14"W). In general, we plan to construct a support structure of 195 feet in height for the purpose of providing wireless service. Please inform the County Staff if you have any desire for placing additional wireless facilities or equipment within 2 miles of our proposed facility. Please provide us and Buckingham Planning Department with this information within twenty business days after the date of this letter. Your cooperation is sincerely appreciated.

Sincerely,

Zelic Jones

Site Acquisition Specialist  
BCI representing Verizon Wireless  
804.901.5580 | [zjones@bci-mail.com](mailto:zjones@bci-mail.com)  
BCI | 715 N 33<sup>rd</sup> Street, Richmond VA, 23223  
[www.bammanconsulting.com](http://www.bammanconsulting.com)

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05/24/2021 0065 03

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Extra Services & Fees (check box, add fee):  
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☐ Return Receipt (electronic) \$0.00  
☐ Certified Mail Restricted Delivery \$0.00  
☐ Adult Signature Required \$0.00  
☐ Adult Signature Restricted Delivery \$0.00

Postage \$0.55

Total Postage and Fees \$4.15

Sent To: Dign Act - M. Ke. Wharton  
 Street and Apt. No. or PO Box No. 6810 S. Allen Road, Suite 300  
 City, State, ZIP+4® Glen Allen, VA 23060

PS Form 3800, April 2015 PSN 7530-02-000-9001 See Reverse for Instructions

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 City, State, ZIP+4® Glen Allen, VA 23060

PS Form 3800, April 2015 PSN 7530-02-000-9001 See Reverse for Instructions



February 25, 2021

**RE: TEC. W.O. NO.: 9820.HOWARDSVILLE  
VZW – HOWARDSVILLE  
12994 HOWARDSVILLE RD  
HOWARDSVILLE, VA 24562  
BUCKINGHAM COUNTY  
CERTIFICATION LETTER – REVISION 1**

To Whom It May Concern,

This letter is written to address the proposed Verizon Wireless cell site installation located in Howardsville, Virginia at the following coordinates: N 37° 44' 5.83", W 78° 37' 55.14'.

The proposed cell site structure will be designed to adhere to the TIA-222-G-2005 Structural Standard for Antenna Supporting Structures and Antennas. In addition, the structure will adhere to the 2015 Virginia Uniform Statewide Building Code and any other local, state, and federal codes and requirements.

The proposed 195-foot self-support tower will be designed by the tower manufacturer to collapse within the subject parcel. The nearest property line is approximately 204 feet from the proposed tower center; therefore, the proposed self-support tower should be designed with a fall zone radius of 195 feet or less.

Furthermore, the tower will be designed by the tower manufacturer with adequate structural capacity to support the collocation of equipment of at least five (5) additional wireless service providers.

If you have any questions or require additional information, please contact me at (804) 305-8936.

Sincerely,  
*Tectonic Engineering Consultants P.C.*

  
Graham L. Evans, P.E.  
Project Manager



Graham L. Evans, P.E.  
I am approving this  
document  
2021-02-25 12:10-05:00

## Henrico Office

3951 Westerre Parkway, Suite 160 | Henrico, VA 23233  
804.217.8504 Te: | 804.270.0593 Fax

---

# **VISUAL RESOURCE EVALUATION**

## **PROPOSED 195' TALL TELECOMMUNICATIONS STRUCTURE**

**Howardsville  
12994 Howardsville Road  
Howardsville  
Buckingham County  
Virginia, 24562**

Submitted by:

**verizon**✓

1831 Rady Court  
Richmond, Virginia 23222

Prepared by:

**Tectonic**↗

PRACTICAL SOLUTIONS. EXCEPTIONAL SERVICE.

70 Pleasant Hill Road  
Mountainville, New York 10953  
845-534-5959  
845-534-5999 FAX

**March 3, 2021**

---

## **VISUAL RESOURCE EVALUATION**

Tectonic Engineering Consultants, Geologists & Land Surveyors, D.P.C. (Tectonic), was contracted by Verizon Wireless, the Client, to conduct a "Visual Resource Evaluation" to determine which areas within Howardsville that will contain views of the proposed 195 foot tall wireless telecommunications structure (199 feet with 4 foot lightning rod).

### **Setting:**

The proposed site is located off of 12994 Howardsville Road, Howardsville, Buckingham County, Virginia. The surrounding land use is primarily rural residential and agricultural. The predominant forest species are mixed deciduous and coniferous, with an estimated height of 30 to 60 feet. The field study for this visual resource evaluation was conducted in the fall season during leaf on conditions.

### **Methodology:**

On Tuesday, May 26, 2020, Tectonic conducted a field investigation for the purpose of evaluating the viewshed associated with the proposed installation of the 195 foot tall self-support lattice tower (structure) with a 4 foot lightning rod. Conditions were partly cloudy with wind speeds of approximately 1-3 mph. The study area consisted of a two (2) mile radius from the project site. The two (2) mile radius generally consists of residential development and wooded/undeveloped areas. Creating a viewshed greater than a two (2) mile radius is generally unwarranted. Due to the fact that objects tend to appear smaller the farther they are from the viewer, in this case, the structure would appear very small, if visible at all, from a distance of more than two (2) miles.

The methodology utilized during this field investigation is referred to as a "balloon test." The height of the proposed structure was simulated by floating a three-foot diameter, helium-filled weather balloon at 250 feet above ground level (AGL), which was the original proposed height of the structure. After the balloon test, the proposed overall height of the structure was reduced to 199 feet. The balloon provided reference points for height and location, and provides a known dimension that later aided in the production of photo simulations.

Photographs were taken from various vantage points within the study area to document the actual view towards the proposed structure, as well as the general character of the viewshed. Each photograph attached includes a brief description of the location and orientation from which it was taken, and the photo number corresponds to the key number on the viewshed map.

### **Process:**

Photographs of the weather balloon from the viewpoints noted were taken with a Nikon D3000 using a 18-55mm focal length lens, as determined by the field personnel to best mimic the view as observed from the human eye. A three foot (3') diameter red helium filled balloon was floated to a height of 250 feet AGL. This proposed height was later adjusted to a revised height of 195 feet AGL while the location remained in place. As such, a two step process was utilized to determine the original elevation and base point of the originally proposed 250 feet AGL, then a second round of scaling was performed in order to determine the revised 195 foot elevation point of the proposed 195 foot tower.

In order to analyze the potential visual impacts of the proposed structure, Tectonic took photographs of the balloon from locations within the search area for the purpose of preparing simulations of the proposed structure. Photographs for which there is a corresponding simulated view (#1, 3, 6, and 9) of the proposed structure were produced by first photographing an existing similar type structure, then photographing the view towards the proposed site where the marker balloon was set to the original proposed height of 250 feet AGL. The digital images of the balloon and similar structure were then merged and scaled through the use of the image editing software, "Adobe Photoshop CS5." With this process, the structure is scaled to the correct, revised height of 195 feet AGL and width by scaling the similar type structure using measurements from the marker balloon. The similar type structure used has an antenna array that spans twelve (12) feet. By measuring the balloon width of 3 feet, one can determine the proper width of the antenna array by multiplying the balloon width by four (4).


**Conclusion:**

The Viewshed Analysis Map presents a conservative delineation of the viewshed within the study area and along public roadways and public parks. The photo simulations have been prepared per the methodology described above and provide a general depiction of the appearance of the structure from the photographed viewpoints.

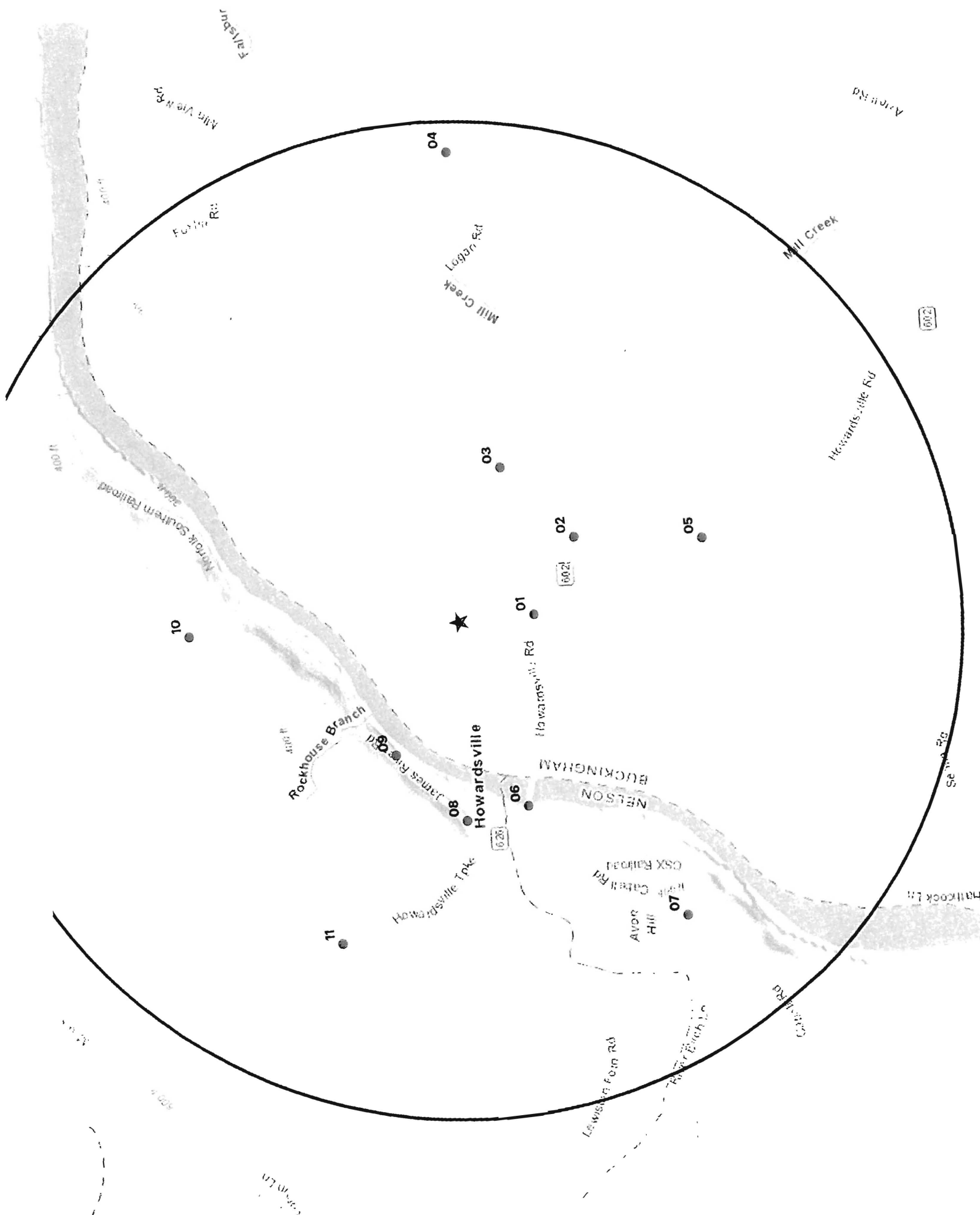
Sincerely,

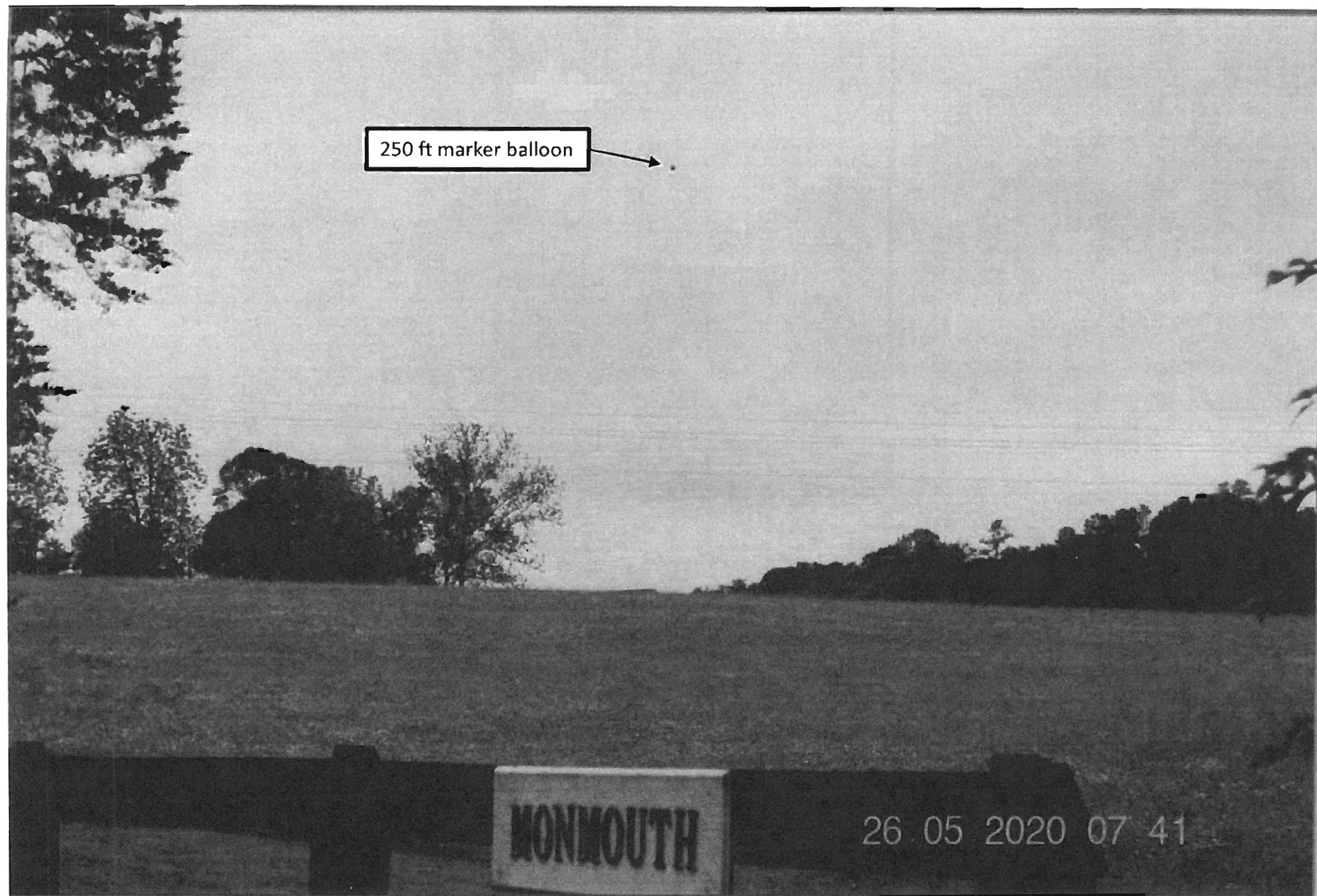
TECTONIC ENGINEERING CONSULTANTS, GEOLOGISTS & LAND SURVEYORS, D.P.C.

By:   
Dina Peoples  
GIS Specialist

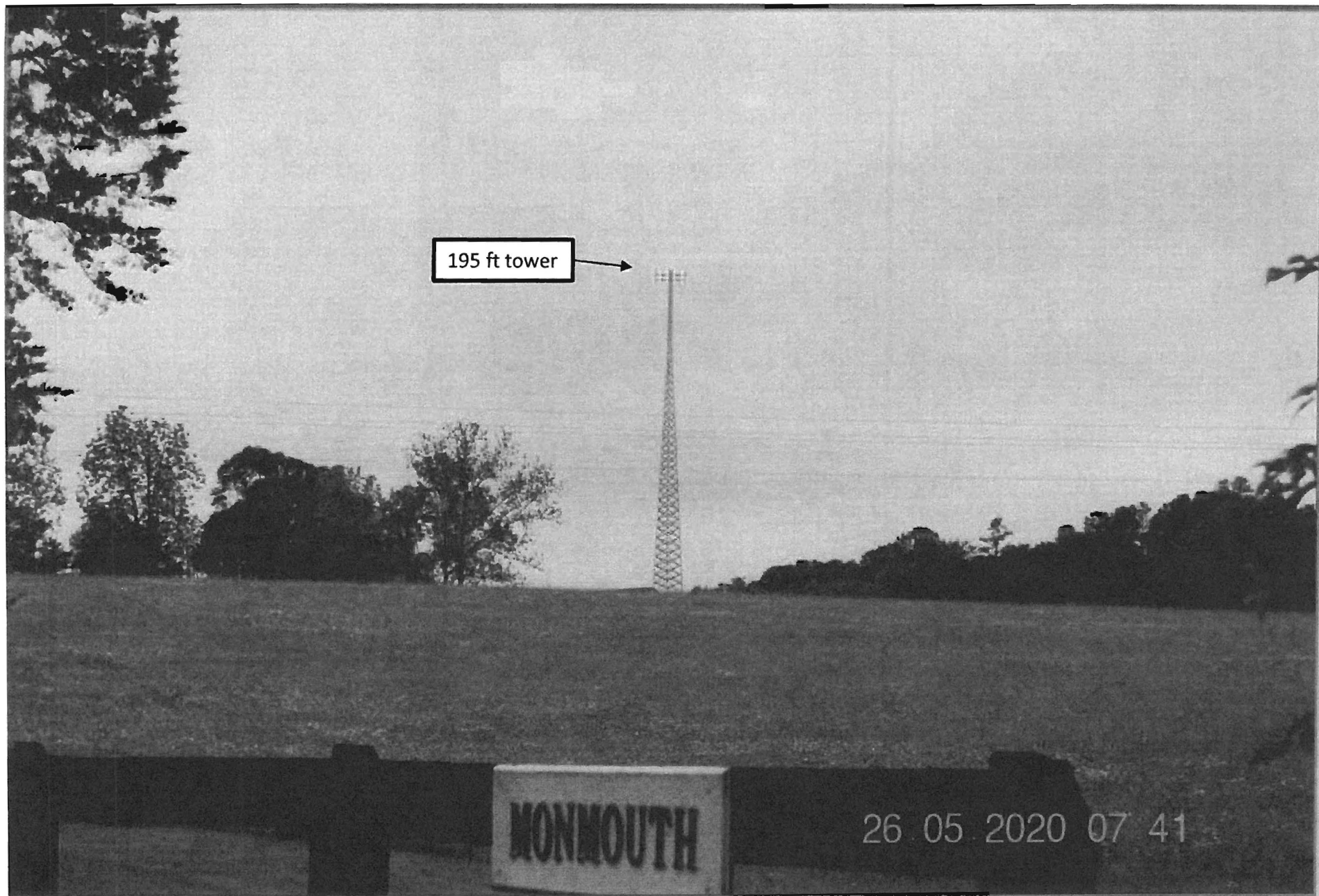
Reviewed By:   
Peter T. Sutherland, P.E., P.G., L.E.P.  
Sr. Vice President &  
Corporate Director of Environmental Services

By:   
Lori A. Bart  
Environmental Project Manager





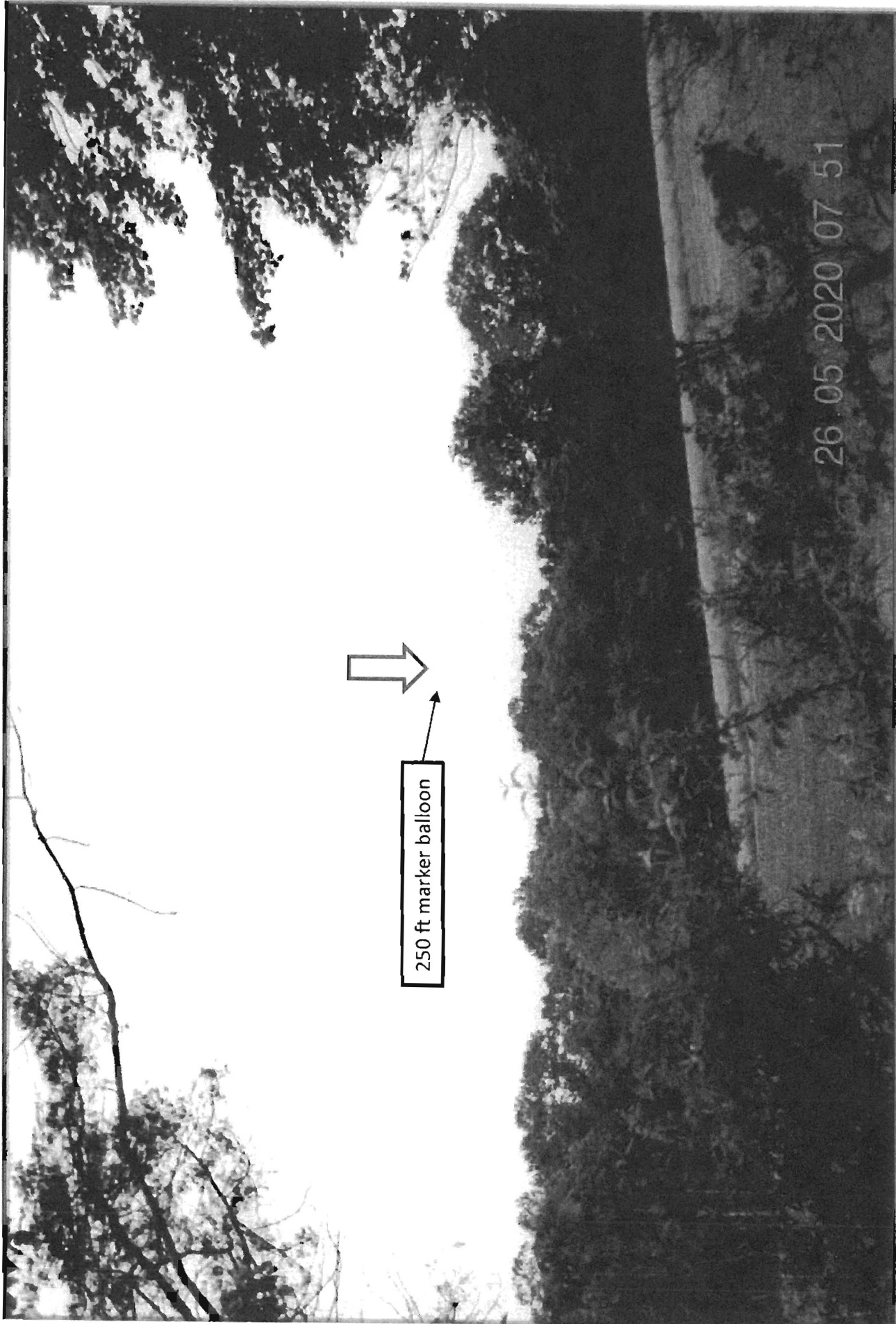






26 05 2020 07:46





250 ft marker balloon

26.05.2020 07:51

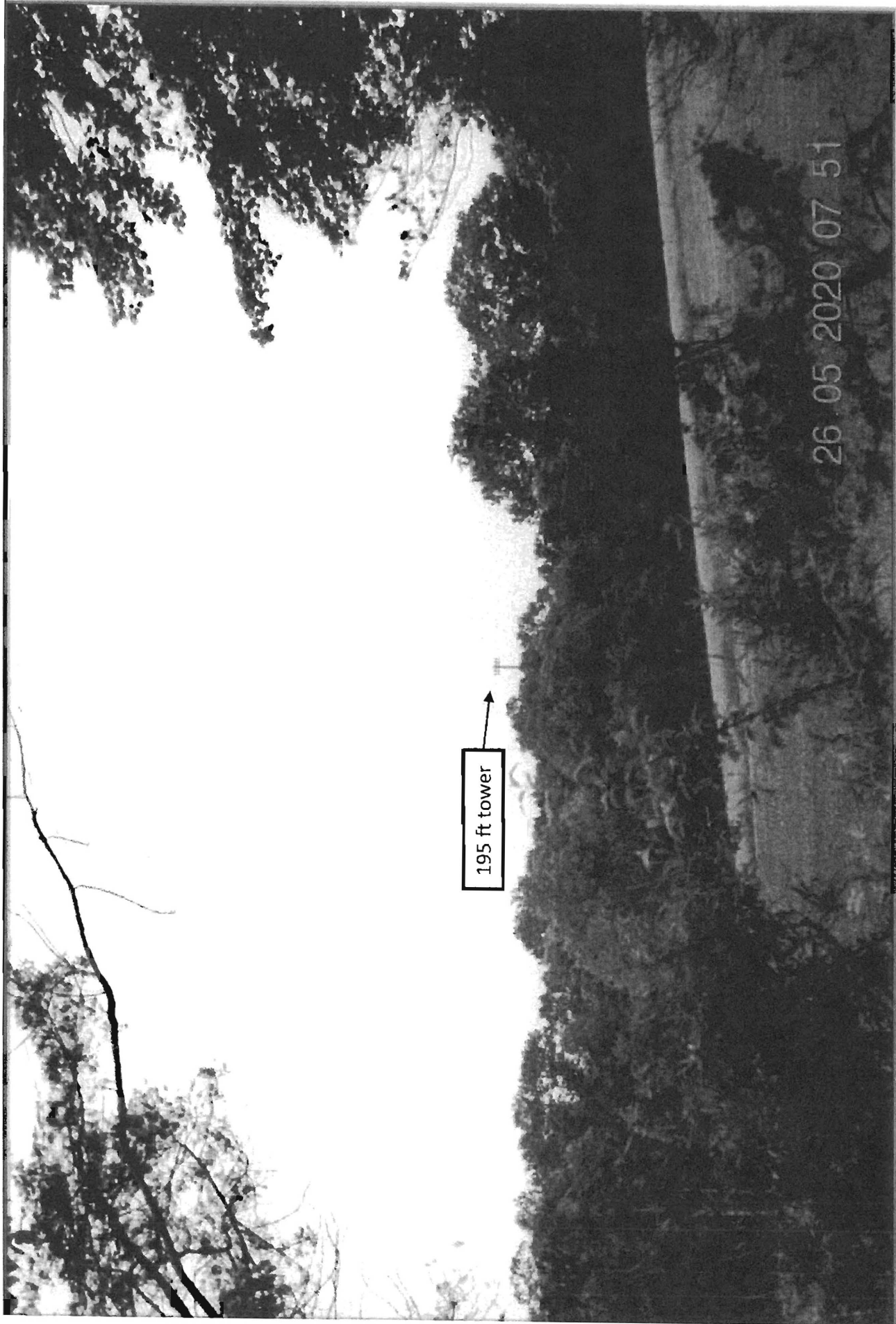
Looking northwest from Route 653.  
Proposed installation will be visible from this location.

Distance from the photometric location to the proposed installation is 43.305'

**Tectonic**  
PARK FURNITURE DESIGN & CONSTRUCTION

**P-3**

08270 Howardsville



195 ft tower

26 05 2020 07 51

Looking northwest from Route 653.  
Proposed installation will be visible from this location.

Distance from the photographic location to the proposed installation is 4.3 miles.

**Tectonic**  
GRAPHIC SOLUTIONS, INC. | 2020.05.26

**S-3**

9820 Howardsville



**Tectonic**

Looking west from the intersection of Logan Road and Mountain View Road.  
Proposed installation will not be visible from this location.

**P-4**

Distance from the photographic location to the proposed installation is +0.920'

9820 Howardsville





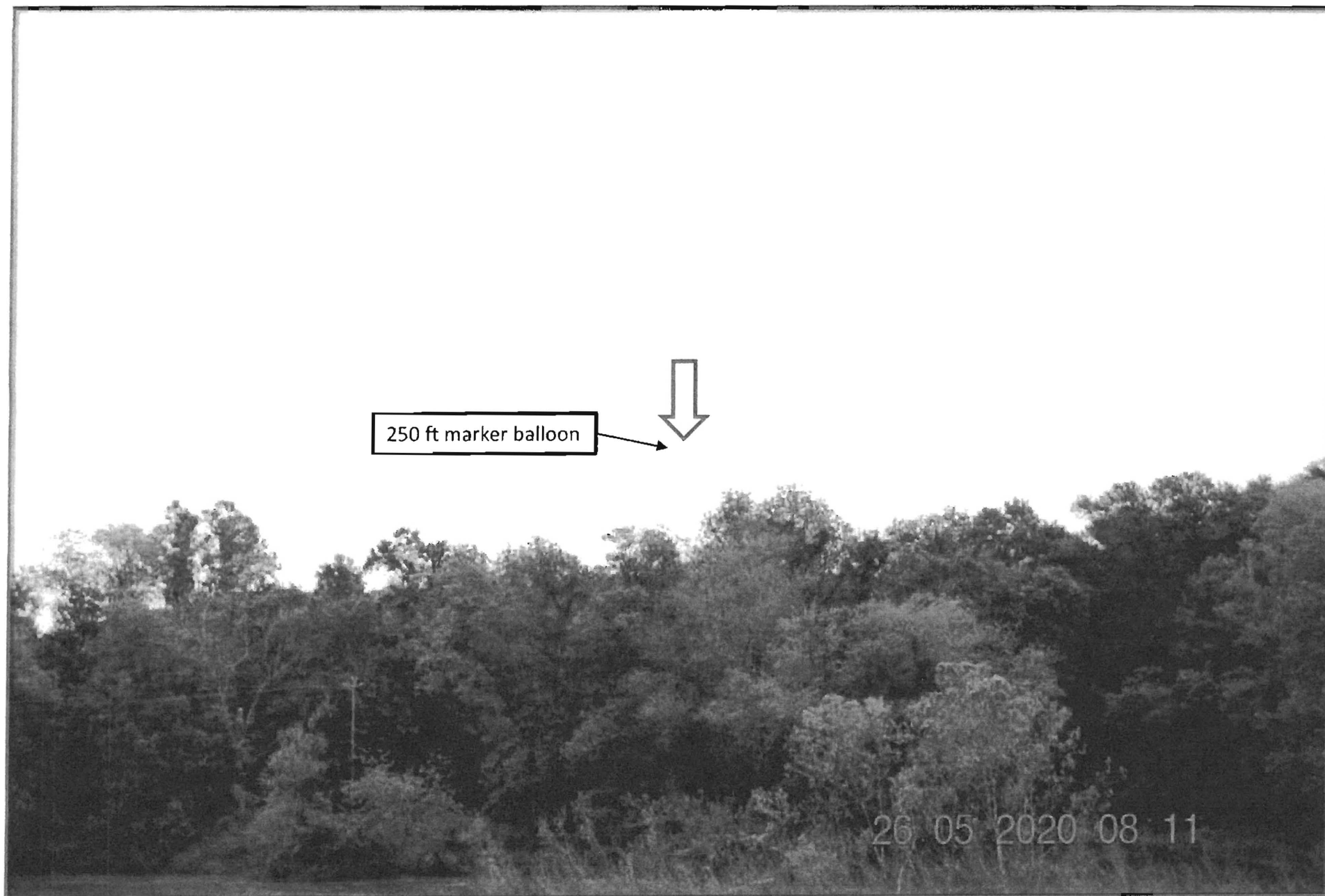
**Tectonic**

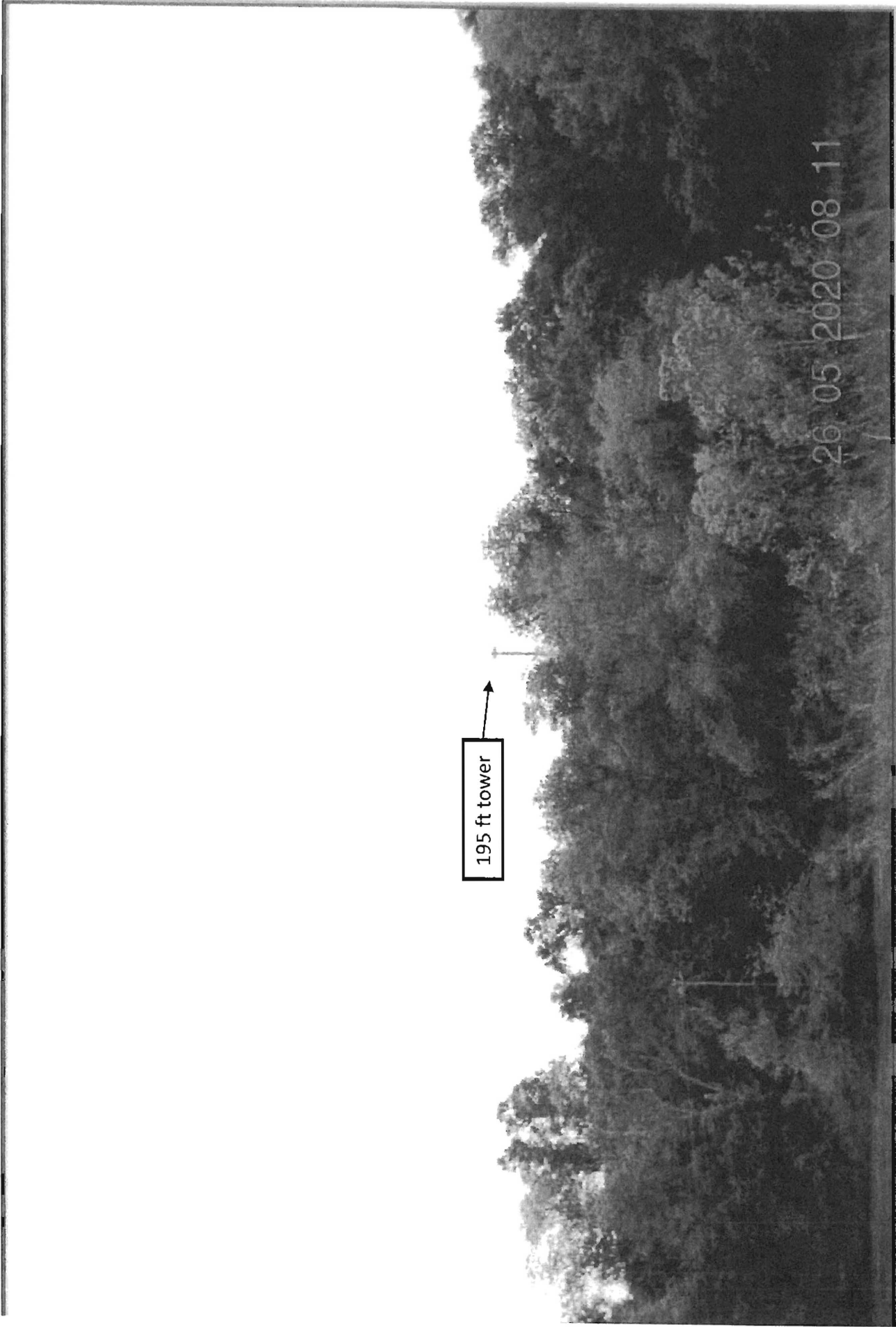
Looking northwest from the intersection of Selma Road and Howardsville Road.  
Proposed installation will not be visible from this location.

**P-5**

Distance from the photographic location to the proposed installation is +5,435'

9820 Howardsville





195 ft tower

26 05 2020 08 11

Looking northeast from the Howardsville Road Bridge.  
Proposed installation will be visible from this location.

Distance from the photographic location to the proposed installation is 4.145'

S-6

0820 Howardsville

**Tectonic**

TECTONIC SYSTEMS, INC. 3000 N. 10TH AVE. SUITE 100





**Tectonic**

Looking northeast from the intersection of Riverbirch Lane and Cabell Road.  
Proposed installation will not be visible from this location.

**P-7**

Distance from the photographic location to the proposed installation is +7,820'

9820.Howardsville



**Tectonic**

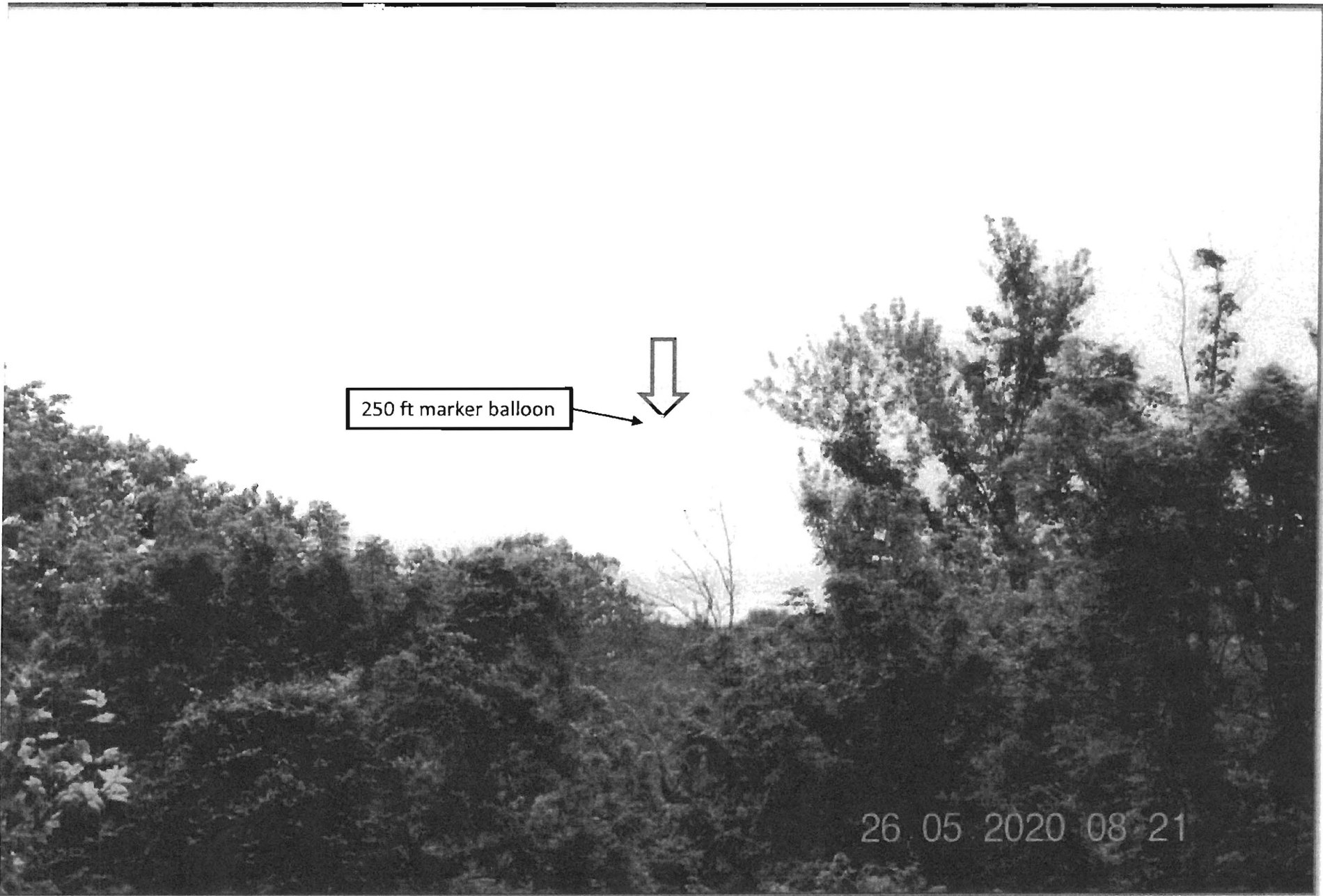
Looking east from 3340 James River Road/Route 626 (General Store).  
Proposed installation will not be visible from this location.

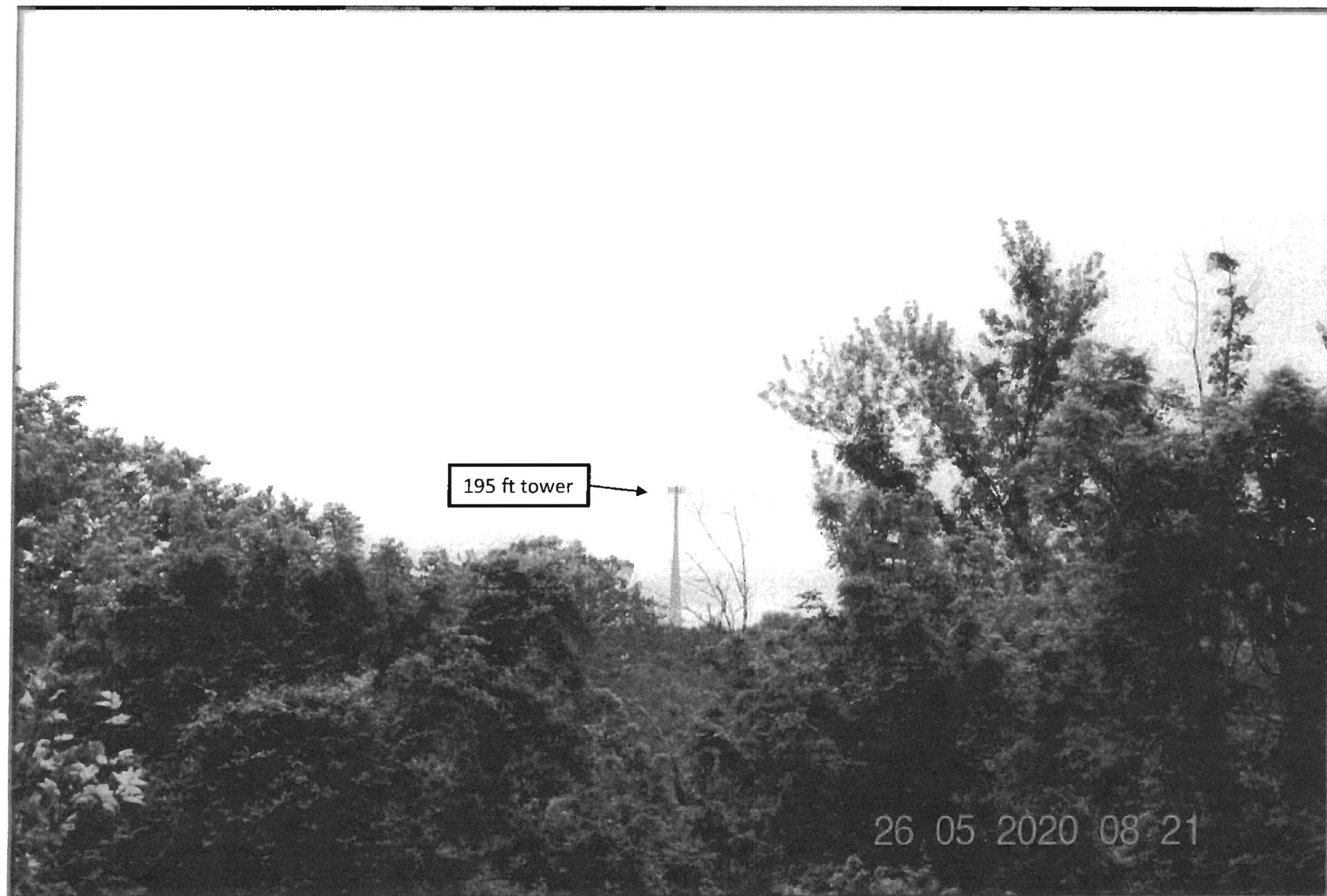
**P-8**

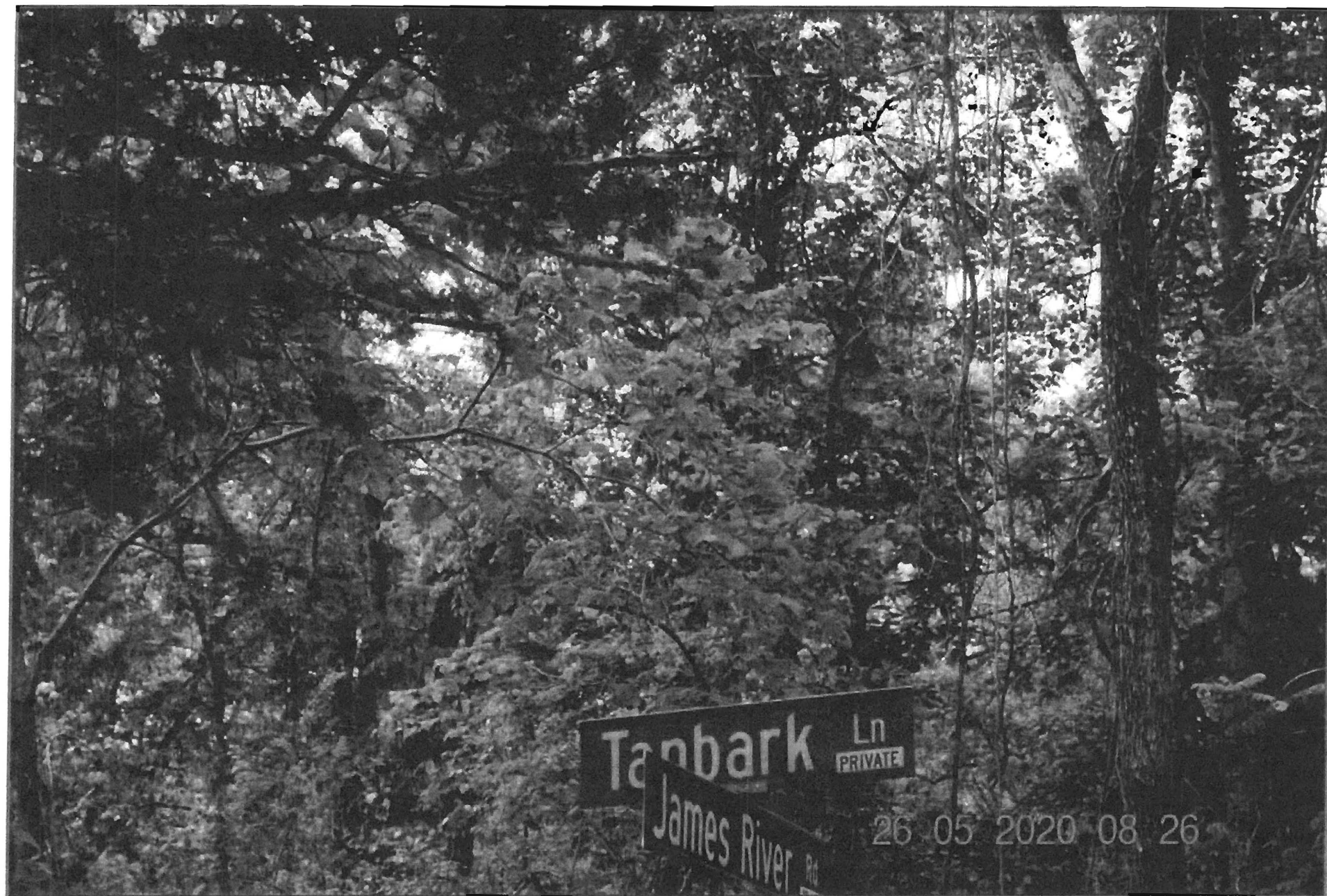
Distance from the photographic location to the proposed installation is +4 220'

9820 Howardville









**Tectonic**

Looking south from James River Road/Route 626 and Tanbark Lane.  
Proposed installation will not be visible from this location.

Distance from the photographic location to the proposed installation is +5 675'

**P-10**

9820.Howardsville





**P-11**

# Tectonic

Looking southeast from Monticola Road and Howardsville Turnpike.  
Proposed installation will not be visible from this location.

Distance from the photographic location to the proposed installation is +7 265'



1831 Rady Court, Richmond, VA 23222

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April 29, 2021

Buckingham County  
Zoning and Planning  
13360 W. James Anderson Hwy  
Buckingham, VA 23921

RE: Proposed Verizon Wireless Facility: 12994 Howardsville Road, Buckingham County VA


To whom it may concern,

Please allow this letter to serve as confirmation of the following:

- There are no existing wireless communications facilities or other structures in reasonably close proximity to the proposed facility that can be utilized by Verizon Wireless to accomplish the service improvements that are required by Verizon's customers.
- We have completed a thorough review of all existing structures in the greater geographic area within the County and surrounding the proposed facility. We have determined that the desired network improvements can only be achieved by building a new structure. These network improvements, which include highly necessary wireless broadband services, can only be accomplished in this part of the County with your approval of the proposed facility.

We respectfully request your approval of our Application for this project.

Sincerely,

  
Stefanie Lewis (May 5, 2021 11:56 EDT)

Stefanie M. Lewis  
Verizon  
Sr. Manager - Real Estate and Regulatory  
Washington/Baltimore/Virginia  
[Stefanie.lewis@verizonwireless.com](mailto:Stefanie.lewis@verizonwireless.com)

cc: Andrew Condlin, Esq.  
Linda French, Engr III Spec-RE/Regulatory  
Zelic Jones

## APPLICANT NARRATIVE

SITE NAME: Howardsville

### Proposal:

Cellco Partnership d/b/a Verizon Wireless (t/a "Verizon Wireless") (the "Applicant") requests a Conditional Use Permit in order to construct and operate a 195-foot steel self-support telecommunications tower, with the top of all appurtenances extending to 199-feet, on a portion of a 300.92± acre parcel on Howardsville Road and identified as Parcel ID: 13-12 ("Property"). Verizon Wireless is licensed by the Federal Communications Commission to provide wireless communications services throughout Buckingham County ("County"). Verizon Wireless currently has need to improve the network capacity in the surrounding area of the proposed site as the demand for wireless service increases and places greater strain on the surrounding network sites. In addition, this site will improve the wireless footprint throughout the County. The network of sites is largely based on the use of existing towers and tall structures built by Verizon Wireless, other carriers and tower companies. Currently there are no existing towers or facilities within 7.5 miles of this site.

The Applicant is proposing to locate the tower and associated ground equipment within a 80' x 80' fenced compound (100' x 100' lease area) within the Property as shown on the ZDs (as hereinafter defined) provided with this application. The fenced compound area will be located at the back of the Property within a wooded area towards the James River. Additional screening around the compound area will be placed in accordance with the local ordinance as applicable and as shown on the provided ZDs. The proposed tower will have an overall height of 199 feet (195 feet steel self-support telecommunications tower with the top of all appurtenances extending to 199 feet), all as shown on the ZDs. The tower will be made of galvanized steel and it will accommodate at least six (6) users (Verizon Wireless and five (5) others). The facility will be unmanned and will be visited occasionally by technicians to conduct routine checks and maintenance. The facility will not emit any odor or fumes. The noises emitted from the equipment on the ground will not be any louder than normal residential HVAC equipment. Therefore, the impact on surrounding properties resulting from this passive use will be minimal. The tower will be marked and lighted as follows per the FAA determination: "the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 L Change 2, Obstruction Marking and Lighting, a med-dual system - Chapters 4,8(MDual),&12."

### Purpose of Tower:

Verizon Wireless is in the process of enhancing the coverage and capacity of its wireless telecommunications network in Buckingham County by constructing new towers in areas where coverage is lacking or non-existent and co-location opportunities do not exist.

The proposed tower will achieve the following:

- Improve Verizon Wireless' existing network by providing seamless coverage in the area;
- Support the latest wireless technologies (voice and data);
- Provide coverage to the following:
  - Those living in nearby residences;
  - Those traveling on nearby roads;
  - Provide multiple co-location positions for other wireless carriers to expand their networks;
  - Emergency personnel operating in the area.

{01125056;v2}1

**Response to County Letter of August 18, 2020 regarding Zoning Ordinance Requirements:**

We had previously made an application for this exact same site (20-SUP274), provided the height of the tower requested in such application was a total height of 254 feet. However, based on the August 18, 2020 letter from Ms. Nicci Edmondston, such prior application was deemed by the County as deficient for the reasons set forth therein. Accordingly, we wanted to adjust the application request as follows:

1. Justification for a need for a tower.

**ANSWER:**

Please see the information in this Applicant Narrative for an explanation for the tower's need, information on adjacent property impact, and visual impact. Made a part of this application is a tower location map showing the closest tower being more than 7.5 miles from this site. In addition, specific topography maps are provided to show the topographical profile surrounding the site to evidence the need for the height requested.

The closest tower is more than 7.5 miles from this site. The lack of coverage in the area has been field verified by the representatives of the Applicant as well as local residents and other County officials visiting the site. There is no known alternative site that will provide the height necessary to accommodate the significant terrain surrounding this location, particularly the ridgeline west of this site. The proposed tower is located within a central location from the existing towers to continue to fill the gap in existing service as shown on the enclosed tower location map.

Further, in doing a search for facilities in the area there are no structures available that we are aware of that are within 5 miles of this site that achieve the necessary height, based on the topography of the site, to accommodate the surrounding terrain (as described below). For example, most churches in the area are 1½ to 2 stories in height and many do not have a steeple that can achieve the height necessary to provide any service.

2. Justification sufficient to establish a variance to allow a height of up to 250 (with an additional 4' for the antennae (which is actually a lightning rod. ))

**ANSWER:**

We have adjusted the height of the tower requested to be 195' plus an additional 4' for the lightening road for a total height of 199'. No additional height variance is therefore required.

3. Photo-simulated post construction renderings of the completed proposed antenna.

**ANSWER:**

Please see the attached photo-simulated renderings ("Photo-Sims") reflecting the revised, reduced height of the proposed tower. We identified the areas on the balloon test that was performed on May 26, 2020.

Further, the attached Zoning Drawings ("ZDs"), and more specifically Sheet Z-3 show the overall height, the configuration, the physical location, the mass and scale, and architectural design. The tower will be illuminated as required by the Federal Aviation Administration.

4. Proposed exterior paint and stain samples for any items to be painted or stained and pictures of exterior building materials and roof materials.

**ANSWER:**

Sheet Z-3 of the ZDs has a color sample of the tower.

5. Demonstration of Visual and Aesthetic Impacts:

1. The applicant shall provide a statement as to the potential visual and aesthetic impact of the proposed WCF on all adjacent properties and roadways, trails, and travel ways.

**ANSWER:** The Photo-Sims show the potential visual and aesthetic impact of the proposed tower from various locations surrounding the Property. The reduced height obviously reduces the visual impact from the proposed tower. The tower is located, as shown on the ZDs (see in particular Sheets Z-1 and Z-2), on the site significantly away from the adjoining road network, and will have little, if any, impact on surrounding property.

2. Except where the facility will be located entirely within an existing structure, a scaled plan and a scaled elevation view and other supporting drawings, calculations, and other documentation required by the agent, signed and sealed by an appropriate licensed professional.

**ANSWER:** Please see the ZDs showing all of the information being requested, signed and sealed by a licensed professional.

The plans and supporting drawings, calculations and documentation shall show:

- i. The benchmarks and datum used for elevations. The datum shall coincide with the Virginia State Plane Coordinate System, South Zone, North American Datum of 1983 (NAD83), United States Survey Feet North American Vertical Datum of 1988 (NAVD88), and the benchmarks shall be acceptable to the County.

**ANSWER:** Please see Sheet Z-1 of the ZDs for the referenced data information.

- ii. The design of the facility, including the specific type of support structure and the design, type, location, size, height and configuration of all existing and proposed antennas and other equipment.

**ANSWER:** Please see Sheet Z-3 of the ZDs showing all of the information being requested.

- iii. Except where the facility would be attached to an existing structure or is less than fifty (50) feet, the topography within two thousand (2,000) feet of the proposed facility, in contour intervals shown on United States Geological Survey topographic survey maps or the best topographic data available.

**ANSWER:** Please see Sheet Z-1 of the ZDs for this specific information.



iv. The height, caliper and species of all trees where the drip-line is located within fifty (50) feet of the facility that are relied upon to establish the proposed height and/or screening of the monopole. All trees that will be adversely impacted or removed during installation or maintenance of the facility shall be noted, regardless of their distances to the facility.

**ANSWER:** Please see the ZDs, and in particular sheet Z-3, providing this information.

v. All existing and proposed setbacks, parking, fencing and landscaping.

**ANSWER:** Please see the ZDs, and in particular sheet Z-2, providing this information.

#### **Consistency with Comprehensive Plan:**

The proposed tower is consistent with the Comprehensive Plan as follows:

Chapter III – Community Resources, page 116, details the need for further expansion of the County’s fiber optics and telecommunications network. In line with Chapter VI – Vision, Goals, Objectives and Strategies part VI - Community Facilities and Services, this new facility will provide an invaluable link in improving the cellular and broadband links in the north west of the County, which is an area which is lacking in available service. In today’s society, reliable wireless service is a necessity for residents, students, businesses and emergency personnel. The proposed tower will provide the infrastructure needed for Verizon Wireless, as well as the opportunity for multiple other wireless carriers, to expand and improve their networks in this area of Buckingham County. This reliable wireless service will enhance the local economy and complement economic development by helping businesses to be more effective and efficient in their everyday operations, providing citizens the opportunity to work, study and shop from home as well as improving service for those traveling in the vicinity.

The subject property is zoned Agricultural (A-1). In accordance with Article 4, District 1 of the zoning ordinance, Radio stations, Television stations and cable TV facilities, communication station and/or tower or related facilities in accordance with Article 9 of the Ordinance are permitted in the A-1 zoning district subject to an approved special use permit (SUP). Article 9 of the zoning ordinance regulates radio, television and wireless communication towers. The applicable requirements in this section are as follows:

#### **ARTICLE 9**

##### **RADIO, TELEVISION AND WIRELESS COMMUNICATION TOWER**

##### **AMENDMENT TO THE ZONING ORDINANCE OF BUCKINGHAM COUNTY**

###### **Section One: Purpose**

The purpose of this article is to facilitate co-location of radio, television, and wireless communication towers and wherever possible, minimize the impacts of wireless communication facilities (hereinafter WCF) on surrounding areas. Certification of all the following requirements must be made to the Administrator before a building permit for any tower construction, tower modification, antenna collocation, antenna attachment, or antenna modification will be issued.

###### **Section Two: Applicability**

The following shall apply to the development activities including installation, construction, or modification of the following wireless communications facilities:

- (1) Existing WCF.
- (2) Proposed WCF.
- (3) Public WCF.
- (4) Replacement of an existing WCF.
- (5) Collocation on existing WCF.
- (6) Modification(s) to existing collocation or antenna array
- (7) Attached WCF.
- (8) Antenna element replacement(s)
- (9) Concealed WCF.
- (10) Broadcast transmission facilities
- (11) Wireless Broadband facilities
- (12) Small Cell Facilities

#### **Section Three: Exempt Installations**

Notwithstanding any other provisions contained in land development regulations for the County, the following items are exempt from the provisions of this article;

- (1) Non-commercial, FCC licensed amateur radio antennas as provided for in the definition section.

*Not applicable*

- (2) Satellite earth stations that are three meters or less.

*Not applicable*

(3) A government wireless communications facility, whether owned or leased, that is exclusively reserved for non-commercial public safety communications services, and which will not be utilized for any commercial wireless services, upon a written determination of public necessity by the county board of supervisors or designee; except that such facility must comply with all federal and state building and structural requirements. Such non-commercial public safety facility may be constructed using any available technology and may be constructed to accommodate future anticipated public safety wireless communications needs.

*Not applicable*

- (4) A temporary, commercial wireless communications facility, upon the declaration of a state of emergency by federal, state, or local government, or determination of public necessity by the county board of supervisors or designee.

*Not applicable*

(5) A temporary, commercial wireless communications facility, for the purposes of providing coverage of a special event such as news coverage or sporting event, subject to approval by the county board of supervisors or designee.

*Not applicable*

(6) Antenna support structures, antennas, and/or antenna arrays for AM/FM/LPTV/DTV broadcast transmission facilities.

*Not applicable*

(7) Micro-wireless facilities that are suspended on cables or lines that are strung between existing utility poles in compliance with national safety codes.

*Not applicable*

**Section Four: Permitted Uses (By Right with certification)**

(1) Concealed Attached WCF

*Not applicable*

(2) Attached, Antenna, Collocated or Combined on Existing WCF

*Not applicable*

(3) Modification on to existing collocation or antenna array

*Not applicable*

(4) Antenna Element Replacement

*Not applicable*

(5) Replacement of WCF unless the replacement of an existing non-illuminated WCF is required to become illuminated

*Not applicable*

(6) Eligible Small Cell Facilities

*Not applicable*

**Section Five: Special Use Permit Required – listed by siting hierarchy from highest to lowest. Preference always given to publicly owned property first (see supplemental document for publicly owned property list).**

(1) Second Replacement of WCF

*Not applicable*

(2) Replacement of existing WCF where the replacement will require an existing non-illuminated WCF to become illuminated.

*Not applicable*

(3) Non-concealed attached WCF (only on transmission distribution poles).

*Not applicable*

(4) Concealed freestanding WCF

*Not applicable*

(5) Non-concealed freestanding WCF.

a. On publicly-owned property

*Not applicable*

(i). Monopole tower

(ii). Lattice tower

(iii). Guyed tower

b. On non-publicly owned property

(i). Monopole tower

(ii). Lattice tower

*This is a 195 foot (199 foot including all appurtenances) self-support lattice tower proposed.*

(iii). Guyed tower

#### **Section Six: Submittal Requirements for Permitted and Special Uses**

All submittal requirements are listed in Supplemental document

#### **Section Seven: Development standards**

(a) Height shall be 199' or less with the exception of replacement of and existing WCF (See supplemental document for replacement details)

*The proposed tower is 195' (199' with lightening rod).*

(b) Setbacks according to each type of facility

(a) Collocated, combined WCF or antenna array and equipment

(1) shall be subject to the setbacks of the underlying zoning district.

*Not applicable*

(2) When a collocated or combined WCF is to be located on a nonconforming building or structure, then the existing permitted nonconforming setback shall prevail.

*Not applicable*

(b) Attached antenna

a. located on a nonconforming building or structure, then the existing permitted nonconforming setback shall prevail.

*Not applicable*

b. New equipment cabinets are subject to the underlying zoning setbacks.

*Not applicable*

(c) Replacement WCF of an existing tower

a. shall not be required to meet new setback standards so long as the new tower and its equipment compound are no closer to any property lines or dwelling units as the tower and equipment compound being replaced. The intent is to encourage the replacement process, not penalize the WCF owner for the change out of the old facility.

*Not applicable*

(4) Small Cell Facilities

*Not applicable*

b. shall be co-located when feasible as a first option on existing utility poles, County owned infrastructure (with the County's consent), existing wireless support structures or base stations in the immediate area;

c. may be developed as replacements for existing utility poles or wireless support structures provided the new facility does not exceed the size of the former facility.

(5) *missing from the ordinance text.*

(6) New freestanding concealed and non-concealed towers and equipment compounds

(a) shall be subject to the setbacks described below for breakpoint technology:

1. If the antenna support structure has been constructed using breakpoint design technology (see Definitions), the minimum setback distance shall be equal to 110 percent of the distance from the top of the structure to the breakpoint level of the structure, plus the minimum side and rear yard requirements.

*The tower will be set back 204 feet from the nearest property line and use breakpoint design technology as it is designed to collapse within the lease lot lines.*

**Commented [AC1]:** Zelic – is this true – don't see this in the ZDs

For example, on a 100-foot tall monopole with a breakpoint at 80 feet, the minimum setback distance would be 22 feet (110 percent of 20 feet, the distance from the top of the monopole to the breakpoint) plus the minimum side or rear yard setback requirements for that zoning district.

2. If the tower has not been constructed using breakpoint design technology, the minimum setback distance shall be equal to 110 percent of the height of the proposed antenna support structure.

*Not applicable*

(7) Commercial messages shall not be displayed on any tower. The only signage that is permitted upon a tower, equipment cabinets, or fence shall be informational, and for the purpose of identifying the tower (such as ASR registration number), as well as the party responsible for the operation and maintenance of the facility, and any additional security and/or safety signs as applicable.

*There will be no advertising on the tower. Only signage for informational purposes will be present.*

(8) Buffers. In all allowable locations the WCF equipment compound shall be landscaped with a minimum ten-foot wide perimeter buffer containing the following planting standards:

*A buffer will be installed as appropriate by the terms in this ordinance. In addition, the tower will be located in the treeline at the back of the property for additional screening. All of this is shown on the enclosed ZDs.*

1. One row of evergreen trees with a minimum two inches caliper, 25-foot on center.

*Sheet Z-2 of the ZDs shows the proposed plantings of evergreen trees, being two rows, ten feet on center. Otherwise, such trees shall have a minimum of two inches of caliper.*

2. Evergreen shrubs capable of creating a continuous hedge and obtaining a height of at least five feet shall be planted, minimum three gallon or 24 inches tall at the time of planting, five-foot on center.

*Applicant shall comply with all Ordinance requirements. Given the location of the proposed facilities near significant wooded areas, the topography and proposed plantings of evergreens, shrubs would seem unnecessary and we will be asked for such consideration by the Administrator. However, if required by the County, compliance will be met and will be confirmed at the time of site plan approval.*

3. All plants and trees shall be indigenous to this part of Virginia.

*Confirmed.*

4. Existing trees and shrubs on the site should be preserved and may be used in lieu of required landscaping where approved by the Administrator.

5. Alternative landscaping plans which provide for the same buffer as 1 and 2 above but an propose alternative siting location on the entire subject property on which the proposed facility is projected may be considered and approved by the zoning administrator, provided the proposed alternative maximizes screening as provided above, and is otherwise consistent with the requirements of this section. If in the future the property is redeveloped the property owner may be required to provide the ten-foot wide perimeter buffer around the WCF equipment compound meeting the planning standards of 1 and 2 above.

*Please see Sheet Z-2 of the ZDs.*

(9) A section of fence at least six (6) feet in height shall be provided completely around the base of the tower and any associated equipment inside any required buffer area.

*An 8 foot chain link fence with galvanized barbed wire is proposed (please see Sheets Z-2 and Z-3 of the ZDs).*

(10) The facility shall not interfere with the radio, television, or communications reception of nearby property owners in residence at the time of construction. The applicant shall take steps to successfully eliminate any such interference. Compliance with American National Standards Institute (ANSI) standards

for electromagnetic radiation shall be required in order to protect the public from excessive exposure to electromagnetic radiation. The WCF applicant shall certify through a written statement that the facility meets or exceeds current ANSI standards as adopted by the FCC. (see supplemental document for further information on Interference agreement)

*The proposed facility will meet or exceed current ANSI standards as adopted by the FCC.*

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

*Agreed*

(12) All non-concealed WCFs structures (excluding antenna and cables) greater than 50' shall be galvanized steel.

*Agreed*

(13) All freestanding towers up to 150 feet in height shall be engineered and constructed to accommodate no less than five (5) antenna arrays. All towers great than 150 feet shall be engineered and constructed to accommodate no less than six (6) antenna arrays.

*The tower will be designed to accommodate no less than six arrays, the applicant and five others.*

(14) Abandonment.

1. WCFs and the equipment compound, including the foundation(s) down to twelve inches (12") below grade, shall be removed at the owner's expense, within 180 days of cessation of use (i.e. the termination of all radio frequency transmissions from the tower), unless the abandonment is associated with a replacement antenna structure, general submittal requirements, in which case the removal shall occur within 90 days of cessation of use.

*Agreed*

2. An owner wishing to extend the time for removal or reactivation shall submit an application stating the reason for such extension. The county may extend the time for removal or reactivation up to 60 additional days upon a showing of good cause. If the antenna support structure or antenna is not removed within this time, the county may give notice that it will contract for removal within 30 days following written notice to the owner. Thereafter, the county may cause removal of the antenna support structure with costs being borne by the owner.

*Agreed*

3. Upon removal of the WCF and equipment compound, the development area shall be returned to its natural state and topography and vegetated consistent with the natural surroundings or consistent with the current uses of the surrounding or adjacent land at the time of removal.

*Agreed*

#### **Section Eight: Approval Factors and Process**

(1) The approving bodies, in exercise of the County's zoning regulatory authority, may consider an application for approval and determine: whether a WCF is in harmony with the area; the effects and

general compatibility of a WCF with adjacent properties; or the aesthetic effects of the WCF as well as mitigating factors concerning aesthetics.

(2) The approving bodies, in exercise of the County's zoning regulatory authority, may disapprove an application on the grounds that the WCF's aesthetic effects are unacceptable, or may condition approval on changes in WCF height, design, style, buffers, or other features of the WCF or its surrounding area. Such changes need not result in performance identical to that of the original application.

(3) Factors relevant to aesthetic effects are: the protection of the view in sensitive or particularly scenic areas, and areas containing unique natural features, scenic roadways or historic areas; the concentration of WCFs in the proposed area; and, whether the height, design, placement or other characteristics of the proposed WCF could be modified to have a less intrusive visual impact.

(4) If the approving bodies determine that the proposed additional service, coverage, or capacity to be achieved by the location of the proposed new WCF can be achieved by use of one or more alternative existing wireless communications facilities, it may disapprove the proposed WCF application.

(5) A collocation application shall be reviewed by the County within ninety days of a completed submission, and an application for a new facility shall be reviewed by the County within one hundred fifty days of a completed submission (or within some other mutually agreed upon timeframe). The County shall notify an applicant within 20 business days of initial submission if there are any deficiencies relating to the application materials, otherwise the initial submission shall be deemed complete.

(6) Approval or denial of the application shall be in writing and shall be postmarked to the applicant by the ninetieth day from the date of final complete submission (in the case of collocation) or one hundred fiftieth day (in the case of new facilities). Denials shall identify the deficiencies in the application which, if cured, would make the application complete. Upon resubmitting of the revised site plan and paperwork the County shall follow the process identified in subsection (6) above until all deficiencies identified are deemed cured.

(7) If the County does not respond in writing to the applicant within the specified timeframe detailed above, then the application shall be deemed approved.

(8) Where the County deems it appropriate because of the complexity of the methodology or analysis required to review an application for a new wireless communication facility, the county may require the applicant to pay for a technical review by a third-party expert, selected by the County, the costs of which \$4,000.00 shall be borne by the applicant and be in addition to other applicable fees. Further, if additional information is needed to evaluate the applicant's request, the applicant, shall make such additional information available as the County might reasonably request.

a. Permitted uses #1 - #5 may be technically reviewed by a third-party expert, the costs of which \$1,800.00 shall be borne by the applicant and be in addition to other applicable fees. Permitted use #6 (Small Cell Facilities) will be reviewed and charged as allowed by Code of Virginia

#### **Section 15.2-2316.4**

#### **Section Nine: RESERVED**

#### **Section Ten: Definitions**



The following words, terms and phrases, when used in this Article, shall have the meanings ascribed to them in this Article, except where the context clearly indicates a different meaning. Where terms are not defined, they shall have their ordinarily accepted meaning, or such as the context may imply.

Generally, the words "used for" include "designed for," and vice versa; the word "building" includes the word "structure"; the word "dwelling" includes the word "residence"; and the word "lot" includes the word "plot." Any words pertaining to gender shall be interchangeable. The word "he" shall mean "she," and "she" shall mean "he." The word "shall" is mandatory; the word "may" or "should" is permissive.

*Administrator.* Also referred to as the zoning administrator. The official charged with the enforcement of the subdivision and zoning ordinances. He may be any appointed or elected official who is by formal resolution designated to the position by the governing body. He may serve with or without compensation as determined by the governing body.

*Agent.* One who represents another, called the principal, in dealings with third persons. The agent undertakes some business by authority of the principal. The principal is the property owner.

*Alternative tower structure.* Man-made trees, clock towers, bell steeples, light poles and similar alternative-design mounting structures that camouflage or conceal the presence of antennas or towers.

*Amateur radio tower.* A structure on which an antenna is installed for the purpose of transmitting and receiving amateur radio signals erected and operated by an amateur radio operator licensed by the FCC.

*Ancillary structure.* For the purposes of telecommunications, means any form of development associated with a wireless communications facility, including but not limited to: foundations, concrete slabs on grade, guy anchors, generators, and transmission cable supports; however, specifically excluding equipment cabinets.

*Antenna.* Any apparatus designed for the transmitting and/or receiving of electromagnetic waves including, but not limited to telephonic, radio or television communications. Types of elements include, but are not limited to: omnidirectional (whip) antennas, sectorized (panel) antennas, multi or single bay (FM and TV), yagi, or parabolic (dish) antennas.

*Antenna array.* A single or group of antenna elements and associated mounting hardware, transmission lines, or other appurtenances which share a common attachment device such as a mounting frame or mounting support structure for the sole purpose of transmitting or receiving electromagnetic waves.

*Antenna element replacement.* The replacement of an existing antenna element with a same or like model number or another element with identical or reduced dead weight and wind load properties. In addition there can be no increase in the size or number of feed lines utilized by the facility.

*Anti-climbing device.* A piece or pieces of equipment which are either attached to an antenna support structure, or which are free-standing and are designed to prevent people from climbing the structure. These devices may include but are not limited to fine mesh wrap around structure legs, "squirrel-cones," or other approved devices, but excluding the use of barbed or razor wire.

*Applicant.* Any person submitting any application required or permitted pursuant to any of the provisions of this chapter, including his successors and assigns.

*Base station.* The electronic equipment usually ground mounted, utilized by the wireless providers for the transmission and reception of radio signals.

*Broadcasting or communication tower.* Any unstaffed facility for the transmission and/or reception of radio, television, radar, cellular telephone, personal paging device, specialized mobile radio (SMR), and similar services. A broadcasting or communication tower usually consists of an equipment shelter or cabinet, a support tower or other structure used to achieve the necessary elevation, and the transmission or reception devices or antenna.

Excluded are "amateur radio towers," which are described separately. Also excluded are wireless communication antennas which fit the definition of "utility services, minor."

*Building, height of.* See "height, building."

*Building line or setback line.* A line that establishes the area within which the principal building or structure must be erected or placed and which may be located by means of a plat of subdivision or site plan at a distance greater than, but in no case less than, the minimum setbacks or yard spaces required by the zoning ordinance.

*Code of Virginia.* The Code of Virginia of 1950, as it may be amended from time to time. ("This Code," however, refers to the Ordinances of the County of Buckingham, Virginia.)

*Collocation.* The practice of installing, mounting, maintaining, modifying, operating or replacing a wireless facility on, under, within, or adjacent to a base station, building, existing structure, utility pole, or wireless support structure.

*Combined antenna.* An antenna or an antenna array designed and utilized to provide services for more than one wireless provider for the same or similar type of services.

*Commission.* The Planning Commission of the County.

*Communications service.* Establishment primarily engaged in the provision of broadcasting and other information relay services accomplished through the use of electronic and telephonic mechanisms. Excluded from this use type are facilities classified as "utility services, major" or "broadcasting or communication towers." Typical uses include television studios, telecommunication service centers, telegraph service offices or film and sound recording facilities.

*Concealed Tower.* A tower, ancillary structure, or equipment compound that is not readily identifiable as such, and is designed to be aesthetically compatible with existing and proposed building(s) and uses on a site.

There are two types of concealed facilities:

1) antenna attachments and 2) freestanding.

1) Examples of concealed attached facility include, but are not limited to the following: painted antenna and feed lines to match the color of a building or structure, faux windows, dormers or other architectural features that blend with an existing or proposed building or structure.

2) Freestanding concealed tower's usually have a secondary, obvious function which may be, but is not limited to the following: church steeple, windmill, bell tower, clock tower, light standard, flagpole with or without a flag, or tree.

*County.* Buckingham County, Virginia, a political subdivision of the State of Virginia.

*Easement.* A grant by a property owner of the use of land for a specific purpose.

*Equipment cabinet.* Any structure above the base flood elevation including: cabinets, shelters, pedestals, and other similar structures. Equipment cabinets are used exclusively to contain radio or other equipment necessary for the transmission or reception of wireless communication signals.

*Equipment compound.* The fenced area surrounding a wireless communication facility including the areas inside or under the following: an antenna support structure's framework and ancillary structures such as equipment necessary to operate the antenna on the WCF that is above the base flood elevation including: cabinets, shelters, pedestals, and other similar structures.

*FAA.* The Federal Aviation Administration.

*FCC.* The Federal Communications Commission.

*Feed lines.* Cables used as the interconnecting media between the transmission/receiving base station and the antenna.

*Geographic search area.* An area designated by a wireless provider or operator for a new base station, produced in accordance with generally accepted principles of wireless engineering.

*Governing body.* The Board of Supervisors of the County.

*Guyed structure.* A style of antenna support structure consisting of a single truss assembly composed of sections with bracing incorporated. The sections are attached to each other, and the assembly is attached to a foundation and supported by a series of wires that are connected to anchors placed in the ground or on a building. (see "antenna support structure")

*Handoff candidate.* A wireless communication facility that receives call transference from another wireless facility, usually located in an adjacent first "tier" surrounding the initial wireless facility.

*Height.* The measurement of any freestanding and guyed WCF as measured at ground level to the top of the WCF structure, excluding antenna(s) and lightning rods.

*Height, building.* The vertical distance measured from the adjoining grade at the front entrance of the building or structure to the highest point of the structure. For corner lots, the building height shall be the average of the front height defined above and the building side height adjacent to the street. The building side height shall be defined as the vertical distance measured from the lowest adjoining grade on the side adjacent to the street to the highest point of the structure.

*Height, structure.* The distance between the highest point of any structure, and the lowest grade adjacent to the structure.

*Height, tree.* The measurement taken from the top of the root ball to the top of the canopy area at full foliage.

*Historical area.* An area containing buildings places, either or both, in which historic events occurred or having special public value because of notable architectural or other features relating to the cultural or artistic heritage of the area, of such significance as to warrant conservation and preservation. An historic area may not currently lie in nor constitute an historic district.

*Historic district.* A site, structure, landmark, one or more of them, or a group of them, which have unique architectural, historic, cultural, or archaeological importance to the county, the commonwealth, or the nation, and which are designated on the official zoning map as constituting an historic district.

*Historic site.* A site or structure which may not be included in an historic district, but which has an important historic, architectural or cultural significance to the County, Commonwealth, or nation. An historic site is registered with the Virginia Landmarks Registry or the National Register of Historic Places.

*Historic structure.* Any structure that is:

- (1) Listed individually in the Virginia Landmarks Registry or the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the secretary to qualify as a registered historic district;
- (3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- (4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
  - a. By an approved state program as determined by the Secretary of the Interior; or
  - b. Directly by the Secretary of the Interior in states without approved programs.

*Intermodulation distortion.* The preventable and avoidable results of the mixture of two certain and specific radio frequencies (3rd Order); or more certain or specific radio frequencies (5th Order), that creates at least one other unwanted, undesirable, and interfering radio frequency (3rd Order), or multiple other unwanted, undesirable, and interfering radio frequency signals (5th Order).

*Lattice structure.* A tapered style of antenna support structure that consists of vertical and horizontal supports with multiple legs and cross-bracing, and metal crossed strips or bars to support antennas. (see also "antenna support structure").

*Least visually obtrusive profile.* The design of a wireless communication facility intended to present a visual profile that is the minimum profile necessary for the facility to properly function.

*Lot.* A parcel of land intended to be separately owned, developed, or otherwise used as a unit, established by plat, subdivisions or as otherwise permitted by law.

*Macro wireless facility.* Any wireless facility exceeding the size dimensions defined as a small cell facility.

*Micro-wireless facility.* A small cell facility that is not larger in dimension than 24 inches in length, 15 inches in width, and 12 inches in height and that has an exterior antenna, if any, not longer than 11 inches.

*Master telecommunications plan.* A plan developed to enforce applicable development standards, state statutes and federal regulations related to the deployment of wireless telecommunications infrastructure.

*Monopole structure.* A style of free-standing antenna support structure consisting of a single shaft usually composed of two or more hollow sections that are in turn attached to a foundation. This type of antenna support structure is designed to support itself without the use of guy wires or other stabilization devices. These facilities are mounted to a foundation that rests on or in the ground or on a building's roof. (see also "antenna support structure")

*National Register of Historic Places.* The official list, maintained by the National Park Service of the United States Department of the Interior, of historic resources considered by that agency to be worthy of preservation.

*Non-Concealed Tower.* A wireless communication facility that is readily identifiable as such and can be either freestanding or attached.

*Person.* An individual, firm, corporation, or association.

*Personal wireless service.* Commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services, as defined in the Telecommunications Act of 1996.

*Plat.* A map or plan of a parcel of land that is to be, or has been subdivided. When used as a verb, "plat" is synonymous with "subdivide."

*Property.* Any tract, lot, parcel or several of such tracts, lots or parcels collected together.

*Radio frequency emissions.* Any electromagnetic radiation or other communications signal emitted from an antenna or antenna-related equipment on the ground, antenna support structure, building, or other vertical projection.

*Replacement.* In the context of telecommunications, means a modification of an existing antenna support structure to increase the height, or to improve its integrity, or to replace or remove one or several antenna support structure(s) located in proximity to a proposed new antenna support structure in order to encourage compliance with this ordinance or improve aesthetics or functionality of the overall wireless network.

*Replacement cost.* The cost of restoring a damaged building or structure to its original condition. Replacement cost shall include reasonable estimates of the cost of materials and labor and shall be compared with the assessed value as determined by the county assessor to determine the percentage of the cost of improvements.

*Right-of-way.* A legally established area or strip of land, either public or private, on which an irrevocable right of passage has been recorded, and which is occupied or intended to be occupied by a street, utility service, water main, sanitary or storm sewer main, or other similar use.

*Road.* See "street."

*Satellite earth station.* A single or group of parabolic (or dish) antennas are mounted to a support device that may be a pole or truss assembly attached to a foundation in the ground, or in some other configuration. A satellite earth station may include the associated separate equipment cabinets necessary for the transmission or reception of wireless communications signals with satellites.

*Shrub.* A woody plant producing multiple shoots or stems from the base height, with a total height of 15 feet or less. Also, when used to meet the landscaping criteria of the zoning ordinance, a perennial planting that, at the time of planting, has a minimum height of two feet measured from the ground elevation after planting.

*Sign.* Any display of letters, words, numerals, figures, devices, emblems, pictures, or any parts or combinations thereof, by any means whereby the same are made visible for the purpose of making anything known, whether such display be made on, or attached to, or as a part of a structure, surface or any other thing, including, but not limited to, the ground, any rock, tree or other natural object, which display is visible beyond the boundaries of the parcel of land on which the display is made. A display of less than one square foot in area is excluded from this definition.

*Site.* That portion of property on which a personal wireless service facility is to be placed.

*Small cell facility.* A wireless facility that meets both of the following qualifications: (i) each antenna is located inside an enclosure of no more than six cubic feet in volume, or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements could fit within an imaginary enclosure of no more than six cubic feet and (ii) all other wireless equipment associated with the facility has a cumulative volume of no more than 28 cubic feet, or such higher limit as is established by the FCC. The following types of associated equipment are not included in the calculation of equipment volume: electric meter, concealment, telecommunications demarcation boxes, back-up power systems, grounding equipment, power transfer switches, cut-off switches, and vertical cable runs for the connection of power and other services.

*Special exception.* A special use exception or yard, area or height exception specifically listed in this chapter which may be permitted by the board of zoning appeals in a specified district or in all districts in accordance with the provisions of this chapter.

*Stealth.* (See "concealed wireless communications facility").

*Street.* A public or private thoroughfare which affords access to abutting property.

*Structure.* Anything constructed or erected, the use of which requires permanent location on the ground or attachment to something having a permanent location on the ground. This includes, among other things, dwellings, buildings, signs, etc.

*Surveyor.* A certified land surveyor licensed by the commonwealth.

*Tower.* (See "wireless communication facility").

*Vegetative buffer.* Deciduous and evergreen plants, shrubs, or trees that are mature enough to act as an effective visual and audible buffer.

*Virginia Landmarks Register.* The official list, maintained by the Department of Historic Resources, of historic resources considered by the Board of Historic Resources to be worthy of historic preservation.

WCF. (See "wireless communication facility").

*Wireless Broadband Facility.* An unstaffed location for the wireless transmission and/or reception of broadband data services exclusively, usually consisting of a tower, an antenna or group of antennas, transmission cables, and equipment cabinets, and may include an antenna support structure.

*Wireless communications.* Any personal wireless service, which includes but is not limited to, cellular, personal communication services (PCS), specialized mobile radio (SMR), enhanced specialized mobile radio (ESMR), unlicensed spectrum services utilizing devices described in Part 15 of the FCC rules and regulations (i.e., wireless internet services and paging).

*Wireless communication facility (WCF).* Any manned or unmanned location for the transmission and/or reception of radio frequency signals, or other wireless communications, and usually consisting of an antenna or group of antennas, transmission cables, and equipment cabinets, and may include an antenna support structure. The following developments shall be considered as a WCF: developments containing new, mitigated, or existing antenna support structures, public antenna support structures, replacement antenna support structures, collocation on existing antenna support structures, attached wireless communications facilities, concealed wireless communication facilities, and non-concealed wireless communication facilities. Excluded from the definition are: non-commercial amateur radio, amateur ham radio and citizen band antennas, satellite earth stations and antenna support structures, and antennas and/or antenna arrays for AM/FM/LPTV/DTV broadcasting transmission facilities.

Specific types of WCFs includes:

Attached wireless communication facility means an antenna or antenna array that is secured to an existing building or structure with any accompanying pole or device which attaches it to the building or structure, together with transmission cables, and an equipment cabinet, which may be located either on the roof or inside/outside of the building or structure. An attached wireless communications facility is considered to be an accessory use to the existing principal use on a site.

Concealed wireless communications facility, sometimes referred to as a stealth or camouflaged facility, means a wireless communications facility, ancillary structure, or WCF equipment compound that is not readily identifiable as such, and is designed to be aesthetically compatible with existing and proposed building(s) and uses on a site.

There are two types of concealed WCFs:

- 1) attached and
- 2) freestanding.

1) Examples of concealed attached facility include, but are not limited to the following: painted antenna and feed lines to match the color of a building or structure, faux windows, dormers or other architectural features that blend with an existing or proposed building or structure.

2) Freestanding concealed WCFs usually have a secondary, obvious function which may be, but is not limited to the following: church steeple, windmill, bell tower, clock tower, cupola, light standard, flagpole with or without a flag, or tree). (See "non-concealed wireless communication

facility"). Freestanding wireless communication facility means any manned or unmanned location for the transmission and/or reception of radio frequency signals, or other wireless communications, and usually consisting of an antenna or group of antennas, feed lines, and equipment cabinets, and may include an antenna support structure. A freestanding wireless communication facility includes, but is not limited to the following: guyed, lattice, or monopole towers. Non-concealed wireless communication facility means a wireless communication facility that is readily identifiable as such and can be either freestanding or attached.

*Zoning administrator.* also referred to as the "administrator" in this portion of the zoning ordinances.

# I. SUPPLEMENTAL DOCUMENT TO ARTICLE 9 OF THE ZONING ORDINANCE

## Purpose

In accordance with the County's zoning authority this document serves all county staff and potential applicants with a list of publicly owned properties and detailed submittal requirements for all applications

## II. SECTION ONE: USES OF COUNTY-OWNED LANDS

III.

IV. NOT APPLICABLE

The following Buckingham County-owned properties are available for new wireless telecommunication infrastructure subject to all the zoning requirements of this document and the Zoning Ordinance.

Property	Address	MP Site ID	Infrastructure Type	Infrastructure Maximum Height
Household Waste & Recycling Center	29420 N. James Madison Highway	5	Monopole	125'
Household Waste & Recycling Center	720 Plank Road	10	Monopole	199'



Property	Address	MP Site ID	Infrastructure Type	Infrastructure Maximum Height
Water Tank	52 Dillwyn Primary Road	14	Concealed Antenna Attachments	n/a
Household Waste & Recycling Center	Section 138, Lot 16	15	Concealed	125'
Water Treatment Plant	1788 Troublesome Creek Road	18	Monopole	199'
Household Waste & Recycling Center	16836 W. James Anderson Highway	26	Monopole	199'
Buckingham County Courthouse	13043 W. James Anderson Highway	27	Monopole Flag Pole/concealed attached	125'
Buckingham County Administrative Offices	13360 W. James Anderson Highway	28	Monopole Flag Pole/concealed attached	125'
Undeveloped Land	Section 137, Parcel 121A	29	Concealed	125'
Undeveloped Land	Section 137, Lot 47	30	Concealed	125'
Water Tank	16830 W. James Anderson Hwy	32	Concealed Antenna Attachments	n/a
Animal Shelter	9659 Andersonville Road	34	Monopole	199'
Old landfill	Off Andersonville Road	35	Monopole	199'

(a) If an applicant requests a permit to develop a site on County-owned property, the permit granted hereunder shall not become effective until the applicant and the County have executed a written agreement or lease setting forth the particular terms and provisions under which the permit to occupy and use the public lands of the jurisdiction will be granted.

(b) No permit granted under this section shall convey any exclusive right, privilege, permit, or franchise to occupy or use the publicly-owned sites of the jurisdiction for delivery of telecommunications services or any other purpose.

(c) No permit granted under this section shall convey any right, title or interest in the public lands, but shall be deemed a permit only to use and occupy the public lands for the limited purposes and term stated in the agreement between the lessor and lessee. Further, no permit shall be construed as a conveyance of a title interest in the property.

**Section Two: Submittal requirements for each type of facility.**

**#1 For All New WCFs outside the right-of-way:**

- 1) In addition to the submittal requirements of any subsection below, each applicant shall submit a completed application form and required application fees as part of its submittal package.
- a) Prior to application submittal.

The applicant shall contact the Zoning Administrator to confirm submittal requirements and Planning Commission and Board of Supervisor meeting dates.

*Completed*

- b) Balloon Test for all new freestanding macro cell WCFs outside the right-of- way greater than 50 feet in height.

*The applicant performed a balloon test on May 26, 2020, in accordance with the ordinance below, and the resulting photo-simulated renderings are attached.*

- 1) The applicant shall arrange to raise a balloon of a color or material that provides maximum visibility and no less than three feet in diameter, at the maximum height of the proposed WCF and within 50 horizontal feet of the center of the proposed antenna support structure.
- 2) The applicant shall inform in writing the zoning administrator, abutting property owners, elected County Supervisor, and appointed Planning Board Commissioner of the district of the date and times of the test at least 14 days in advance.
- 3) The applicant shall request in writing permission from the abutting property owners to access their property during the balloon test to take pictures of the balloon and to evaluate the visual impact of the proposed tower on their property.
- 4) The date, time and location of the balloon test shall be advertised in a locally distributed paper by the applicant at least seven but no more than 14 days in advance of the test date. The advertisement shall also include an alternate inclement weather date for the balloon test.
- 5) Signage similar to rezoning signage shall be posted on the property to identify the location on the property where the balloon is to be launched. This signage shall be posted a minimum of seventy-two hours prior to the balloon test. If unsuitable weather conditions prevail on the date of the balloon test then cancellation of the test shall be clearly noted on the signage.
- 6) The balloon shall be flown for at least four consecutive hours during daylight hours on the date chosen.
- 7) The applicant shall record the weather during the balloon test.
- 8) If the wind during the balloon test is above 20 miles per hour then the balloon test shall be postponed and moved to the alternate inclement weather date provided in the advertisement.

2) Provided with application:

- a) For all new macro facility towers, the applicant shall demonstrate that the following notice was

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mailed (via certified mail) to all other wireless service providers licensed to provide service within the county as well as known tower owners as indicated on the list of wireless service providers provided by the county:

"Pursuant to the requirements of the Buckingham County Zoning Ordinance, Article 9 is hereby providing you with notice of our intent to meet with the county staff in a pre-application conference to discuss the location of a free-standing wireless communications facility that would be located at (physical address, latitude and longitude (NAD- 83)). In general, we plan to construct a support structure of \_\_\_\_\_ feet in height for the purpose of providing \_\_\_\_\_ (type of wireless service). Please inform the County Staff if you have any desire for placing additional wireless facilities or equipment within 2 miles of our proposed facility. Please provide us and Buckingham Planning Department with this information within twenty business days after the date of this letter. Your cooperation is sincerely appreciated.

Sincerely, (pre-application applicant, wireless provider)"

[TO BE INSERTED]

- b) An affidavit by a radio frequency engineer demonstrating: (NOTE: These documents are needed to justify a facility and to determine if the proposed location is the only or best one in the designated geographic area of the proposed facility.)

*See attached proximity sites map showing no existing tower locations within 7.5 miles of this site.*

- 1) No existing wireless communications facilities located within the geographic area meets the applicant's engineering requirements, and why.

*See attached proximity sites map showing no existing tower locations within 7.5 miles of this site.*

- 2) Existing wireless communications facilities are not of sufficient height to meet the applicant's engineering requirements, and cannot be increased in height.

*There are no available structures to collocate on within 7.5 miles of the site.*

- 3) Existing wireless communications facilities do not have sufficient structural integrity to support the applicant's proposed wireless communications facilities and related equipment, and the existing facility cannot be sufficiently improved.

*There are no available structures to collocate on within 7.5 miles of the site.*

- 4) Other limiting factors that render existing wireless communications facilities unsuitable.

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*There are no available structures to collocate on within 7.5 miles of the site. In doing a search for facilities in the area there are no structures available that we are aware of that are within 5 miles of this site that achieve the necessary height, based on the topography of the site, to accommodate the surrounding terrain. For example, most churches in the area are 1½ to 2 stories in height and many do not have a steeple that can achieve the height necessary to provide any service.*

- 5) Costs of concealment technology that exceed facility development costs shall not be presumed to render the technology unfeasible.

*Not applicable*

- c) Sixteen sets (11"× 17") of signed and sealed site plans by a surveyor or engineer licensed in the State of Virginia, including antenna support structure elevations, and landscape plans if required, and one reduced copies (8 1/2"× 11"), of the foregoing preliminary grading plans may be included on site plans or separately submitted in equal quantities. The site plans shall identify adjacent land owners, land uses, height of principal building, size of lots, and existing zoning and land use designation.

*Agreed.*

- d) An identification card for the subject property from the office of the Commissioner of the Revenue for the County or a tax bill showing the ownership of the subject parcel.

*See attached tax card from the Buckingham County GIS application.*

- e) Proof that a property and/or WCF owner's agent has appropriate authorization to act upon the owner's behalf (if applicable).

*See attached with this application.*

- f) For monopoles using breakpoint technology a written statement by a registered professional engineer licensed by the State of Virginia specifying the design structural failure modes of the proposed facility.

*Not applicable.*

- g) Materials detailing the locations of existing wireless communications facilities to which the proposed antenna will be a handoff candidate; including latitude, longitude, and power levels of the proposed and existing antenna is required.

*See attached proximity sites map.*

- h) A map showing the designated search ring.

*See attached proximity sites map.*

- i) Identification of the intended service providers of the WCF.

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*The applicant and primary user of the proposed facility will be Verizon Wireless. The applicant gladly accepts applications for collocation on the proposed facility pursuant to the attached collocation policy.*

- j) Title report or American Land Title Association (A.L.T.A.) survey showing all easements on the subject property, together with a full legal description of the property.

*See attached with this application.*

- k) The applicant shall supply a statement on applicant letterhead of compliance with all FCC rules regarding interference to other radio services.

*See attached with this application.*

- l) The applicant shall supply a statement on applicant letterhead of compliance with all FCC rules regarding human exposure to radio frequency energy.

*See attached with this application.*

- m) One original and two copies of a survey of the property delineating an area equal to 200 percent (200%) of the height of the WCF as measured from the boundary of the equipment compound of the tower in all directions. This survey shall include all property lines and buildings and be completed by a professional surveyor, licensed in the State of Virginia, showing all existing uses, structures, and improvements.

*See attached with this application.*

- n) A landscape plan in accordance with the provisions of Section 7 (8) of Article 9 in the Zoning Ordinance, to include without limitation, any required buffer.

*See ZDs detailing the proposed facility buffer.*

- o) If the United States Fish and Wildlife Service require the applicant to submit any information to them concerning the proposed wireless communications facility, the applicant shall also furnish a copy of any material submitted to the United States Fish and Wildlife Service to the county as part of the application package.

*The applicant is required to obtain all appropriate local and federal authorizations prior to construction of the facility. This includes, but is not limited to the local jurisdiction, FCC, FAA and NEPA/ SHPPD. Copies of these approvals can be furnished in due course upon receipt as requested.*

- p) All other documentation, evidence, or materials necessary to demonstrate compliance with the applicable approval criteria set forth in this document and the Buckingham County Zoning

Ordinance.

(3) Provide with building permit:

- a) Prior to issuance of a building permit, proof of FAA compliance with Subpart C of the Federal Aviation Regulations, Part 77, "Objects Affecting Navigable Airspace," if applicable.

*See attached FAA determination of no hazard notice.*

- b) Prior to issuance of a building permit a stamped or sealed structural analysis of the proposed WCF prepared by a registered professional engineer licensed in the State of Virginia indicating the proposed and future loading capacity of the WCF.

*Duly noted.*

- c) Prior to issuance of a building permit, proof of Virginia Department of Historic Resources (VDHR) approval and State Historic Protection and Preservation Office (SHPPPO) approval, if required.

*Duly noted. Copies of all necessary and required approval shall be provided upon receipt.*

**#2 Attached, collocated, collocation modifications of existing arrays, or combined antenna on an existing WCF.**

**V.**

*Section not applicable.*

The following shall be provided in addition to the requirements listed above.

- a) If antennas are proposed to be added to an existing structure, all existing antennas and other equipment on the structure, as well as all ground equipment, shall be identified by owner, type and size. The method(s) by which the antennas will be attached to the mounting structure shall be depicted.
- b) The top of the attached antenna shall not be more than twenty (20) feet above the existing or proposed building or structure.
- c) When required, photo-simulated post construction renderings of the completed proposed antenna support structure, equipment cabinets, and ancillary structures shall at a minimum include renderings from the vantage point of any adjacent roadways and occupied or proposed non-residential or residential structures and other locations as determined by the Administrator, proposed exterior paint and stain samples for any items to be painted or stained, and pictures of exterior building materials and roof materials.
- d) Concealed Attached WCFs: Feed lines and antennas shall be designed to architecturally match the façade, roof, wall, or structure on which they are affixed so that they blend with the existing structural design, color, and texture.
- e) Equipment cabinets shall be located within the existing building or behind an opaque enclosure matching the architectural designs and colors of the principal building or structure. If the existing



equipment compound is not sized adequately to accommodate the new proposed ground equipment, then a revised site plan of the original WCF site shall be submitted addressing the overall ground space for the WCF.

- f) Non-concealed attachments shall only be allowed on electrical transmission towers and existing light stanchions subject to approval by the utility company, the development standards for attached WCFs, and compliance with existing legal restrictions contained in any easement granted for said transmission towers and/or light stanchions.
- g) Provide with Building Permit: Prior to issuance of a building permit a stamped or sealed structural analysis by a registered professional engineer licensed in the State of Virginia indicating the antenna support structure and/or building or structure to which the antenna will be attached has sufficient structural integrity to support the proposed antenna and feed lines in addition to all other equipment located or mounted on the structure.

### **#3 Replacement of WCFs.**

*Section not applicable.*

The following shall also be provided in addition to the requirements listed in #1. Replacement of WCFs shall accomplish a minimum of one of the following: 1) reduce the number of towers; or 2) reduce the number of nonconforming towers; or 3) replace an existing tower with a new tower to improve network functionality resulting in compliance with this ordinance. Replacement is subject to the following:

- a) Height: The height of a tower approved for a first time replacement shall not exceed one hundred and fifteen (115) percent of the original height of the tallest tower or the maximum height permitted in district whichever is greater. (For example a 250' existing tower could be rebuilt at 287.5')
- b) A second replacement for a tower previously replaced requires approval of a Special Use Permit.
- c) Breakpoint technology: Replacement monopole towers shall use breakpoint technology in the design of the replacement facility.
- d) Replacement WCFs shall be configured and located in a manner that minimizes adverse effects on the landscape and adjacent properties, with specific design considerations as to height, scale, color, texture, and architectural design of the buildings on the same and adjacent zoned lots.
- e) The existing tower being replaced, including tower base but excluding the tower foundation, must be removed within ninety (90) days of the initial operation of the new tower.

### **#4 Freestanding concealed WCFs.**

*Section not applicable.*

The following shall be provided in addition to the requirements listed in Section #1:

- a) Height:
  - 1) Height calculations shall include above ground foundations, but exclude lightning rods or lights required by the FAA that do not provide any support for antennas.
  - 2) New concealed towers shall be limited to 199' or less in height.

3) For replacements of existing towers #3, entitled, "Replacement of WCF's".

- b) New concealed freestanding towers shall be designed to match adjacent structures and landscapes with specific design considerations such as architectural designs, height, scale, color, and texture.
- c) Photo-simulated post construction renderings of the completed proposed antenna support structure, equipment cabinets, and ancillary structures shall at a minimum include renderings from the vantage point of any adjacent roadways and occupied or proposed non-residential or residential structures and other locations as determined by the Administrator, proposed exterior paint and stain samples for any items to be painted or stained, exterior building material and roof samples.

In addition to the requirements of Section Two, #1, the applicant shall provide simulated photographic evidence of the proposed WCFs appearance from any and all residential and village zones as identified on the zoning map that are within 1,000 feet and vantage points approved by the Administrator including the facility types the applicant has considered and the impact on adjacent properties including:

- 1) Overall height.
- 2) Configuration.
- 3) Physical location.
- 4) Mass and scale.
- 5) Materials and color.
- 6) Illumination.
- 7) Architectural design.

**#5 Non-concealed WCFs.**

- a) It is intended that all new non-broadcasting towers be 199' or less in height. However, should a tower be required in excess of 199', all new non- broadcast facilities shall be subject to the following additional requirements:

*Not applicable as the tower proposed has a maximum height of 195' (with 4' for lightening rods).*

- 1) Propagation maps and corresponding data including but not limited to topographic and demographic variables for the intended service area shall be provided for review illustrating with detail that the service area and intercoupling hand-off will be sufficiently compromised to require an additional antenna support structure(s) for network deployment, which would not otherwise be required.
  - 2) It shall be noted on the site plan that the tower shall be designed to allow for a future reduction of elevation to no more than 199', or the replacement of
- {01125056;v2}27

the tower with a monopole type structure at such time as the wireless network has developed to the point that such a reduction in height can be justified.

- b) Photo-simulated post construction renderings of the completed proposed antenna support structure, equipment cabinets, and ancillary structures shall at a minimum include renderings from the vantage point of any adjacent roadways and occupied or proposed non-residential or residential structures and other locations as determined by the Administrator, proposed exterior paint and stain samples for any items to be painted or stained, and pictures of exterior building materials and roof materials.

Agreed.

- c) The applicant shall provide simulated photographic evidence of the proposed WCFs appearance from any and all residential and village zones as identified on the zoning map that are within 1,000 feet and vantage points approved by the Administrator including the facility types the applicant has considered and the impact on adjacent properties including:

- 1) Overall height.
- 2) Configuration.
- 3) Physical location.
- 4) Mass and scale.
- 5) Materials and color.
- 6) Illumination.
- 7) Architectural design.

*The applicant has conducted a balloon test in accordance with the ordinance above and generated the appropriate photo-simulation images, attached.*

#### **#6 Antenna Element Replacement**

*Section not applicable.*

For any replacement of an existing antenna element on a WCF, prior to making such replacement, the applicant, in lieu of the requirements provided in Section Two #1 shall submit and provide:

- a) A written statement setting forth the reasons for the replacement.
- b) A description of the proposed antenna replacement including the antenna element design, type and manufactures model number of the existing and proposed antenna.

#### **#7 Small Cell Facility**

*Section not applicable.*

For any small cell facility, in lieu of the aforementioned items a certification is required and includes an application and sketch plan with the following items:

{01125056;v2}28

- a) Location of proposed structure by GPS coordinates
- b) Location and size of existing or proposed buildings and structures
- c) Setbacks from property lines, right-of-ways, and existing structures
- d) Entrance/Access and parking layout
- e) Exterior lighting if any. All illumination shall be full cutoff and pointed in a down direction.
- f) Tax map and parcel number
- g) Zoning district
- h) North Point
- i) Date of drawing and name of individual who prepared the plan
- j) Minimum setback lines
- k) Approximate boundary dimensions
- l) A certification of structural integrity from a professional engineer licensed to practice in the Commonwealth of Virginia, or a certification of testing and design from a manufacturer of the pole structure
- m) Certification that the antennas meet or exceed FCC emission and interference requirements.



### Section Three: Other Submittal requirements for WCFs

a) Demonstration of Visual and Aesthetic Impacts:

- 1) The applicant shall provide a statement as to the potential visual and aesthetic impact of the proposed WCF on all adjacent properties and roadways, trails, and travel ways.

*The proposed facility will have little visual or aesthetic impact on the surrounding area. Photo-simulations from the balloon test as described above are provided with this application.*

- 2) Except where the facility will be located entirely within an existing structure, a scaled plan and a scaled elevation view and other supporting drawings, calculations, and other documentation required by the agent, signed and sealed by an appropriate licensed professional. The plans and supporting drawings, calculations and documentation shall show:
  - i. The benchmarks and datum used for elevations. The datum shall coincide with the Virginia State Plane Coordinate System, South Zone, North American Datum of 1983 (NAD83), United States Survey Feet North American Vertical Datum of 1988 (NAVD88), and the benchmarks shall be acceptable to the County.

*The required information is provided on the ZDs included in the application.*

- ii. The design of the facility, including the specific type of support structure and the design, type, location, size, height and configuration of all existing and proposed antennas and other equipment.

*The required information is provided on the ZDs included in the application.*

- iii. Except where the facility would be attached to an existing structure or is less than fifty (50) feet, the topography within two thousand (2,000) feet of the proposed facility, in contour intervals shown on United States Geological Survey topographic survey maps or the best topographic data available.
  - iv. The height, caliper and species of all trees where the drip-line is located within fifty (50) feet of the facility that are relied upon to establish the proposed height and/or screening of the monopole. All trees that will be adversely impacted or removed during installation or maintenance of the facility shall be noted, regardless of their distances to the facility.
  - v. All existing and proposed setbacks, parking, fencing and landscaping.

*The required information is provided on the ZDs included in the application.*

The location of all existing and proposed access ways Interference with public safety communications. In order to facilitate the regulation, placement, and construction of WCFs, and to ensure that all parties are complying to the fullest extent possible with the rules, regulations, and/or guidelines of the FCC, each owner of a WCF or applicant for a WCF shall agree in a written statement to the following:



- 3) Compliance with "good engineering practices" as defined by the FCC in its rules and regulations.

*The Applicant kindly directs your attention to the notice included with this application.*

- 4) Compliance with all FCC rules and regulations relating to radio frequency interference (RFI).

*The Applicant kindly directs your attention to the notice included with this application.*

- 5) In the case of an application for collocated telecommunications facilities, the applicant, together with the owner of the subject site, shall use their best efforts to provide a composite analysis of all users of the site to determine that the applicant's proposed facilities will not cause radio frequency interference with the county's public safety communications equipment and will implement appropriate technical measures, antenna element replacement, to attempt to prevent such interference.

*Not applicable.*

- 6) Whenever the county has encountered radio frequency interference with its public safety communications equipment, and it believes that such interference has been or is being caused by one or more WCFs, the following steps shall be taken:

*Duly noted.*

- i. The county shall provide notification to all WCF service providers operating in the county of possible interference with the public safety communications equipment, and upon such notifications, the owners shall use their best efforts to cooperate and coordinate with the county and among themselves to investigate and mitigate the interference, if any, utilizing the procedures set forth in the joint wireless industry-public safety "Best Practices Guide," released by the FCC in February 2001, including the "good engineering practices," as may be amended or revised by the FCC from time to time.
- ii. If any WCF owner fails to cooperate with the county in complying with the owner's obligations under this section or if the FCC makes a determination of radio frequency interference with the county public safety communications equipment, the owner who failed to cooperate and/or the owner of the WCF which caused the interference shall be responsible, upon FCC determination of radio frequency interference, for reimbursing the county for all costs associated with ascertaining and resolving the interference, including but not limited to any engineering studies obtained by the county to determine the source of the interference. For the purposes of this subsection, failure to cooperate shall include failure to initiate any response or action as described in the "Best Practices Guide" within 24 hours of county's notification.





**SITE NAME:**

# VZW – HOWARDSVILLE – RAWLAND

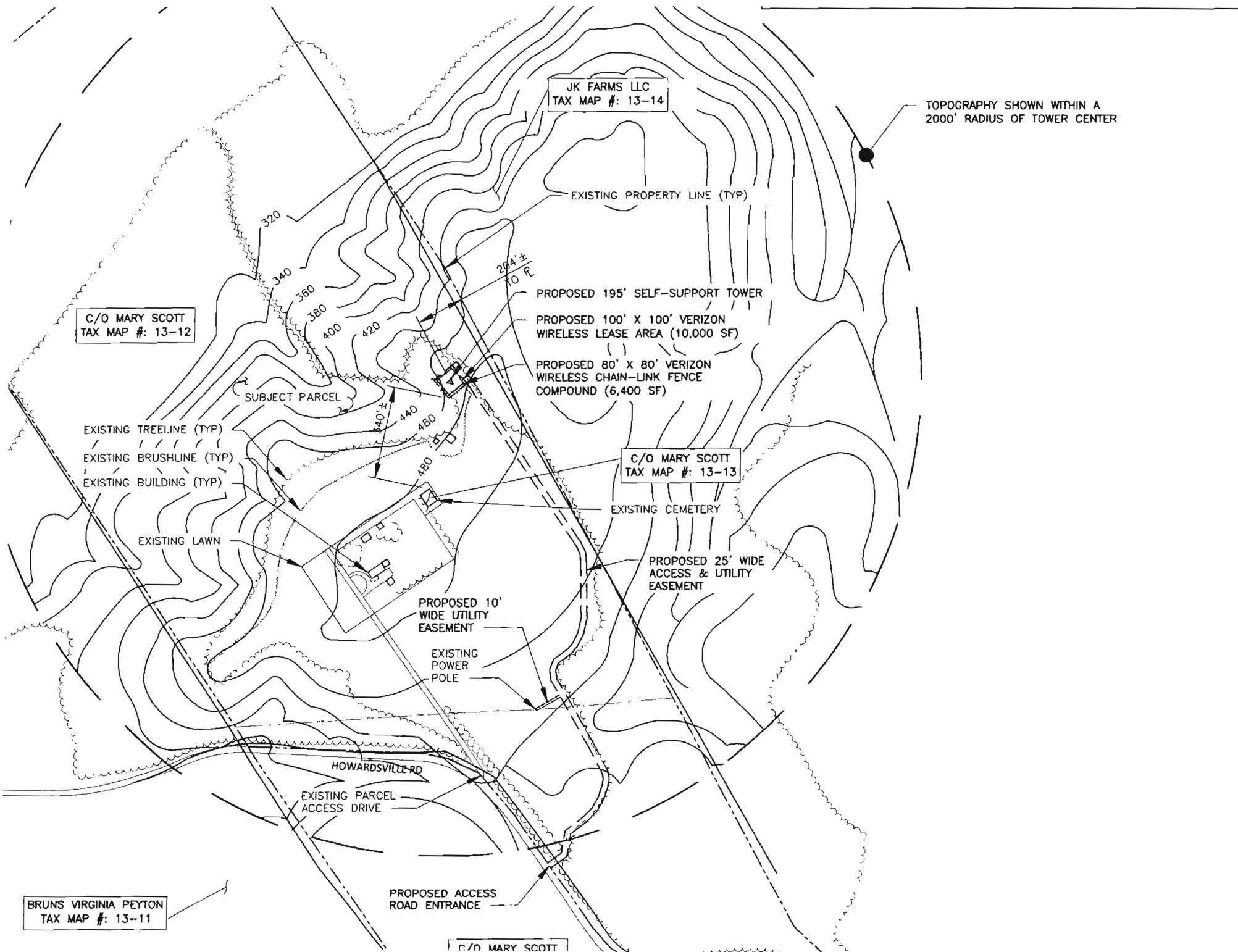
ADDRESS:

12994 HOWARDSVILLE ROAD  
HOWARDSVILLE, VA 24562

# INSTALLATION OF WIRELESS COMMUNICATION FACILITY TOWER ANTENNAS AND ASSOCIATED EQUIPMENT

Graham L. Evar  
I am approving t  
2021-01-27 16:3

[illegible]



JK FARMS LLC  
TAX MAP #: 13-14

TOPOGRAPHY SHOWN WITHIN A  
2000' RADIUS OF TOWER CENTER

C/O MARY SCOTT  
TAX MAP #: 13-12

EXISTING PROPERTY LINE (TYP)

PROPOSED 195' SELF-SUPPORT TOWER

PROPOSED 100' X 100' VERIZON  
WIRELESS LEASE AREA (10,000 SF)

PROPOSED 80' X 80' VERIZON  
WIRELESS CHAIN-LINK FENCE  
COMPOUND (6,400 SF)

C/O MARY SCOTT  
TAX MAP #: 13-13

EXISTING TREE LINE (TYP)

EXISTING BRUSH LINE (TYP)

EXISTING BUILDING (TYP)

SUBJECT PARCEL

EXISTING LAWN

EXISTING CEMETERY

PROPOSED 25' WIDE  
ACCESS & UTILITY  
EASEMENT

PROPOSED 10'  
WIDE UTILITY  
EASEMENT

EXISTING  
POWER  
POLE

HOWARDSVILLE RD

EXISTING PARCEL  
ACCESS DRIVE

PROPOSED ACCESS  
ROAD ENTRANCE

BRUNS VIRGINIA PEYTON  
TAX MAP #: 13-11

C/O MARY SCOTT

PROPOSED 80'x80' VERIZON WIRELESS  
CHAIN-LINK FENCE COMPOUND (6,400 SF)

PROPOSED 25' WIDE NON-EXCLUSIVE  
ACCESS & UTILITY EASEMENT ALONG  
EXISTING DIRT ROAD

PROPOSED DOUBLE SWING GATES  
(2 GATES @ 8'-0" EACH)

EELINE TO BE REMOVED

100' VERIZON  
AREA (10,000 SF)

PROPOSED 195'  
SELF-SUPPORT TOWER

EXISTING BRUSHLINE  
TO BE REMOVED

PROPOSED EVERGREEN TREES  
PLANTED 10' ON-CENTER IN A  
DOUBLE ROW OUTSIDE OF THE  
CHAIN-LINK FENCE COMPOUND

EXISTING BRUSHLINE (TYP)

PROPOSED BRUSHLINE

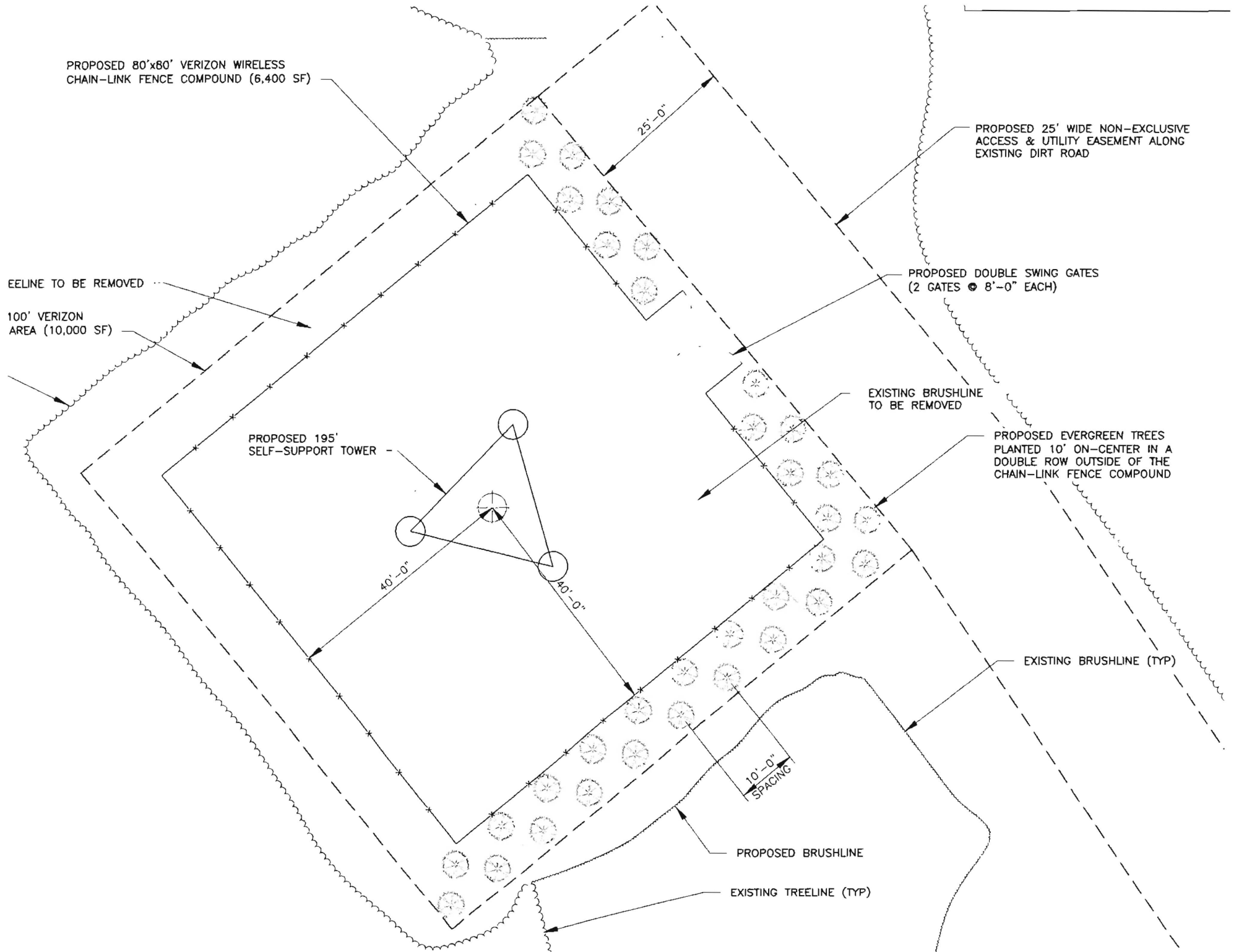
EXISTING TREELINE (TYP)

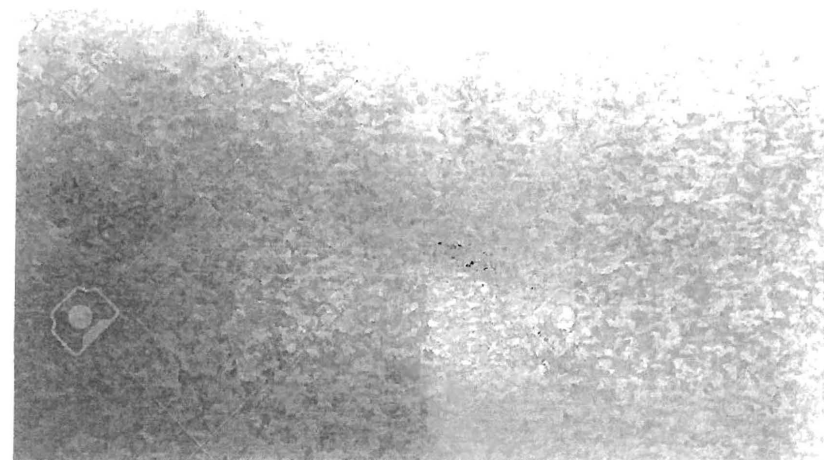
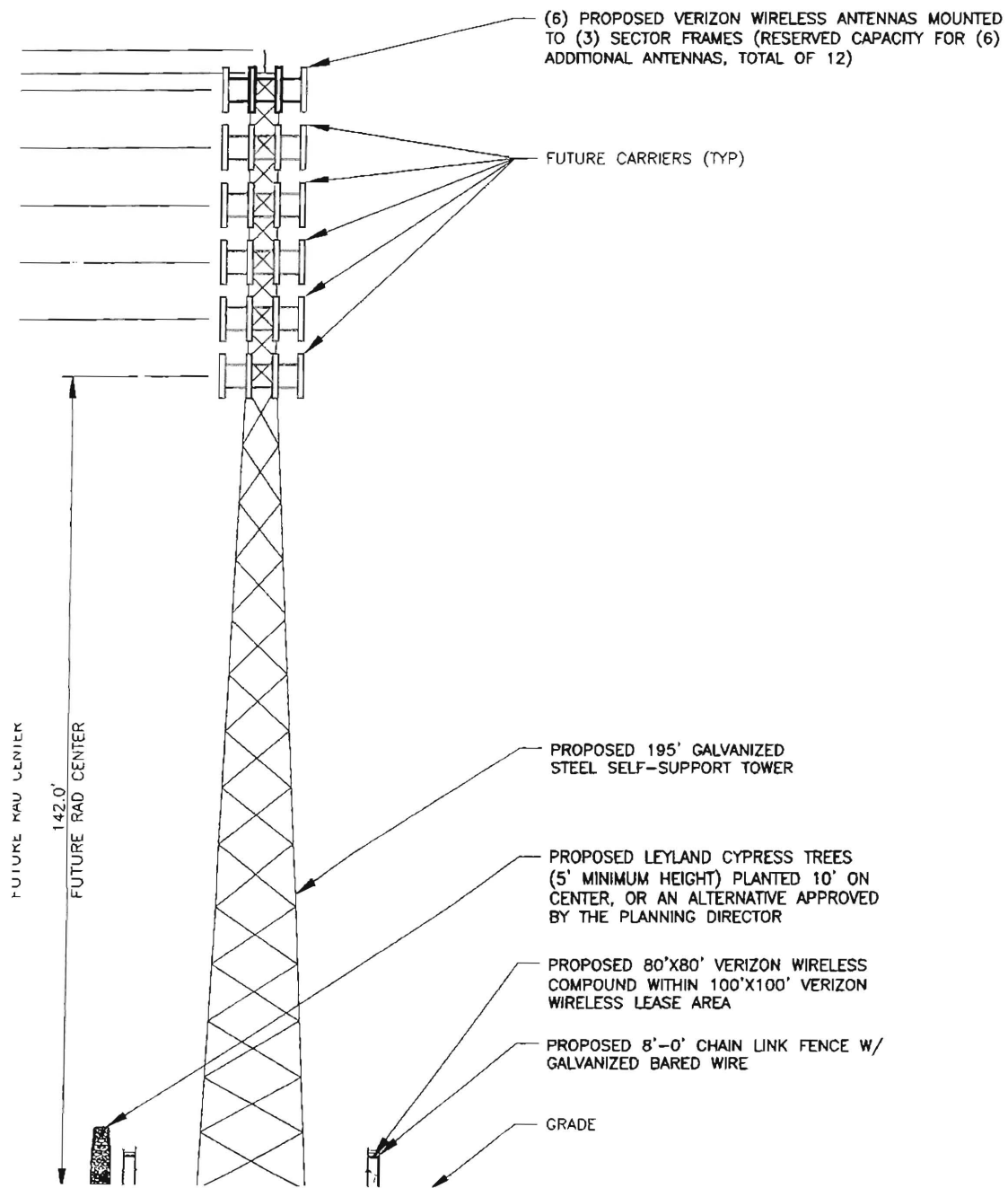
25'-0"

40'-0"

40'-0"

10'-0"  
SPACING





2 TOWER COLOR SAMPLE  
 Z-3 SCALE: NTS

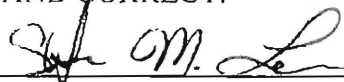
**CERTIFICATION OF APPLICANT**

Cellco Partnership d/b/a Verizon Wireless (t/a "Verizon Wireless") (the "Applicant")  
hereby certifies as follows:

1. The Applicant is a "wireless service provider" as that term is defined in the Buckingham County, Virginia (the "County"), Zoning Ordinance; and
2. The Applicant fully intends to commence construction of the proposed wireless facility to be located on a portion of on a portion of a 300.92± acre parcel located in the County and on Howardsville Road and identified as Parcel ID: 13-12, pursuant to its application for such facility within two years of the actual approval by the Board of Supervisors of the County and shall diligently pursue such construction to completion of the facility.

I CERTIFY THAT THE FOREGOING IS TRUE AND CORRECT.

Stefanie M. Lewis  
\_\_\_\_\_  
Print Name

  
\_\_\_\_\_  
Signature

757-771-4779  
\_\_\_\_\_  
Daytime Telephone Number

11/6/20  
\_\_\_\_\_  
Date

## Andrew Condlin

---

**From:** Elizabeth Herington-Smith <elizabeth@cityscapegov.com>  
**Sent:** Thursday, February 04, 2021 2:05 PM  
**To:** Nicci Edmondston; Andrew Condlin; Rick Edwards; Anthony Thomas Lepore  
**Cc:** Zelic Jones (zjones@bci-mail.com); 'Sean Bamman'; E M. Wright; Tracy Craddock  
**Subject:** Re: Proposed Verizon Tower Howardsville

If this is an amended application there won't be any extra fees from CityScape as well. Thank you

**Elizabeth Herington-Smith | 561-541-3104**

**From:** Nicci Edmondston  
**Date:** Friday, January 29, 2021 at 3:15 PM  
**To:** Andrew Condlin , Elizabeth Herington-Smith , Rick Edwards , Anthony Thomas Lepore  
**Cc:** "Zelic Jones (zjones@bci-mail.com)" , 'Sean Bamman' , "E M. Wright" , Tracy Craddock  
**Subject:** RE: Proposed Verizon Tower Howardsville

Andy,

So glad to speak with you to answer your questions regarding your intent to amend the application. As discussed, the County will accept the amended application and there will be no further fees from the County. I have included CityScape, as they will be let us know if they require any additional fees to review. The amended application will be for a 199' tower, and the deficiencies noted by CityScape in the December 15<sup>th</sup> email will be addressed and resolved.

Thanks,  
Nicci

**Nicci Edmondston**  
**Zoning Administrator/Economic Development**



**Buckingham County Administration**  
P O Box 252  
Buckingham VA 23921  
434.969.4242 Phone  
434.969.1638 Fax

**From:** Andrew Condlin [mailto:ACondlin@rothjackson.com]  
**Sent:** Wednesday, January 27, 2021 4:27 PM  
**To:** Nicci Edmondston  
**Cc:** Zelic Jones (zjones@bci-mail.com) ; 'Sean Bamman' ; E M. Wright ; Tracy Craddock  
**Subject:** RE: Proposed Verizon Tower Howardsville

Parcel ID	Owner Name	Physical Address	Mailing Address
13-12 (Subject Parcel)	MONMOUTH FARM LLC	12994 Howardsville Road, VA 24562	C/O MARY SCOTT, PO BOX 1035, Scottsville VA 24590
13-1	MONMOUTH FARM LLC		C/O MARY SCOTT, PO BOX 1035, Scottsville VA 24590
13-11	BRUNS VIRGINIA PEYTON		2801 NEW MEXICO AVE NW APT 206, Wasshington DC, 20007
13-19	SNODDY ROBERT H JR		12534 HOWARDSVILLE RD, Howardsville, VA 24562
13-14	JK FARMS LLC		4880 HADDINGTON DR, Bloomfield Township, MI 48304
13-12	MONMOUTH FARM LLC		C/O MARY SCOTT, PO BOX 1035, Scottsville VA 24590
13-11	BRUNS VIRGINIA PEYTON		2801 NEW MEXICO AVE NW APT 206, Wasshington DC, 20007
139-30A	C&O Railway Co C/O LJ Borntraeger Admin Pro Taxes	N/A	500 Water St, Jacksonville, FL 32202
139-29	C&O Railway Co C/O LJ Borntraeger Admin Pro Taxes	N/A	500 Water St, Jacksonville, FL 32202





January 29, 2020

To whom it may concern:

**CELLCO PARTNERSHIP d/b/a VERIZON WIRELESS** ("Verizon Wireless") has contracted Bamman Consulting ("BCI") to support it in upgrades to its wireless service. BCI is authorized to represent Verizon Wireless, acting as its agent, to our Landlords and to the municipal jurisdictions in which our sites are located.

It is Verizon Wireless' intent to construct and utilize a new cell tower on the property located at 12994 Howardsville Road, Howardsville, VA 24562. Verizon Wireless will construct and operate this facility in strict compliance with FCC and other regulations as appropriate.

Should you have any questions about this matter, please feel to contact Linda French at 804-543-7560 or [linda.french@verizonwireless.com](mailto:linda.french@verizonwireless.com).

Verizon Wireless is looking forward to continuing its various business relationships and providing enhanced coverage within its wireless network.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Linda French", is written over a horizontal line.

Linda French  
Engr III Specialist – Real Estate/Regulatory

## Nicci Edmondston

---

**From:** Elizabeth Herington-Smith <elizabeth@cityscapegov.com>  
**Sent:** Monday, June 14, 2021 3:37 PM  
**To:** Nicci Edmondston  
**Subject:** FW: Proposed Verizon Tower Howardsville  
  
**Importance:** High

Attached are our notes regarding the application. However, while the applicant gathers this information we will begin our report. Thank you!

**Elizabeth Herington-Smith | 561-541-3104**

---

**From:** Susan Rabold <susan@cityscapegov.com>  
**Date:** Wednesday, June 9, 2021 at 10:37 PM  
**To:** Elizabeth Herington-Smith <elizabeth@cityscapegov.com>  
**Cc:** Ben Evans <ben@cityscapegov.com>  
**Subject:** FW: Proposed Verizon Tower Howardsville

Elizabeth, Please find below our comments regarding the revised proposed Verizon tower application known as "Howardsville". My comments are in red font; Ben's comments are in highlight yellow.

The Application remains incomplete until the items outstanding are addressed.

Elizabeth do you want to send to the County?

Thanks all, Susan

**Susan Rabold | Project Manager**  
Greensboro, NC  
Direct Line: 336-210-0843  
**CITYSCAPE CONSULTANTS, INC.**  
2423 S. Orange Ave #317,  
Orlando, FL 32806  
Toll Free: 877-438-2851 | fax: 877-220-4593 |  
[www.cityscapegov.com](http://www.cityscapegov.com)

---

**From:** Ben Evans <ben@cityscapegov.com>  
**Date:** Wednesday, June 9, 2021 at 2:12 PM  
**To:** 'Susan Rabold' <susan@cityscapegov.com>  
**Subject:** RE: Proposed Verizon Tower Howardsville

Susan,

Re: the revised Howardsville new WCF application, see my comments in highlight.

- ~~Section Two: #1.(2)(a): Provided with application is missing. The Applicant states the information proposed for the letter to other wireless service providers licensed to provide service in the community is proprietary.~~
  - ~~CityScape disagrees. Once the application is submitted for review all the materials become public record. Nothing in the required letter to the other wireless service providers licensed to provide service in the community is proprietary because all the information to be in the letter is included in the submittal package. For this reason, this item needs to be completed. This item has been addressed.~~
- Section Two: #1.(2)(b)(1)-(5): An affidavit by a radio frequency engineer ...
  - This has not been provided. Statements supporting site and height were not in an affidavit nor attributable to an RF engineer from Verizon. **Applicant has addressed these in the Narrative, although not in affidavit form and not (apparently) coming from an RF Engineer. I think this is all we're likely to get from this applicant. We should press for the affidavit**
- Section Two: #1.(2)(K) & (L):
  - These statements don't appear to have been provided. **Applicant provided an FCC rules compliance statement but not specifically addressing interference to other services and human RF exposure. Also, see Section Three (b) below.**
- ~~Section Two: #5.(a): This is moot since Applicant revised the tower height to 199 feet. Agreed~~
  - ~~Applicant provided terrain profiles, but offers neither explanation nor context; the graphs only indicate how challenging the terrain is from this site. Applicant must provide evidence demonstrating irrefutably that a tower of 199 feet or less that is built at the proposed site or any other site cannot provide the needed coverage and capacity to the area (Applicant must define the area in need of service).~~
- ~~Section Two: #5.(a).1.: Per Virginia State Legislation, Article 7.2. Zoning for Wireless Communications Infrastructure, Section 15.2-2316.4:2 Application reviews. Pont 2: A locality shall not "Require an applicant to provide proprietary, confidential, or other business information to justify the need for the project, including propagation maps and telecommunications traffic studies, or.."~~
  - ~~Section Two: #5.(a). This regulation is specifically requiring all new non-broadcasting towers be 199' or less in height. Should a tower be required in excess of 199' then the ordinance calls for propagation maps to demonstrate the necessity of the requested taller height. The County is not trying to prove or find justification for the tower as specifically called out in VA statutes. The MP already demonstrates the need for additional towers in the northwest quadrant of the County. The County desires this information to determine justification for exceeding the maximum 199' height limitations in the ordinance.~~
    - ~~The Applicant has made it clear in recent history they are not going to submit the propagation maps. Master Plan demonstrates the need for a tower in this area; the applicant has stated the need for a tower in this area so this item has been addressed.~~
- Section Three (a) Demonstration of Visual and Aesthetic Impacts
  - The County will need to decide if they agree with the Applicants assertions that the proposed 250' with 4' lighting rod lighted tower meets or exceeds the visual and aesthetic impacts of the County. **Applicant is sticking with the lattice tower at the lower height even though a monopole is more preferable to the County and can be easily built to 195 feet. Should they address? Yes, applicant needs to propose a monopole and if they want a lattice they must explain why a monopole will not work them at this site.**
- ~~Section Three (b).1 through 4-~~ **1, 2 and 4 (3 is for collo apps)**
  - The Applicant appears to have not provided this statement. **The FCC compliance statement Applicant provided is generic. Applicant needs to specifically respond to 1, 2 and 4 of this provision, in addition to a statement from Verizon or the tower owner that they will comply with the FCC rules regarding human exposure to RF energy.**

Please let me know if you have any questions.

Best regards, Susan

**County of Buckingham, Virginia**  
**Telecommunications Site Review**  
**Application for New Structure**



2423 S. Orange Avenue, #317  
Orlando, FL 32806  
Tel: 877.438.2851 Fax: 877.220.4593

July 2, 2021

Ms. Nicci Edmondston  
Zoning Administrator  
County of Buckingham  
13380 W. James Anderson Highway  
Buckingham, VA 23921

**Applicant/Provider:** Euan Fuller on behalf of Cellco Partnership d/b/a Verizon Wireless  
**Provider Site Name:** VZW – Howardsville – Rawland  
**Site Location:** 12994 Howardsville Road, James River District 5, Buckingham County, VA  
**Latitude:** N 37° 44' 05.83" **Longitude:** W 78° 37' 55.14"

Dear Ms. Edmondston,

At your request, on behalf of Buckingham County, Virginia ("County"), CityScape Consultants ("CityScape"), in its capacity as Telecommunications Consultant for the County, has considered the merits of an application submitted by Euan Fuller on behalf of Verizon Wireless ("Applicant", "Verizon" or "Provider"), to construct a new one hundred ninety five (195) foot self-supporting *lattice tower* with a four (4) foot attached lightning rod, *see Figure 1*. This facility is intended to accommodate the antennas for Verizon and other future co-locators. The subject property, which is zoned A-1 Agricultural, is owned by Monmouth Farm LLC. The proposed tower site would be located on the north side of Howardsville Road (State Route 602), about 0.58 mile northwest of the intersection of Howardsville Road and Logan Road (State Route 653) in Buckingham County just east of the community of Howardsville, *see Figure 2*. The Applicant states that the proposed tower is needed to address inadequate capacity and coverage in the area surrounding the intended location of the tower. The proposed tower height complies with the County's height limitation of one hundred and ninety nine (199) feet above ground for a non-replacement tower.

The Applicant had previously specified a tower with an overall height of two hundred fifty four (254) feet at exactly the same location, which exceeds the County Ordinance limitation, but now has revised the proposal for a tower of overall height of 199 feet above ground in compliance with the limitation.

The proposed Facility has been evaluated from the following perspectives:

- Whether the proposed Facility, as specified, is justified due to technological reasons and is essential for the Applicant to provide its telecommunications service; and,
- Whether the proposed Facility follows the guidelines of the Telecommunications Act of 1996 and subsequent federal legislation, and is compliant with the Virginia and Buckingham County Codes and all other pertinent rules and regulations.

### Site Justification and Coverage

For a new wireless communications facility to be justified, its need, location and height must be addressed. This application proposes to construct a new one hundred and ninety five (195) foot *lattice type* tower plus four-foot lightning rod for a total height of 199 feet, *see Figure 1*. Section 704 of the federal Telecommunications Act of 1996 (“the Telecom Act”) specifically preserves the authority of state **and** local governments over decisions regarding the placement, construction, and modification of personal wireless service facilities, so long as such regulation 1) does not involve matters pre-empted by federal law or regulation, 2) does not unreasonably discriminate among providers of functionally equivalent services and 3) does not prohibit or have the effect of prohibiting the provision of personal wireless services.

### Cellular Macro/Microsite Design

In addition to the minimum effective needed height for signal coverage, as more wireless devices are deployed, capacity issues become the limiting factor. Technology is improving which allows towers to handle more devices, but it is not keeping up with the speed that such devices are capable of delivering. As the industry advances with 5G, smaller, more *localized* wireless sites will be needed. This will involve shorter towers that are closer together to limit their “reach”. This practice has been ongoing in urban and suburban areas for many years and will continue in rural residential areas. The future will also involve a greater utilization of what are known as “small cells” which are antennas placed on street lamps, shorter buildings, etc. These and other reasons require the County to carefully consider and regulate the height of the proposed structure.

### Evaluation of Applicant’s Proposal

The Code of Virginia Title 15.2/Chapter22/Article 7.2 Zoning for Wireless Communications Infrastructure (“Virginia Code”) has restricted the breadth of documentation that local authorities may request of wireless providers to justify the need for new base station towers. CityScape believes that the Virginia Code is in conflict with many provisions of the Telecommunications Act of 1996, which candidly protected the citizens to a higher degree than the Virginia Code. CityScape has determined that local government is not restricted from reasonable verification of need if the local ordinance has provided language suggesting such substantiation. Buckingham County has certain rights in regards to the height, location and type of support structure as well as the ability to assure the proposed facility is following FCC safety specifications and local building codes. While the County has the discretion to regulate the above, the County cannot prevent the Applicant from developing their wireless network, according to federal law. CityScape is satisfied there is sufficient evidence of need and that the location was selected within the parameters of wireless network design and in accordance with FCC requirements.

The Applicant submitted a letter from Verizon expressing its intention to utilize the proposed tower and stated that it “will construct and operate this facility in strict compliance with FCC and other regulations as appropriate.” *See Figure 3*. According to the Applicant’s application documents, the proposed Verizon antennas would be at an elevation of one hundred ninety two (192) feet above ground; sector antenna mounts would be installed at that elevation for Applicant’s antennas. Up to five future co-locators’ antennas would be accommodated at the site per County Code, *see Figure 1*.

Figure 1 shows the projected heights of future co-locators' antennas at 182, 172, 162, 152 and 142 feet above ground. All collocation applications must be reviewed to assure compliance with structural limitations and federal law including FCC regulations. Attached is a letter from Tectonic Engineering Consultants, *see Figure 4*, stating that the tower "will be designed by the tower manufacturer with adequate structural capacity to support the collocation of equipment of at least five (5) additional wireless service providers."

Previously, CityScape requested from the Applicant that it provide certain engineering documents from Verizon to justify its proposal. Verizon would not do so because it regarded the information as proprietary and confidential under the Virginia Code. Thus, CityScape conducted its own rudimentary studies to confirm that there are no existing collocation opportunities in the area around the proposed facility location and that the location and height are justified. CityScape used every publicly-available communications database to search for the locations of any manner of transmitting communications structures within 5 miles of the Applicant's site with a height greater than 20 feet. Only two such structures were found<sup>1</sup>, either owned or controlled by CSX Transportation for its private railroad communications. These structures, both in the CSXT Railroad right-of-way, are masts with attached antennas at the top. The masts are only 60 feet high above ground and thus are unsuitable for use as a macro site by a wireless provider.

CityScape ran terrain elevation profiles using Google Earth in eight directions from the proposed site at 45-degree intervals starting at True North (0 degrees Azimuth) and going clockwise, ending at Northwest (315 degrees Azimuth). The terrain elevation data shows that the proposed site has the highest elevation available in six of the eight directions between zero and 0.55 mile from the site, and in five of those directions, the site has the highest elevation between zero and 0.97 miles from the site. In two directions, North and Northeast, the site elevation is only 17 feet below peaks of hills within a quarter mile of the site but is otherwise the highest up to 1.41 miles in the Northern direction and to 4.0 miles in the Northeastern direction. These conclusions indicate that the site location is justified due to a favorable elevation for the base of the tower, as Personal Wireless coverage largely depends on the antennas' line of sight to the receiver being as unobstructed as possible. Furthermore, the tower height is justified due to higher terrain elevations in the Northwestern and Northern directions that exceed the elevation of the Verizon antennas (671 feet above mean sea level) at one or two locations within three and a half miles of the site. To the extent that regulations at all levels of government allow, wireless providers endeavor to build their towers up to an elevation that would minimize signal loss in their service areas due to intervening terrain. In the case of the proposed facility discussed in this report, a tower built to the County Ordinance maximum height is entirely justified.

The County has the right to approve the type of tower to be used and if the support structure should be concealed. The Applicant proposes to build a lattice tower on non-publicly owned property, which is second to last in the County's hierarchy of siting preferences ((5)b.(ii) of Section 5). The equipment compound would be a fenced-in area of eighty-by-eighty (80 x 80) feet and would contain the lattice tower and ground equipment, *see Figure 5*. An eight-foot chain link fence would be installed on the perimeter of the compound, topped with barbed wire as a climbing deterrent. The

---

<sup>1</sup> According to the FCC database, one of these structures is located in Howardsville, at coordinates N 37-44-04.9 W 78-38-46.9, and the other is located near Warminster, at coordinates N 37-41-11.3 W 78-41-42.5.



compound appears to be large enough to accommodate equipment layouts for up to five future collocating wireless providers.

The tower would be 204 feet from the east property line. A 110% setback for a 199-foot structure would require a 219-foot spacing from the property line. The County Code allows for the use of breakpoint technology for a lesser setback. The Applicant stated in its ordinance narrative that the tower would be designed to collapse within the property lines. The forementioned Tectonic letter, *see Figure 4*, states that the tower “should be designed with a fall radius of 195 feet or less.”

The Federal Aviation Administration (FAA) Determination of No Hazard (DNH) to airspace navigation submitted by the Applicant specifies a 254-foot tower at the proposed tower location; furthermore, the DNH contains a condition that the structure is to be marked and lighted as per FAA requirements. The proposed tower height was later revised to 199 feet. At any height above 200 feet, and in some cases at heights below that, structures are required to be equipped with aviation obstruction lights. CityScape ran an FAA notification screening for a 199-foot tower at the given tower coordinates using the FCC’s TOWAIR application and it indicated that notification to the FAA would not be required at that height, and thus no aviation obstruction lighting or painting would be required. According to a search done by CityScape on the FAA website, there are no public airports or heliports within 10 miles of the proposed tower location. However, these favorable findings are not conclusive. The Applicant should submit an FAA Determination of No Hazard at 199 feet stating that no lighting and marking are required. If, as expected, the tower does not require such lighting and/or painting, the structure could be left with a galvanized metallic finish which would be less visually obtrusive.

The Applicant provided a letter from Verizon, *see Figure 6*, stating: 1) There are no existing wireless communication facilities or other structures reasonably close to the proposed site that can be utilized by Verizon to accomplish the service improvements needed by Verizon subscribers; and 2) After a thorough review of all existing structures in the area surrounding the proposed facility site, it is determined that the desired network improvements in this part of the county can only be achieved by approval of the proposed facility. CityScape agrees with both statements.

Therefore, CityScape Consultants, as the Wireless Telecommunications Expert for the County of Buckingham, recommends that the proposed new 199-foot antenna structure and associated ground equipment for Verizon Wireless be *approved* at the proposed location. We believe that construction of a new Personal Wireless Communications Facility in the area of the proposed site is technically justified and essential for the Provider to fill its coverage gaps, as evidenced by the paucity of Personal Wireless infrastructure in this region of the County. Furthermore, given the rolling nature of the area terrain which presents challenges to Personal Wireless transmission and reception, CityScape believes the location and height proposed are entirely appropriate.

If the County elects to approve the tower, it should do so with the following conditions:

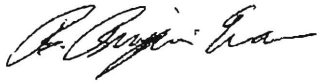
1. Prior to issuance of building permits, the Applicant shall submit satisfactory SHPO and NEPA documentation; and,



2. Prior to permitting, the Applicant shall submit an engineering report, signed by a Professional Engineer licensed in the Commonwealth of Virginia, certifying that the tower will have the structural capacity for the proposed Verizon equipment and similar installations of at least five other wireless providers; and,
3. The Applicant shall submit final construction drawings for the facility which shall be certified by a Virginia Professional Engineer and include breakpoint technology in its tower design; and,
4. The tower shall be left with a galvanized metallic finish and shall not be artificially lighted.

I certify that, to the best of my knowledge, all the information included herein is accurate at the time of this report. CityScape is employed only by public entities and has unbiased opinions. All recommendations are based on technical merit without prejudice or bias per prevailing laws and codes.

Respectfully submitted,



B. Benjamin Evans  
Senior Project Engineer  
CityScape Consultants, Inc.

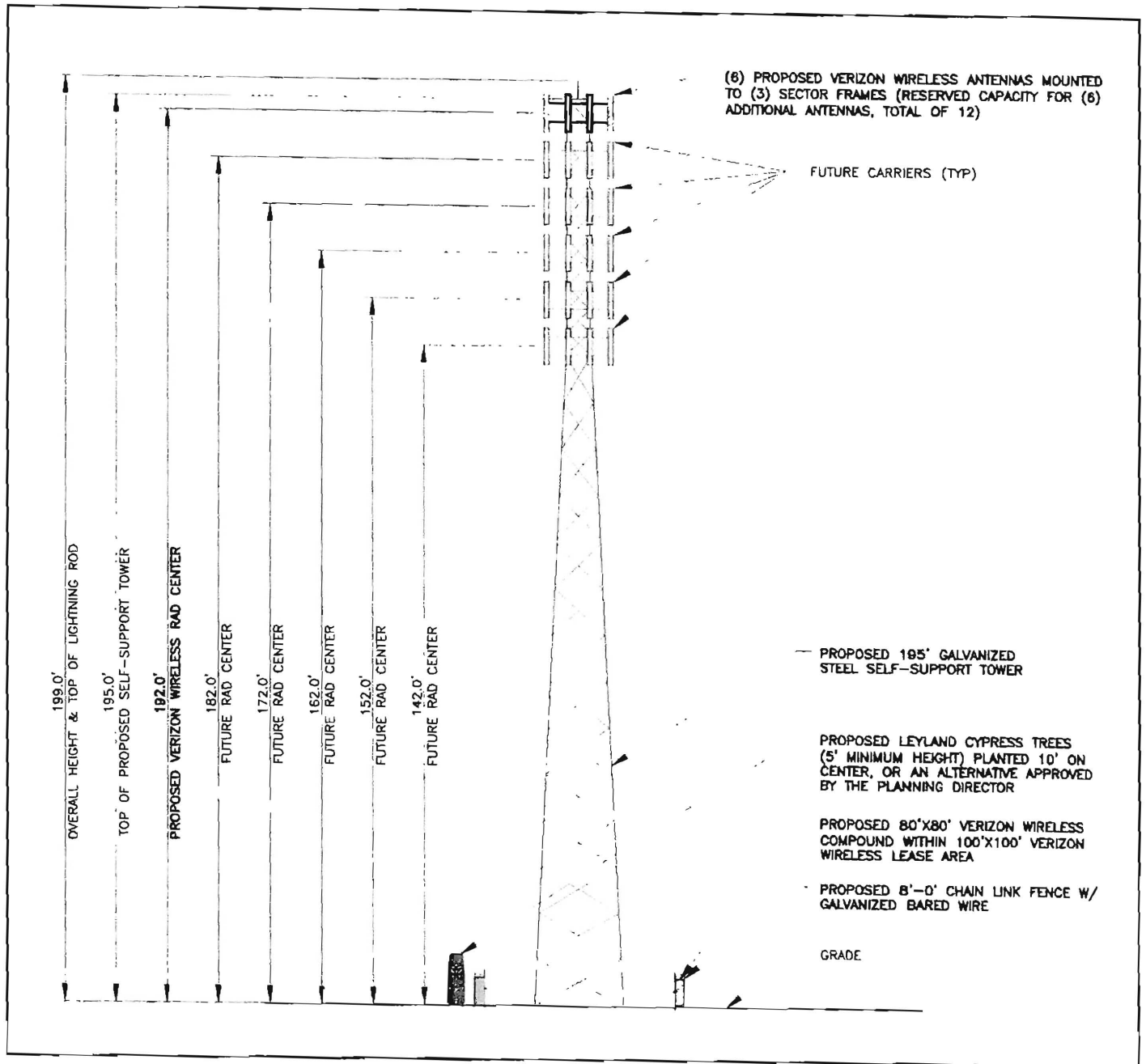
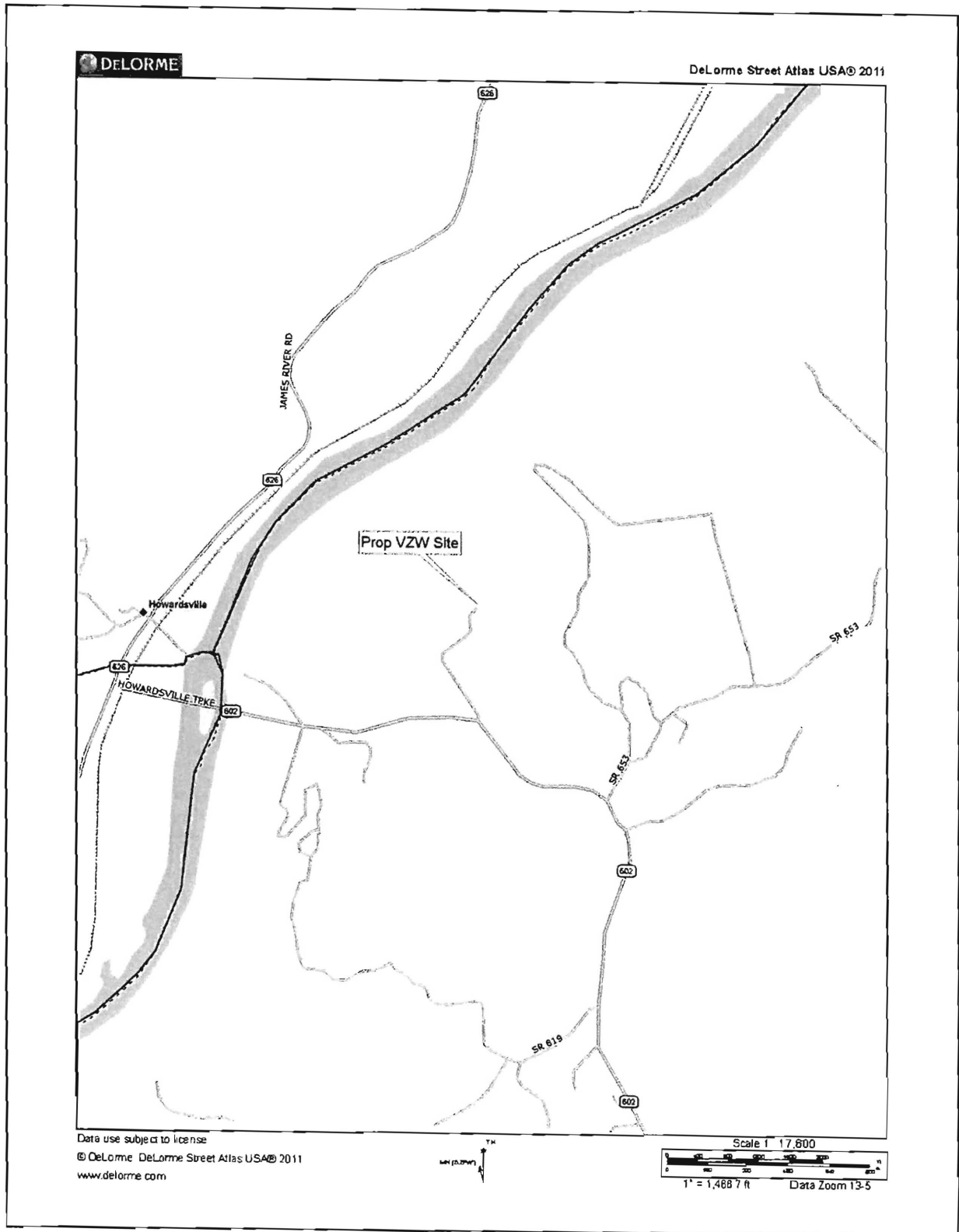


Figure 1. Tower Elevation Sketch



**Figure 2. Map of Proposed Facility Location**

**verizon**<sup>✓</sup>  
1831 Rady Ct., Richmond, VA 23222

January 29, 2020

To whom it may concern:

**CELLCO PARTNERSHIP d/b/a VERIZON WIRELESS** ("Verizon Wireless") has contracted Bamman Consulting ("BC") to support it in upgrades to its wireless service. BC is authorized to represent Verizon Wireless, acting as its agent, to our land-ords and to the municipal jurisdictions in which our sites are located.

It is Verizon Wireless' intent to construct and utilize a new cell tower on the property located at 12994 Howardsville Road, Howardsville, VA 24562. Verizon Wireless will construct and operate this facility in strict compliance with FCC and other regulations as appropriate.

Should you have any questions about this matter, please feel to contact Linda French at 804-543-7560 or [linda.french@verizonwireless.com](mailto:linda.french@verizonwireless.com).

Verizon Wireless is looking forward to continuing its various business relationships and providing enhanced coverage within its wireless network.

Yours sincerely,



Linda French  
Engr III Specialist - Real Estate/Regulatory

Figure 3. FCC Compliance & Intent to Use Tower Letter



February 25, 2021

RE: TEC. W.O. NO.: 9820.HOWARDSVILLE  
VZW – HOWARDSVILLE  
12994 HOWARDSVILLE RD  
HOWARDSVILLE, VA 24562  
BUCKINGHAM COUNTY  
CERTIFICATION LETTER – REVISION 1

To Whom It May Concern,

This letter is written to address the proposed Verizon Wireless cell site installation located in Howardsville, Virginia at the following coordinates: N 37° 44' 5.83", W 78° 37' 55.14".

The proposed cell site structure will be designed to adhere to the TIA-222-G-2005 Structural Standard for Antenna Supporting Structures and Antennas. In addition, the structure will adhere to the 2015 Virginia Uniform Statewide Building Code and any other local, state, and federal codes and requirements.

The proposed 195-foot self-support tower will be designed by the tower manufacturer to collapse within the subject parcel. The nearest property line is approximately 204 feet from the proposed tower center; therefore, the proposed self-support tower should be designed with a fall zone radius of 195 feet or less.

Furthermore, the tower will be designed by the tower manufacturer with adequate structural capacity to support the collocation of equipment of at least five (5) additional wireless service providers.

If you have any questions or require additional information, please contact me at (804) 305-8936.

Sincerely,  
Tectonic Engineering Consultants P.C.

  
Graham L. Evans, P.E.  
Project Manager



2/25/2021

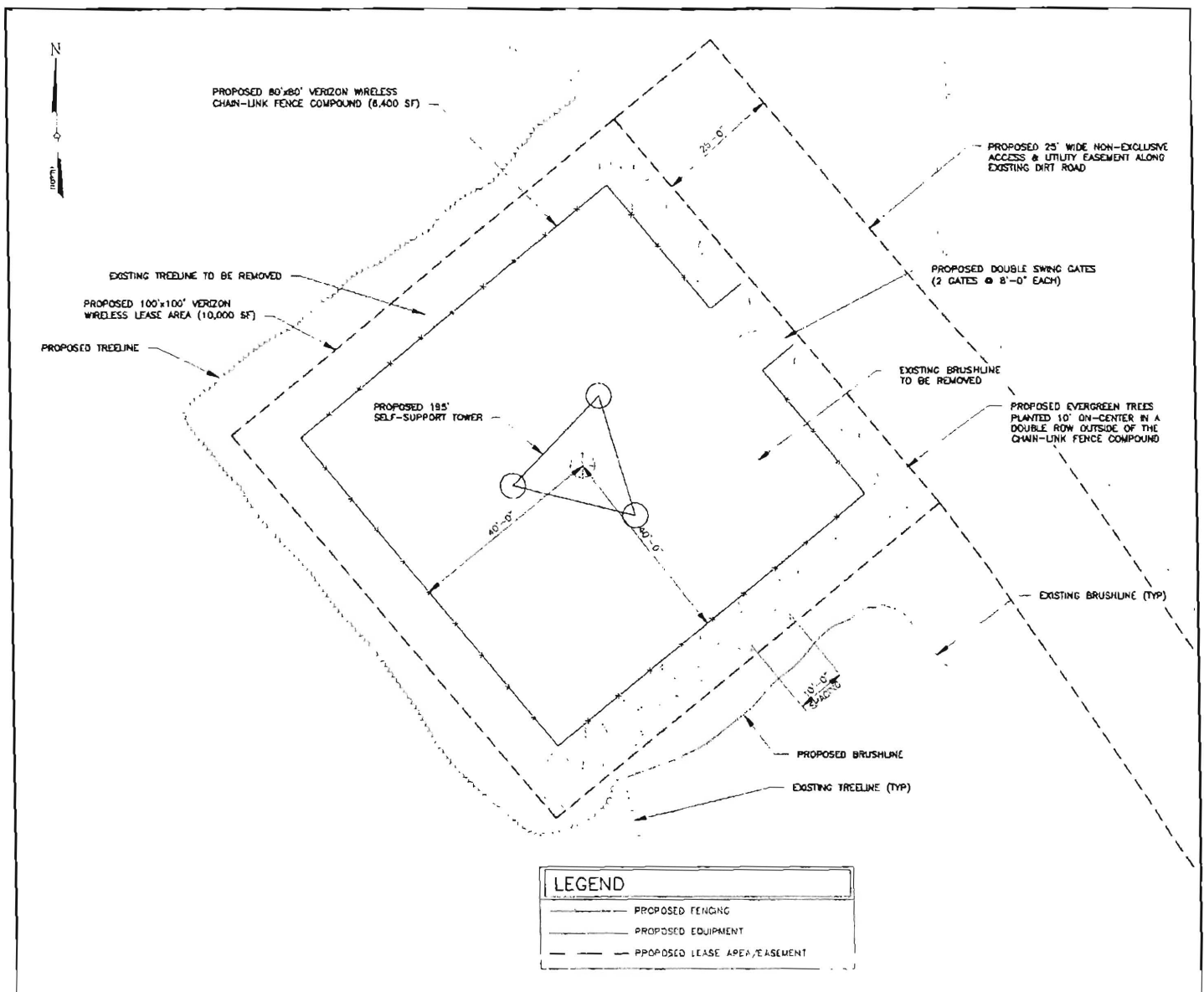
Graham L. Evans, P.E.  
I am approving this  
document  
2021-02-25 12:10:05:00

**Henrico Office**

3951 Westerre Parkway, Suite 160 | Henrico, VA 23233  
804 217.8504 Tel | 804 270 0593 Fax

tectonicengineering.com  
Equal Opportunity Employer

**Figure 4. Structural Letter**



**Figure 5. Proposed Ground Compound**



1831 Rady Court, Richmond, VA 23222

April 29, 2021

Buckingham County  
Zoning and Planning  
13360 W. James Anderson Hwy  
Buckingham, VA 23921

RE: Proposed Verizon Wireless Facility: 12994 Howardsville Road, Buckingham County VA

To whom it may concern.

Please allow this letter to serve as confirmation of the following:

- There are no existing wireless communications facilities or other structures in reasonably close proximity to the proposed facility that can be utilized by Verizon Wireless to accomplish the service improvements that are required by Verizon's customers.
- We have completed a thorough review of all existing structures in the greater geographic area within the County and surrounding the proposed facility. We have determined that the desired network improvements can only be achieved by building a new structure. These network improvements, which include highly necessary wireless broadband services, can only be accomplished in this part of the County with your approval of the proposed facility.

We respectfully request your approval of our Application for this project.

Sincerely,

  
Stefanie M. Lewis (May 5, 2021 11:56 AM)

Stefanie M. Lewis  
Verizon  
Sr. Manager - Real Estate and Regulatory  
Washington/Baltimore/Virginia  
[Stefanie.lewis@verizonwireless.com](mailto:Stefanie.lewis@verizonwireless.com)

cc: Andrew Condlin, Esq.  
Linda French, Engr III Spec-RE/Regulatory  
Zelic Jones

**Figure 6. New Tower Justification Letter**

## Nicci Edmondston

---

**From:** Andrew Condlin <ACondlin@rothjackson.com>  
**Sent:** Friday, July 2, 2021 3:47 PM  
**To:** Nicci Edmondston; Zelic Jones (zjones@bci-mail.com)  
**Cc:** Elizabeth Herington-Smith; Susan Rabold; ben@cityscapegov.com; E M. Wright; Zanas Talley  
**Subject:** RE: Proposed Verizon Tower Howardsville

Nicci – thank you for this. We were just getting ready to send to you the revised plans showing the monopole tower with the revised narrative. If I am reading this letter correctly, Cityscape is recommending approval, and with the revision to the monopole, that would not change I would suspect. Is that something we can get to you early next week and then move forward accordingly or would CityScape need to review again?

Thank you and have a nice 4<sup>th</sup>.

Andy

Andrew M. Condlin | Attorney | (804) 977-3373 (direct) | [acondlin@rothjackson.com](mailto:acondlin@rothjackson.com)  
1519 Summit Avenue | Suite 102 | Richmond, Virginia 23230 | (804) 977-3373 (direct) | (804) 441-8438 (fax)



**NOTICE:** Information contained in this transmission to the named addressee is proprietary information and is subject to attorney-client privilege and work product confidentiality. If the recipient of this transmission is not the named addressee, the recipient should immediately notify the sender and destroy the information transmitted without making any copy or distribution thereof.

**From:** Nicci Edmondston [mailto:[nedmondston@buckinghamcounty.virginia.gov](mailto:nedmondston@buckinghamcounty.virginia.gov)]  
**Sent:** Friday, July 02, 2021 2:33 PM  
**To:** Corey Nolan; Zelic Jones (zjones@bci-mail.com); Andrew Condlin  
**Cc:** Elizabeth Herington-Smith; Susan Rabold; ben@cityscapegov.com; E M. Wright  
**Subject:** FW: Proposed Verizon Tower Howardsville

Good afternoon all,

Please see the attached CityScape review.

Thanks,  
Nicci

Nicci Edmondston  
Zoning Administrator/Economic Development



**Subject:** FW: Proposed Verizon Tower Howardsville  
**Importance:** High

Attached are our notes regarding the application. However, while the applicant gathers this information we will begin our report. Thank you!

**Elizabeth Herington-Smith | 561-541-3104**

**From:** Susan Rabold <[susan@cityscapegov.com](mailto:susan@cityscapegov.com)>  
**Date:** Wednesday, June 9, 2021 at 10:37 PM  
**To:** Elizabeth Herington-Smith <[elizabeth@cityscapegov.com](mailto:elizabeth@cityscapegov.com)>  
**Cc:** Ben Evans <[ben@cityscapegov.com](mailto:ben@cityscapegov.com)>  
**Subject:** FW: Proposed Verizon Tower Howardsville

Elizabeth, Please find below our comments regarding the revised proposed Verizon tower application known as "Howardsville". My comments are in red font; Ben's comments are in highlight yellow.

The Application remains incomplete until the items outstanding are addressed.

Elizabeth do you want to send to the County?

Thanks all, Susan

**Susan Rabold | Project Manager**  
**Greensboro, NC**

Direct Line: 336-210-0843

**CITYSCAPE CONSULTANTS, INC.**

2423 S. Orange Ave #317,

Orlando, FL 32806

Toll Free: 877-438-2851 | fax: 877-220-4593 |

[www.cityscapegov.com](http://www.cityscapegov.com)

**From:** Ben Evans <[ben@cityscapegov.com](mailto:ben@cityscapegov.com)>  
**Date:** Wednesday, June 9, 2021 at 2:12 PM  
**To:** 'Susan Rabold' <[susan@cityscapegov.com](mailto:susan@cityscapegov.com)>  
**Subject:** RE: Proposed Verizon Tower Howardsville

Susan,

Re: the revised Howardsville new WCF application, see my comments in highlight.

Ben Evans  
*Senior RF Engineer, CityScape Consultants*  
*Direct Line: (262) 518-0178*  
*Thiensville, WI 53092*

**CITYSCAPE CONSULTANTS, INC.**

~~in the community is proprietary because all the information to be in the letter is included in the submittal package. For this reason, this item needs to be completed. This item has been addressed.~~

- Section Two: #1.(2)(b)(1)-(5): An affidavit by a radio frequency engineer ...
  - This has not been provided. Statements supporting site and height were not in an affidavit nor attributable to an RF engineer from Verizon. **Applicant has addressed these in the Narrative, although not in affidavit form and not (apparently) coming from an RF Engineer. I think this is all we're likely to get from this applicant. We should press for the affidavit**
- Section Two: #1.(2)(K) & (L):
  - These statements don't appear to have been provided. **Applicant provided an FCC rules compliance statement but not specifically addressing interference to other services and human RF exposure. Also, see Section Three (b) below.**
- ~~Section Two: #5.(a): This is moot since Applicant revised the tower height to 199 feet. Agreed~~
  - ~~Applicant provided terrain profiles, but offers neither explanation nor context; the graphs only indicate how challenging the terrain is from this site. Applicant must provide evidence demonstrating irrefutably that a tower of 199 feet or less that is built at the proposed site or any other site cannot provide the needed coverage and capacity to the area (Applicant must define the area in need of service).~~
- ~~Section Two: #5.(a).1.: Per Virginia State Legislation, Article 7.2. Zoning for Wireless Communications Infrastructure, Section 15.2-2316.4:2 Application reviews. Part 2: A locality shall not "Require an applicant to provide proprietary, confidential, or other business information to justify the need for the project, including propagation maps and telecommunications traffic studies, or..."~~
  - ~~Section Two: #5.(a). This regulation is specifically requiring all new non-broadcasting towers be 199' or less in height. Should a tower be required in excess of 199' then the ordinance calls for propagation maps to demonstrate the necessity of the requested taller height. The County is not trying to prove or find justification for the tower as specifically called out in VA statutes. The MP already demonstrates the need for additional towers in the northwest quadrant of the County. The County desires this information to determine justification for exceeding the maximum 199' height limitations in the ordinance.~~
    - ~~The Applicant has made it clear in recent history they are not going to submit the propagation maps. Master Plan demonstrates the need for a tower in this area; the applicant has stated the need for a tower in this area so this item has been addressed.~~
- Section Three (a) Demonstration of Visual and Aesthetic Impacts
  - The County will need to decide if they agree with the Applicants assertions that the proposed 250' with 4' lighting rod lighted tower meets or exceeds the visual and aesthetic impacts of the County. **Applicant is sticking with the lattice tower at the lower height even though a monopole is more preferable to the County and can be easily built to 195 feet. Should they address? Yes, applicant needs to propose a monopole and if they want a lattice they must explain why a monopole will not work them at this site.**
- ~~Section Three (b).1 through 4. 1, 2 and 4 (3 is for collo apps)~~
  - The Applicant appears to have not provided this statement. **The FCC compliance statement Applicant provided is generic. Applicant needs to specifically respond to 1, 2 and 4 of this provision, in addition to a statement from Verizon or the tower owner that they will comply with the FCC rules regarding human exposure to RF energy.**

Please let me know if you have any questions.

Best regards, Susan

**Susan Rabold | Project Manager**  
**Greensboro, NC**

Direct Line: 336-210-0843

**CITYSCAPE CONSULTANTS, INC.**

2423 S. Orange Ave #317,  
Orlando, FL 32806

## Nicci Edmondston

---

**From:** Zanas Talley <ZTalley@rothjackson.com>  
**Sent:** Friday, July 9, 2021 4:04 PM  
**To:** Nicci Edmondston  
**Cc:** Andrew Condlin  
**Subject:** RE: Proposed Verizon Tower Howardsville  
**Attachments:** Howardsville\_ZD's Rev8\_2021.07.01 (01267602xBE3E4).pdf; Howardsville\_PE Letter\_2021.07.01 (01267601xBE3E4).pdf; Howardsville Passing Airspace.SRP (01267548xBE3E4).pdf

Ms. Edmondston,

Attached you will find: (1) the updated FAA Determination of No Hazard Letter; (2) The engineer letter; and, (3) the revised zoning drawings.

Respectfully,  
Zanas Talley

**From:** Nicci Edmondston [mailto:nedmondston@buckinghamcounty.virginia.gov]  
**Sent:** Friday, July 02, 2021 4:09 PM  
**To:** Andrew Condlin; Zelic Jones (zjones@bci-mail.com)  
**Cc:** Elizabeth Herington-Smith; Susan Rabold; ben@cityscapegov.com; E M. Wright; Zanas Talley  
**Subject:** RE: Proposed Verizon Tower Howardsville

Andy,

Please send the revised plans to include the monopole tower and the revised narrative. This will need to be sent to CityScape to update their findings, as their review includes a lattice tower.

Happy July 4<sup>th</sup> to you as well.

Thanks,  
Nicci

*Nicci Edmondston*

Zoning Administrator/Economic Development



Buckingham County Administration  
P O Box 252  
Buckingham VA 23921  
434.969.4242 Phone  
434.969.1638 Fax



Buckingham County Administration  
P O Box 252  
Buckingham VA 23921  
434.969.4242 Phone  
434.969.1638 Fax

**From:** Nicci Edmondston <[nedmondston@buckinghamcounty.virginia.gov](mailto:nedmondston@buckinghamcounty.virginia.gov)>

**Date:** Tuesday, June 15, 2021 at 4:03 PM

**To:** Corey Nolan <[CNolan@rothjackson.com](mailto:CNolan@rothjackson.com)>, "Zelic Jones ([zjones@bci-mail.com](mailto:zjones@bci-mail.com))" <[zjones@bci-mail.com](mailto:zjones@bci-mail.com)>, Andrew Condlin <[ACondlin@rothjackson.com](mailto:ACondlin@rothjackson.com)>

**Cc:** Elizabeth Herington-Smith <[elizabeth@cityscapegov.com](mailto:elizabeth@cityscapegov.com)>, Susan Rabold <[susan@cityscapegov.com](mailto:susan@cityscapegov.com)>, "ben@cityscapegov.com" <[ben@cityscapegov.com](mailto:ben@cityscapegov.com)>

**Subject:** RE: Proposed Verizon Tower Howardsville

Good afternoon all,

I am forwarding the notes from CityScape. As noted, the review for the report is being worked while you gather the information that is missing. Please contact me with any questions or concerns.

Thanks,  
Nicci

Nicci Edmondston  
Zoning Administrator/Economic Development



Buckingham County Administration  
P O Box 252  
Buckingham VA 23921  
434.969.4242 Phone  
434.969.1638 Fax

**From:** Elizabeth Herington-Smith [<mailto:elizabeth@cityscapegov.com>]

**Sent:** Monday, June 14, 2021 3:37 PM

**To:** Nicci Edmondston <[nedmondston@buckinghamcounty.virginia.gov](mailto:nedmondston@buckinghamcounty.virginia.gov)>

2423 S. Orange Ave #317,  
Orlando, FL 32806  
Toll Free: 877-438-2851 | fax: 877-220-4593 |  
[www.cityscapegov.com](http://www.cityscapegov.com)

**From:** Susan Rabold [<mailto:susan@cityscapegov.com>]  
**Sent:** Tuesday, December 15, 2020 1:14 PM  
**To:** Nicci Edmondston  
**Cc:** Elizabeth Herington-Smith; Ben Evans  
**Subject:** Proposed Verizon Tower Howardsville

Greetings Nicci,

CityScape has reviewed the recently submitted materials from Verizon for a new 254' tower with the site name of: VZW – Howardsville - Rawland; with the address of 12994 Howardsville Road, Howardsville, VA; with the following coordinates: 37°44'5.83" N, 78°37'55.14" W.

CityScape finds the application to be incomplete per the detailed list of items that need to be addressed provided below in the bulleted list. Please give the bulleted list below to the Applicant today so that we meet the VA statutes timeline for the review.

Special Use Permit Application; Page 8; Item 4:

- Were any historical sites or gravesites found on site, or be suspected by a reasonable person to be on the site? The Applicant indicates "No" but should have indicated "Yes".
  - This needs to be corrected (See sheet Z1).

ARTICLE 9, Section Seven, (a):

- ~~Height shall be 199' or less with the exception of replacement of and existing WCF. The Applicant proposes a 250' tower with a 4' lightning rod for a total of 254' in height for the structure which exceeds the height limits in the ordinance. The Applicant states the closest site is 7.5 miles away and that a 199' tall tower is insufficient to achieve the necessary coverage objective for this project. Applicant is now proposing a 199' tower.~~
- Section Seven (b)(6): Setback
  - ~~Applicant states the tower would be situated 204 feet from the nearest property line. Applicant indicates breakpoint design will be used so that the tower in the event of collapse would remain within the leased area. This should be supported by a letter from a structural PE. The provided PE letter states the tower will be designed for a fall radius of 195 feet (equal to the proposed tower height), however the lease area boundary is 50 feet from the center of the tower. Does this comply with the ordinance setback? Please check. The following statement from the Applicant's narrative needs to be stricken: "The tower will be set back 204 feet from the nearest property line and use breakpoint design technology as it is designed to collapse within the lease lot lines." Additionally, the setback shown on Z-1 is not from the closest lot line. This needs to be corrected.~~
- Section Seven (b)(8)5.: Buffers – Site plan needs to reference the width of the buffer. Applicant is showing a double row of evergreen trees and not the single row with shrubs. The county needs to determine if they accept the proposed alternative landscape plan. If not, the Applicant agrees to install the required buffer.
- ~~Section Seven (b)(9): Applicant states in narrative an 8' fence will be provided and cross references the CDs. The CDs show the fence but not the height of the fence.~~
  - ~~The height of the proposed fence needs to be added to the CDs. This item has been addressed~~

ARTICLE 9 – TELECOMMUNICAITON SUPPLEMENTAL DOCUMENT

- Section Two: #1.(2)(a): Provided with application is missing. The Applicant states the information proposed for the letter to other wireless service providers licensed to provide service in the community is proprietary.
  - CityScape disagrees. Once the application is submitted for review, all the materials become public record. Nothing in the required letter to the other wireless service providers licensed to provide service

Toll Free: 877-438-2851 | fax: 877-220-4593 |  
[www.cityscapegov.com](http://www.cityscapegov.com)



JK FARMS LLC  
TAX MAP #: 13-14

TOPOGRAPHY SHOWN WITHIN A  
2000' RADIUS OF TOWER CENTER

EXISTING PROPERTY LINE (TYP)

C/O MARY SCOTT  
TAX MAP #: 13-12

PROPOSED 195' MONOPOLE

PROPOSED 100' X 100' VERIZON WIRELESS LEASE AREA (10,000 SF)

PROPOSED 80' X 80' VERIZON WIRELESS CHAIN-LINK FENCE COMPOUND (6,400 SF)

SUBJECT PARCEL

EXISTING TREELINE (TYP)

EXISTING BRUSHLINE (TYP)

EXISTING BUILDING (TYP)

EXISTING LAWN

C/O MARY SCOTT  
TAX MAP #: 13-13

EXISTING CEMETERY

PROPOSED 25' WIDE  
ACCESS & UTILITY  
EASEMENT

PROPOSED 10'  
WIDE UTILITY  
EASEMENT

EXISTING  
POWER  
POLE

HOWARDSVILLE RD

EXISTING PARCEL  
ACCESS DRIVE

PROPOSED ACCESS  
ROAD ENTRANCE

C/O MARY SCOTT

BRUNS VIRGINIA PEYTON  
TAX MAP #: 13-11



PROPOSED 80'x80' VERIZON WIRELESS  
CHAIN-LINK FENCE COMPOUND (6,400 SF)

10'-0"  
LANDSCAPING L

25'-0"

PROPOSED 25' WIDE NON-EXCLUSIVE  
ACCESS & UTILITY EASEMENT ALONG  
EXISTING DIRT ROAD

PROPOSED DOUBLE SWING GATES  
(2 GATES @ 8'-0" EACH)

LINE TO BE REMOVED

0' VERIZON  
REA (10,000 SF)

EXISTING BRUSHLINE  
TO BE REMOVED

PROPOSED  
195' MONOPOLE

PROPOSED EVERGREEN TREES  
PLANTED 10' ON-CENTER IN A  
DOUBLE ROW OUTSIDE OF THE  
CHAIN-LINK FENCE COMPOUND

40'-0"

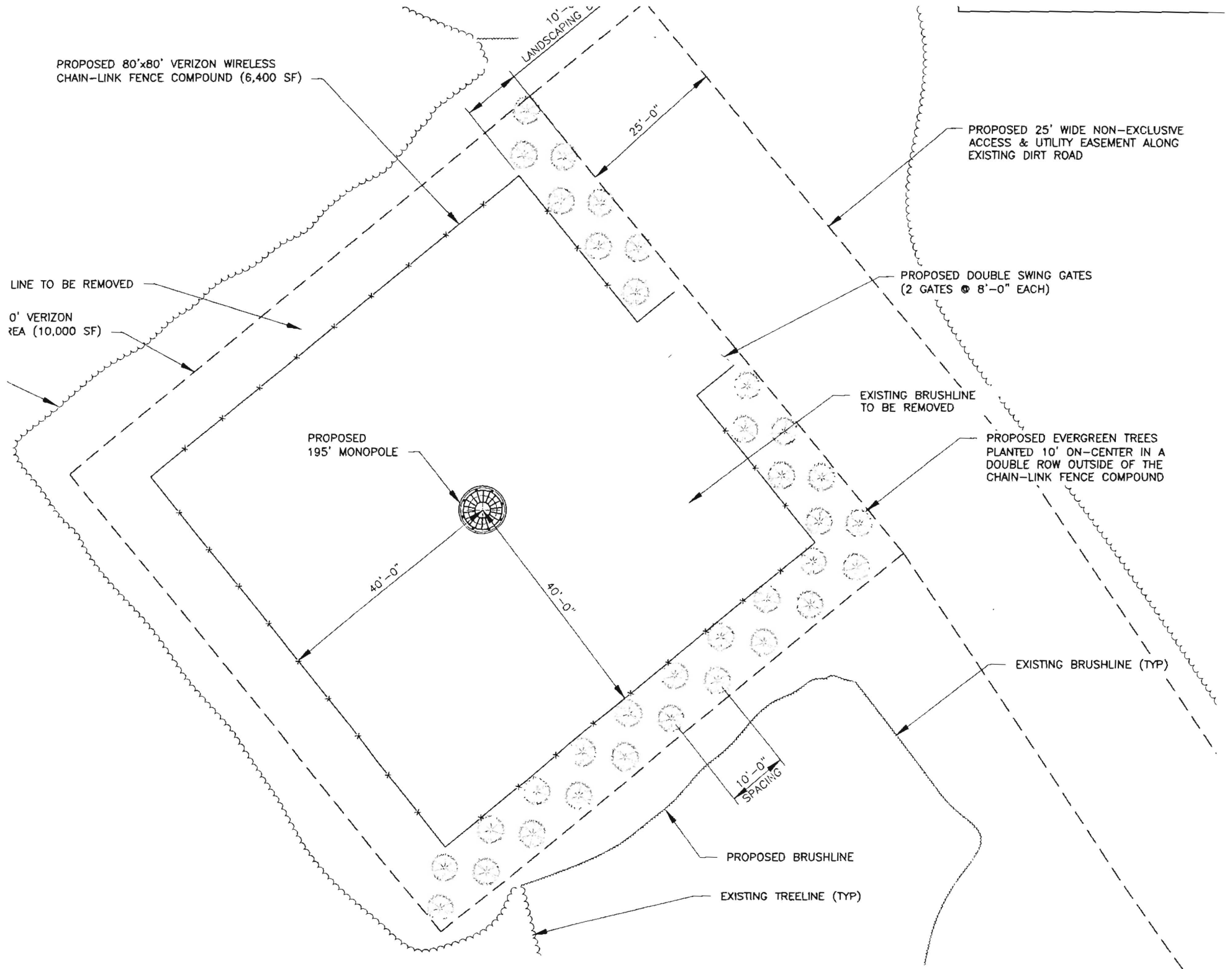
40'-0"

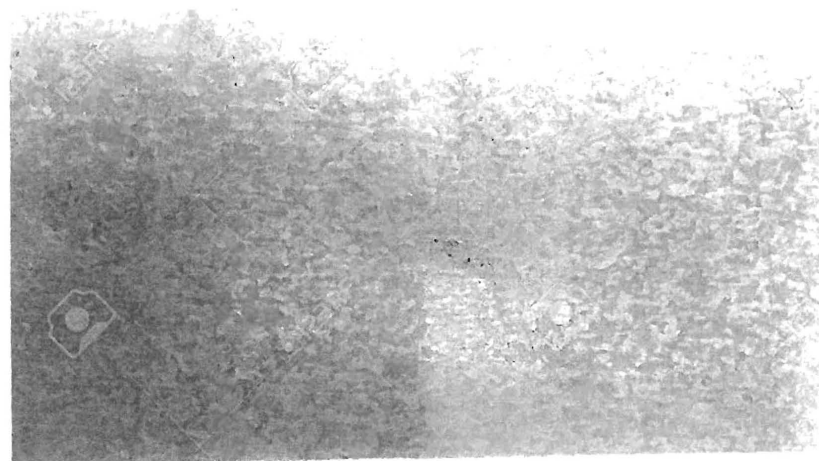
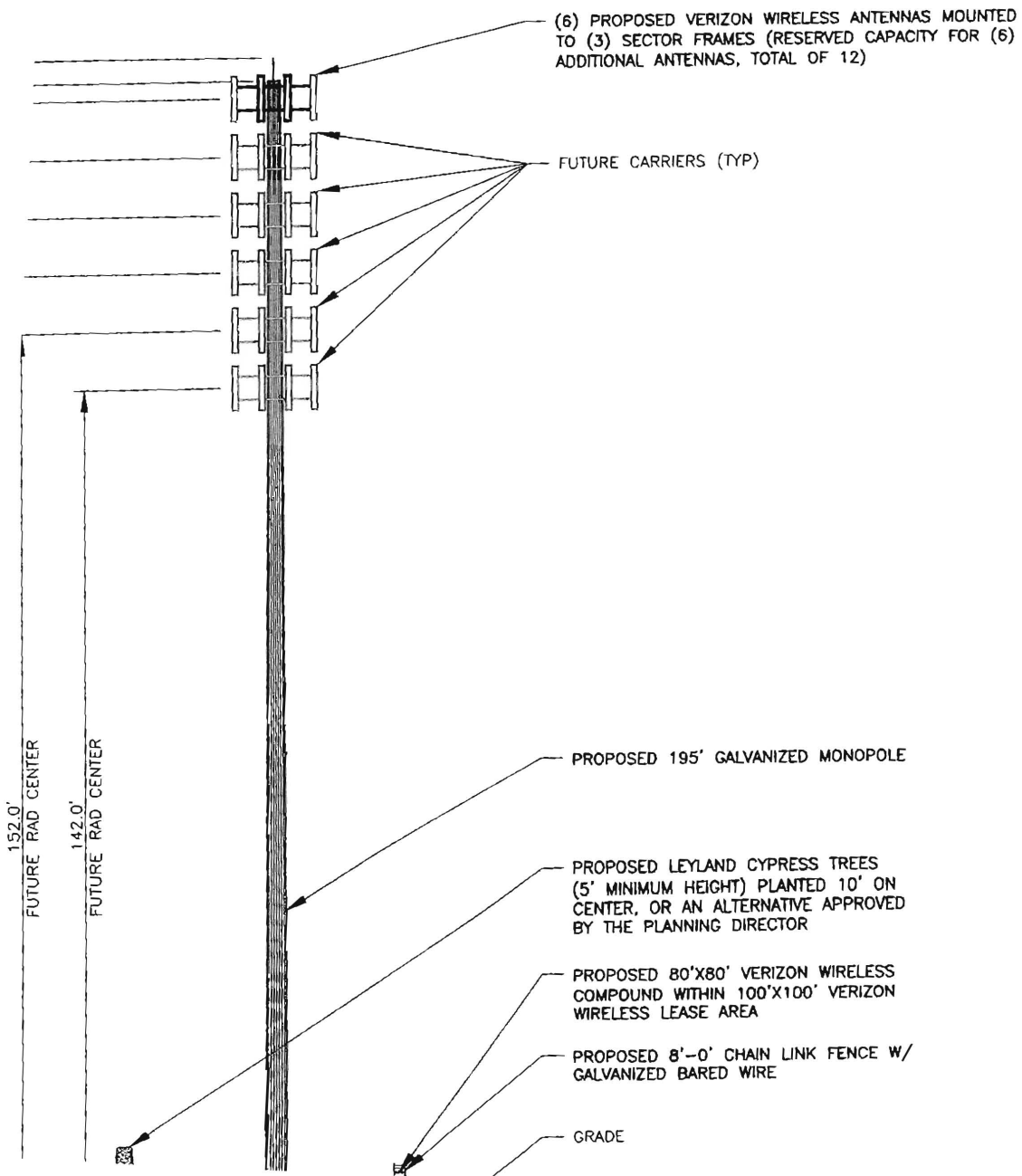
EXISTING BRUSHLINE (TYP)

10'-0"  
SPACING

PROPOSED BRUSHLINE

EXISTING TREELINE (TYP)





TOWER COLOR SAMPLE

SCALE: NTS

July 1, 2021

**RE: TEC. W.O. NO.: 9820.HOWARDSVILLE  
VZW – HOWARDSVILLE  
12994 HOWARDSVILLE RD  
HOWARDSVILLE, VA 24562  
BUCKINGHAM COUNTY  
CERTIFICATION LETTER – REVISION 2**

To Whom It May Concern,

This letter is written to address the proposed Verizon Wireless cell site installation located in Howardsville, Virginia at the following coordinates: N 37° 44' 5.83", W 78° 37' 55.14'.

The proposed cell site structure will be designed to adhere to the TIA-222-G-2005 Structural Standard for Antenna Supporting Structures and Antennas. In addition, the structure will adhere to the 2015 Virginia Uniform Statewide Building Code and any other local, state, and federal codes and requirements.

The proposed 195-foot monopole will be designed by the tower manufacturer to collapse within the ground lease area. The ground lease area is 100 feet by 100 feet with the monopole being proposed in the center of the lease area; therefore, the proposed monopole should be designed with a fall zone radius of 50 feet or less.

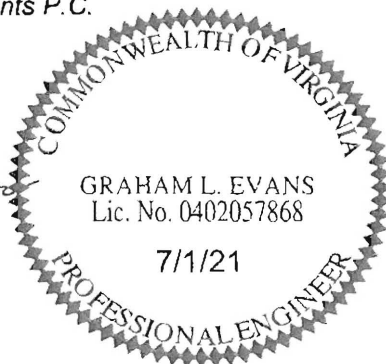
Furthermore, the monopole will be designed by the tower manufacturer with adequate structural capacity to support the collocation of equipment of at least five (5) additional wireless service providers.

If you have any questions or require additional information, please contact me at (804) 305-8936.

Sincerely,  
*Tectonic Engineering Consultants P.C.*



Graham L. Evans, P.E.  
Project Manager



Graham Evans  
I have reviewed this document  
2021-07-01 14:56-04:00

\*\*\*\*\*  
\* Federal Airways & Airspace \*  
\* Summary Report: New Construction \*  
\* Antenna Structure \*  
\*\*\*\*\*

Airspace User: Not Identified

File: HOWARDSVILLE

Location: Howardsville, VA

Latitude: 37-44'-05.83"

Longitude: 78-37'-55.14"

SITE ELEVATION AMSL.....479 ft.

STRUCTURE HEIGHT.....199 ft.

OVERALL HEIGHT AMSL.....678 ft.

#### NOTICE CRITERIA

FAR 77.9(a): NNR (DNE 200 ft AGL)

FAR 77.9(b): NNR (DNE Notice Slope)

FAR 77.9(c): NNR (Not a Traverse Way)

FAR 77.9: NNR (No Expected TERPS. impact with FVX)

FAR 77.9: NNR (No Expected TERPS. impact W13)

FAR 77.9(d): NNR (Off Airport Construction)

NR = Notice Required

NNR = Notice Not Required

PNR = Possible Notice Required (depends upon actual IFR procedure)

For new construction review Air Navigation Facilities at bottom  
of this report.

Notice to the FAA is not required at the analyzed location and height for  
slope, height or Straight-In procedures. Please review the 'Air Navigation'  
section for notice requirements for offset IFR procedures and EMI.

#### OBSTRUCTION STANDARDS

FAR 77.17(a)(1): DNE 499 ft AGL

FAR 77.17(a)(2): DNE - Airport Surface

FAR 77.19(a): DNE - Horizontal Surface

FAR 77.19(b): DNE - Conical Surface

FAR 77.19(c): DNE - Primary Surface

FAR 77.19(d): DNE - Approach Surface

FAR 77.19(e): DNE - Approach Transitional Surface

FAR 77.19(e): DNE - Abeam Transitional Surface

#### VFR TRAFFIC PATTERN AIRSPACE FOR: FVX: FARMVILLE RGNL

Type: A RD: 146090.3 RE: 415

FAR 77.17(a)(1): DNE

FAR 77.17(a)(2): DNE - Greater Than 5.99 NM.

VFR Horizontal Surface: DNE

VFR Conical Surface: DNE  
VFR Primary Surface: DNE  
VFR Approach Surface: DNE  
VFR Transitional Surface: DNE

VFR TRAFFIC PATTERN AIRSPACE FOR: W13: EAGLE'S NEST

Type: A RD: 153749.9 RE: 1437

FAR 77.17(a)(1): DNE  
FAR 77.17(a)(2): Does Not Apply.  
VFR Horizontal Surface: DNE  
VFR Conical Surface: DNE  
VFR Primary Surface: DNE  
VFR Approach Surface: DNE  
VFR Transitional Surface: DNE

TERPS DEPARTURE PROCEDURE (FAA Order 8260.3, Volume 4)

FAR 77.17(a)(3) Departure Surface Criteria (40:1)  
DNE Departure Surface

MINIMUM OBSTACLE CLEARANCE ALTITUDE (MOCA)

FAR 77.17(a)(4) MOCA Altitude Enroute Criteria  
The Maximum Height Permitted is 1800 ft AMSL

PRIVATE LANDING FACILITIES

FACIL	BEARING	RANGE	DELTA	ARP	FAA
IDENT TYP NAME	To FACIL	IN NM	ELEVATION	IFR	

8VA4 AIR LOTUS INTL	222.34	5.04	+338		
---------------------	--------	------	------	--	--

No Impact to VFR Transitional Surface.  
Below surface height of 404 ft above ARP.

AIR NAVIGATION ELECTRONIC FACILITIES

FAC	ST	DIST	DELTA	GRND	APCH			
IDNT	TYPE	AT	FREQ	VECTOR (ft)	ELEVA	ST LOCATION	ANGLE	BEAR

CHO	RADAR	I	20.66	173272	-512	VA CHARLOTTESVILLE A	-.17	
LYH	RADAR	I	2745.227.72	211892	-697	VA LYNCHBURG REGIONA	-.19	

CFR Title 47, '1.30000-'1.30004

AM STUDY NOT REQUIRED: Structure is not near a FCC licensed AM station.  
Movement Method Proof as specified in '73.151(c) is not required.  
Please review 'AM Station Report' for details.

No AM Stations were located within 3.0 km.

Airspace. Summary Version 21.5.610

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Copyright ) 1989 - 2021

07-09-2021  
14:12:50

**County of Buckingham, Virginia**  
**Supplemental Letter**  
**Application for New Structure**

**CityScape**  
CONSULTANTS, INC.

2423 S. Orange Avenue, #317  
Orlando, FL 32806  
Tel: 877.438.2851 Fax: 877.220.4593

July 12, 2021

Ms. Nicci Edmondston  
Zoning Administrator  
County of Buckingham  
13380 W. James Anderson Highway  
Buckingham, VA 23921

**Applicant/Provider:** Euan Fuller on behalf of Celco Partnership d/b/a Verizon Wireless  
**Provider Site Name:** VZW – Howardsville – Rawland  
**Site Location:** 12994 Howardsville Road, James River District 5, Buckingham County, VA  
**Latitude:** N 37° 44' 05.83" **Longitude:** W 78° 37' 55.14"  
**Proposed Structure:** 195' Monopole (199' including appurtenances)

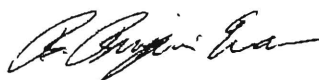
Dear Ms. Edmondston,

At the request of Buckingham County ("County"), CityScape Consultants, Inc. ("CityScape") is providing this supplemental letter and follow-up review to its original review dated July 2, 2021 for an application for a new wireless facility proposed by Euan Fuller on behalf of Verizon Wireless ("Applicant"). This facility is intended to accommodate the antennas for Verizon and up to five (5) future co-locators. The Applicant has recently revised its proposal to specify a *monopole* tower instead of a *self-supporting lattice* tower and has submitted Plan Drawings to support this change in the Application. The monopole would be the same overall height above ground of 199 feet (195-foot monopole plus the four-foot lighting rod, *see Figure 1*) and at exactly the same location.

The Applicant also submitted documents to respond to CityScape's concerns of completeness of the proposal, as follows: 1) a Structural Letter signed by a Virginia Professional Engineer stating that the monopole will be designed by the tower manufacturer to collapse within the ground lease area, i.e., have a fall radius of 50 feet or less, *see Figure 2*, and; 2) an airspace navigation obstruction analysis performed by Federal Airways & Airspace demonstrating that the structure at 199 feet above ground would not exceed Federal aviation obstruction standards, and thus would not require FAA notification nor have aviation obstruction lighting installed.

CityScape has determined that the Applicant's latest submittal of documents fully support the issues that were intended to be addressed. Should the County approve the Application as modified, the following should be added to the list of recommended conditions: All feed lines shall be routed inside the monopole shaft and all antenna ports on the tower shall be sealed to prevent wildlife intrusion.

Respectfully submitted,



B. Benjamin Evans  
Senior Project Engineer  
CityScape Consultants, Inc.

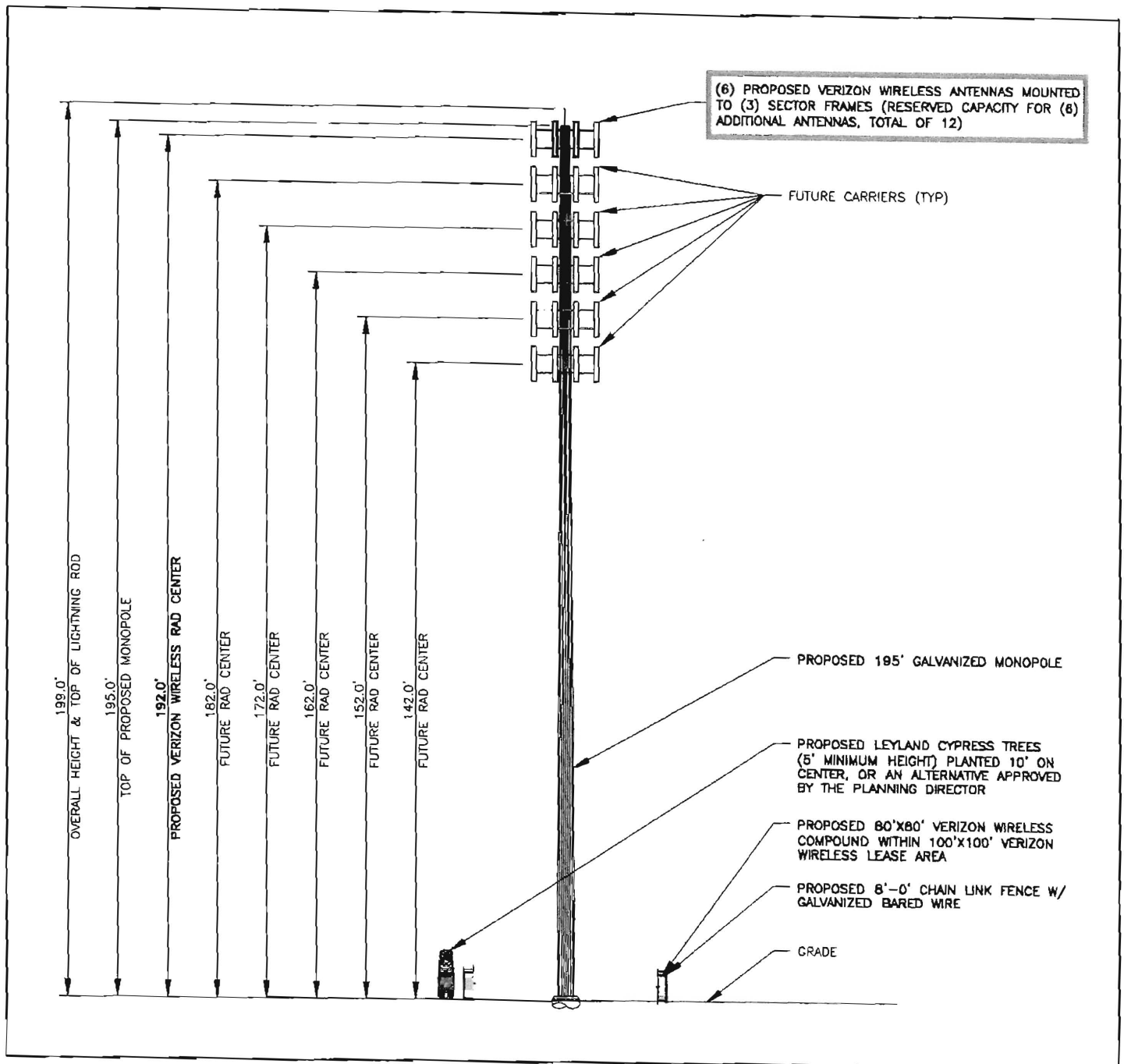


Figure 1. Tower Elevation Sketch



July 1, 2021

RE: TEC. W.O. NO.: 9820.HOWARDSVILLE  
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Furthermore, the monopole will be designed by the tower manufacturer with adequate structural capacity to support the collocation of equipment of at least five (5) additional wireless service providers.

If you have any questions or require additional information, please contact me at (804) 305-8936.

Sincerely,  
Tectonic Engineering Consultants P.C.

Graham L. Evans, P.E.  
Project Manager



Graham Evans  
I have reviewed this document  
2021-07-01 14:56-04:00

**Henrico Office**

3951 Westerre Parkway Suite 160 | Henrico VA 23233  
804 217 8504 Tel | 804 270 0593 Fax

tectonicengineering.com  
Equal Opportunity Employer

**Figure 2. Structural Letter**



## Nicci Edmondston

---

**From:** Andrew Condlin <ACondlin@rothjackson.com>  
**Sent:** Thursday, July 15, 2021 9:21 AM  
**To:** Nicci Edmondston; Zanas Talley; Zelic Jones (zjones@bci-mail.com)  
**Cc:** Elizabeth Herington-Smith; Susan Rabold; ben@cityscapegov.com; E M. Wright  
**Subject:** RE: Proposed Verizon Tower Howardsville

Ms. Edmondston,

Thank you for your help and patience on this matter. It appears that we are now in a position to move forward. Do you know of any outstanding issues? If not, what is the anticipated schedule for the public hearings?

Thank you again,

Andy Condlin

Andrew M. Condlin | Attorney | (804) 977-3373 (direct) | [acondlin@rothjackson.com](mailto:acondlin@rothjackson.com)  
1519 Summit Avenue | Suite 102 | Richmond, Virginia 23230 | (804) 977-3373 (direct) | (804) 441-8438 (fax)



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**From:** Nicci Edmondston [mailto:[nedmondston@buckinghamcounty.virginia.gov](mailto:nedmondston@buckinghamcounty.virginia.gov)]  
**Sent:** Thursday, July 15, 2021 8:57 AM  
**To:** Zanas Talley; Andrew Condlin; Zelic Jones (zjones@bci-mail.com)  
**Cc:** Elizabeth Herington-Smith; Susan Rabold; ben@cityscapegov.com; E M. Wright  
**Subject:** FW: Proposed Verizon Tower Howardsville

*Nicci Edmondston*

Zoning Administrator/Economic Development



Buckingham County Administration  
P O Box 252  
Buckingham VA 23921  
434.969.4242 Phone

Attached you will find: (1) the updated FAA Determination of No Hazard Letter; (2) The engineer letter; and, (3) the revised zoning drawings.

Respectfully,  
Zanas Talley

**From:** Nicci Edmondston [<mailto:nedmondston@buckinghamcounty.virginia.gov>]  
**Sent:** Friday, July 02, 2021 4:09 PM  
**To:** Andrew Condlin; Zelic Jones ([zjones@bci-mail.com](mailto:zjones@bci-mail.com))  
**Cc:** Elizabeth Herington-Smith; Susan Rabold; [ben@cityscapegov.com](mailto:ben@cityscapegov.com); E M. Wright; Zanas Talley  
**Subject:** RE: Proposed Verizon Tower Howardsville

Andy,

Please send the revised plans to include the monopole tower and the revised narrative. This will need to be sent to CityScape to update their findings, as their review includes a lattice tower.

Happy July 4<sup>th</sup> to you as well.

Thanks,  
Nicci

*Nicci Edmondston*

Zoning Administrator/Economic Development



Buckingham County Administration  
P O Box 252  
Buckingham VA 23921  
434.969.4242 Phone  
434.969.1638 Fax

**From:** Andrew Condlin [<mailto:ACondlin@rothjackson.com>]  
**Sent:** Friday, July 2, 2021 3:47 PM  
**To:** Nicci Edmondston <[nedmondston@buckinghamcounty.virginia.gov](mailto:nedmondston@buckinghamcounty.virginia.gov)>; Zelic Jones ([zjones@bci-mail.com](mailto:zjones@bci-mail.com)) <[zjones@bci-mail.com](mailto:zjones@bci-mail.com)>  
**Cc:** Elizabeth Herington-Smith <[elizabeth@cityscapegov.com](mailto:elizabeth@cityscapegov.com)>; Susan Rabold <[susan@cityscapegov.com](mailto:susan@cityscapegov.com)>; [ben@cityscapegov.com](mailto:ben@cityscapegov.com); E M. Wright <[EMWright@buckinghamcounty.virginia.gov](mailto:EMWright@buckinghamcounty.virginia.gov)>; Zanas Talley <[ZTalley@rothjackson.com](mailto:ZTalley@rothjackson.com)>  
**Subject:** RE: Proposed Verizon Tower Howardsville

Nicci – thank you for this. We were just getting ready to send to you the revised plans showing the monopole tower with the revised narrative. If I am reading this letter correctly, Cityscape is recommending approval, and with the revision to the monopole, that would not change I would suspect. Is that something we can get to you early next week and then move forward accordingly or would CityScape need to review again?

"ben@cityscapegov.com" <ben@cityscapegov.com>

**Subject:** RE: Proposed Verizon Tower Howardsville

Good afternoon all,

I am forwarding the notes from CityScape. As noted, the review for the report is being worked while you gather the information that is missing. Please contact me with any questions or concerns.

Thanks,  
Nicci

Nicci Edmondston  
Zoning Administrator/Economic Development



Buckingham County Administration  
P O Box 252  
Buckingham VA 23921  
434.969.4242 Phone  
434.969.1638 Fax

**From:** Elizabeth Herington-Smith [mailto:elizabeth@cityscapegov.com]  
**Sent:** Monday, June 14, 2021 3:37 PM  
**To:** Nicci Edmondston <nedmondston@buckinghamcounty.virginia.gov>  
**Subject:** FW: Proposed Verizon Tower Howardsville  
**Importance:** High

Attached are our notes regarding the application. However, while the applicant gathers this information we will begin our report. Thank you!

**Elizabeth Herington-Smith | 561-541-3104**

**From:** Susan Rabold <susan@cityscapegov.com>  
**Date:** Wednesday, June 9, 2021 at 10:37 PM  
**To:** Elizabeth Herington-Smith <elizabeth@cityscapegov.com>  
**Cc:** Ben Evans <ben@cityscapegov.com>  
**Subject:** FW: Proposed Verizon Tower Howardsville

Elizabeth, Please find below our comments regarding the revised proposed Verizon tower application known as "Howardsville". My comments are in red font; Ben's comments are in highlight yellow.

The Application remains incomplete until the items outstanding are addressed.

CityScape finds the application to be incomplete per the detailed list of items that need to be addressed provided below in the bulleted list. Please give the bulleted list below to the Applicant today so that we meet the VA statutes timeline for the review.

Special Use Permit Application; Page 8; Item 4:

- Were any historical sites or gravesites found on site, or be suspected by a reasonable person to be on the site? The Applicant indicates "No" but should have indicated "Yes".
  - This needs to be corrected (See sheet Z1).

ARTICLE 9, Section Seven, (a):

- ~~Height shall be 199' or less with the exception of replacement of and existing WCF. The Applicant proposes a 250' tower with a 4' lightning rod for a total of 254' in height for the structure which exceeds the height limits in the ordinance. The Applicant states the closest site is 7.5 miles away and that a 199' tall tower is insufficient to achieve the necessary coverage objective for this project. Applicant is now proposing a 199' tower.~~
- Section Seven (b)(6): Setback
  - ~~Applicant states the tower would be situated 204 feet from the nearest property line. Applicant indicates breakpoint design will be used so that the tower in the event of collapse would remain within the leased area. This should be supported by a letter from a structural PE. The provided PE letter states the tower will be designed for a fall radius of 195 feet (equal to the proposed tower height), however the lease area boundary is 50 feet from the center of the tower. Does this comply with the ordinance setback? Please check. The following statement from the Applicant's narrative needs to be stricken: "The tower will be set back 204 feet from the nearest property line and use breakpoint design technology as it is designed to collapse within the lease lot lines." Additionally, the setback shown on Z-1 is not from the closest lot line. This needs to be corrected.~~
- Section Seven (b)(8)5.: Buffers – Site plan needs to reference the width of the buffer. Applicant is showing a double row of evergreen trees and not the single row with shrubs. The county needs to determine if they accept the proposed alternative landscape plan. If not, the Applicant agrees to install the required buffer.
- ~~Section Seven (b)(9): Applicant states in narrative an 8' fence will be provided and cross references the CDs. The CDs show the fence but not the height of the fence.~~
  - ~~The height of the proposed fence needs to be added to the CDs. This item has been addressed~~

ARTICLE 9 – TELECOMMUNICAITON SUPPLEMENTAL DOCUMENT

- ~~Section Two: #1.(2)(a): Provided with application is missing. The Applicant states the information proposed for the letter to other wireless service providers licensed to provide service in the community is proprietary.~~
  - ~~CityScape disagrees. Once the application is submitted for review all the materials become public record. Nothing in the required letter to the other wireless service providers licensed to provide service in the community is proprietary because all the information to be in the letter is included in the submittal package. For this reason, this item needs to be completed. This item has been addressed.~~
- Section Two: #1.(2)(b)(1)-(5): An affidavit by a radio frequency engineer ...
  - This has not been provided. Statements supporting site and height were not in an affidavit nor attributable to an RF engineer from Verizon. **Applicant has addressed these in the Narrative, although not in affidavit form and not (apparently) coming from an RF Engineer. I think this is all we're likely to get from this applicant. We should press for the affidavit**
- Section Two: #1.(2)(K) & (L):
  - These statements don't appear to have been provided. **Applicant provided an FCC rules compliance statement but not specifically addressing interference to other services and human RF exposure. Also, see Section Three (b) below.**
- ~~Section Two: #5.(a): This is moot since Applicant revised the tower height to 199 feet. Agreed~~
  - ~~Applicant provided terrain profiles, but offers neither explanation nor context; the graphs only indicate how challenging the terrain is from this site. Applicant must provide evidence demonstrating irrefutably that a tower of 199 feet or less that is built at the proposed site or any other site cannot provide the needed coverage and capacity to the area (Applicant must define the area in need of service).~~
- ~~Section Two: #5.(a).1.: Per Virginia State Legislation, Article 7.2. Zoning for Wireless Communications Infrastructure, Section 15.2-2316.4:2 Application reviews. Part 2: A locality shall not "Require an applicant to~~

## **APPLICANT NARRATIVE**

**SITE NAME: Howardsville**

### **Proposal:**

Cellco Partnership d/b/a Verizon Wireless (t/a "Verizon Wireless") (the "Applicant") requests a Conditional Use Permit in order to construct and operate a 195-foot steel self-support monopole telecommunications tower, with the top of all appurtenances extending to 199-feet, on a portion of a 300.92± acre parcel on Howardsville Road and identified as Parcel ID: 13-12 ("Property"). Verizon Wireless is licensed by the Federal Communications Commission to provide wireless communications services throughout Buckingham County ("County"). Verizon Wireless currently has need to improve the network capacity in the surrounding area of the proposed site as the demand for wireless service increases and places greater strain on the surrounding network sites. In addition, this site will improve the wireless footprint throughout the County. The network of sites is largely based on the use of existing towers and tall structures built by Verizon Wireless, other carriers and tower companies. Currently there are no existing towers or facilities within 7.5 miles of this site.

The Applicant is proposing to locate the tower and associated ground equipment within a 80' x 80' fenced compound (100' x 100' lease area) within the Property as shown on the ZDs (as hereinafter defined) provided with this application. The fenced compound area will be located at the back of the Property within a wooded area towards the James River. Additional screening around the compound area will be placed in accordance with the local ordinance as applicable and as shown on the provided ZDs. The proposed tower will have an overall height of 199 feet (195 feet steel self-support telecommunications tower with the top of all appurtenances extending to 199 feet), all as shown on the ZDs. The tower will be made of galvanized steel and it will accommodate at least six (6) users (Verizon Wireless and five (5) others). The facility will be unmanned and will be visited occasionally by technicians to conduct routine checks and maintenance. The facility will not emit any odor or fumes. The noises emitted from the equipment on the ground will not be any louder than normal residential HVAC equipment. Therefore, the impact on surrounding properties resulting from this passive use will be minimal.

### **Purpose of Tower:**

Verizon Wireless is in the process of enhancing the coverage and capacity of its wireless telecommunications network in Buckingham County by constructing new towers in areas where coverage is lacking or non-existent and co-location opportunities do not exist.

The proposed tower will achieve the following:

- Improve Verizon Wireless' existing network by providing seamless coverage in the area;
- Support the latest wireless technologies (voice and data);
- Provide coverage to the following:
  - Those living in nearby residences;
  - Those traveling on nearby roads;
  - Provide multiple co-location positions for other wireless carriers to expand their networks;
  - Emergency personnel operating in the area.

**Response to County Letter of August 18, 2020 regarding Zoning Ordinance Requirements:**



We had previously made an application for this exact same site (20-SUP274), provided the height of the tower requested in such application was a total height of 254 feet. However, based on the August 18, 2020 letter from Ms. Nicci Edmondston, such prior application was deemed by the County as deficient for the reasons set forth therein. Accordingly, we wanted to adjust the application request as follows:

1. Justification for a need for a tower.

**ANSWER:**

Please see the information in this Applicant Narrative for an explanation for the tower's need, information on adjacent property impact, and visual impact. Made a part of this application is a tower location map showing the closest tower being more than 7.5 miles from this site. In addition, specific topography maps are provided to show the topographical profile surrounding the site to evidence the need for the height requested.

The closest tower is more than 7.5 miles from this site. The lack of coverage in the area has been field verified by the representatives of the Applicant as well as local residents and other County officials visiting the site. There is no known alternative site that will provide the height necessary to accommodate the significant terrain surrounding this location, particularly the ridgeline west of this site. The proposed tower is located within a central location from the existing towers to continue to fill the gap in existing service as shown on the enclosed tower location map.

Further, in doing a search for facilities in the area there are no structures available that we are aware of that are within 5 miles of this site that achieve the necessary height, based on the topography of the site, to accommodate the surrounding terrain (as described below). For example, most churches in the area are 1½ to 2 stories in height and many do not have a steeple that can achieve the height necessary to provide any service.

2. Justification sufficient to establish a variance to allow a height of up to 250 (with an additional 4' for the antennae [which is actually a lightning rod. ])

**ANSWER:**

We have adjusted the height of the tower requested to be 195' plus an additional 4' for the lightening road for a total height of 199'. No additional height variance is therefore required.

3. Photo-simulated post construction renderings of the completed proposed antenna.

**ANSWER:**

Please see the attached photo-simulated renderings ("Photo-Sims") reflecting the revised, reduced height of the proposed tower. We identified the areas on the balloon test that was performed on May 26, 2020.

Further, the attached Zoning Drawings ("ZDs"), and more specifically Sheet Z-3 show the overall height, the configuration, the physical location, the mass and scale, and architectural design. The tower will be illuminated as required by the Federal Aviation Administration.

4. Proposed exterior paint and stain samples for any items to be painted or stained and pictures of exterior building materials and roof materials.

**ANSWER:**

Sheet Z-3 of the ZDs has a color sample of the tower.

5. Demonstration of Visual and Aesthetic Impacts:

1. The applicant shall provide a statement as to the potential visual and aesthetic impact of the proposed WCF on all adjacent properties and roadways, trails, and travel ways.

**ANSWER:** The Photo-Sims show the potential visual and aesthetic impact of the proposed tower from various locations surrounding the Property. The reduced height obviously reduces the visual impact from the proposed tower. The tower is located, as shown on the ZDs (see in particular Sheets Z-1 and Z-2), on the site significantly away from the adjoining road network, and will have little, if any, impact on surrounding property.

2. Except where the facility will be located entirely within an existing structure, a scaled plan and a scaled elevation view and other supporting drawings, calculations, and other documentation required by the agent, signed and sealed by an appropriate licensed professional.

**ANSWER:** Please see the ZDs showing all of the information being requested, signed and sealed by a licensed professional.

The plans and supporting drawings, calculations and documentation shall show:

i. The benchmarks and datum used for elevations. The datum shall coincide with the Virginia State Plane Coordinate System, South Zone, North American Datum of 1983 (NAD83), United States Survey Feet North American Vertical Datum of 1988 (NAVD88), and the benchmarks shall be acceptable to the County.

**ANSWER:** Please see Sheet Z-1 of the ZDs for the referenced data information.

ii. The design of the facility, including the specific type of support structure and the design, type, location, size, height and configuration of all existing and proposed antennas and other equipment.

**ANSWER:** Please see Sheet Z-3 of the ZDs showing all of the information being requested.

iii. Except where the facility would be attached to an existing structure or is less than fifty (50) feet, the topography within two thousand (2,000) feet of the proposed facility, in contour intervals shown on United States Geological Survey topographic survey maps or the best topographic data available.

**ANSWER:** Please see Sheet Z-1 of the ZDs for this specific information.

iv. The height, caliper and species of all trees where the drip-line is located within fifty (50) feet of the facility that are relied upon to establish the proposed height and/or screening of the monopole. All trees that will be adversely impacted or removed during installation or maintenance of the facility shall be noted, regardless of their distances to the facility.

**ANSWER:** Please see the ZDs, and in particular sheet Z-3, providing this information.

v. All existing and proposed setbacks, parking, fencing and landscaping.



**ANSWER:** Please see the ZDs, and in particular sheet Z-2, providing this information.

**Consistency with Comprehensive Plan:**

The proposed tower is consistent with the Comprehensive Plan as follows:

Chapter III – Community Resources, page 116, details the need for further expansion of the County’s fiber optics and telecommunications network. In line with Chapter VI – Vision, Goals, Objectives and Strategies part VI - Community Facilities and Services, this new facility will provide an invaluable link in improving the cellular and broadband links in the north west of the County, which is an area which is lacking in available service. In today’s society, reliable wireless service is a necessity for residents, students, businesses and emergency personnel. The proposed tower will provide the infrastructure needed for Verizon Wireless, as well as the opportunity for multiple other wireless carriers, to expand and improve their networks in this area of Buckingham County. This reliable wireless service will enhance the local economy and complement economic development by helping businesses to be more effective and efficient in their everyday operations, providing citizens the opportunity to work, study and shop from home as well as improving service for those traveling in the vicinity.

The subject property is zoned Agricultural (A-1). In accordance with Article 4, District 1 of the zoning ordinance, Radio stations, Television stations and cable TV facilities, communication station and/or tower or related facilities in accordance with Article 9 of the Ordinance are permitted in the A-1 zoning district subject to an approved special use permit (SUP). Article 9 of the zoning ordinance regulates radio, television and wireless communication towers. The applicable requirements in this section are as follows:

**ARTICLE 9**

**RADIO, TELEVISION AND WIRELESS COMMUNICATION TOWER**

**AMENDMENT TO THE ZONING ORDINANCE OF BUCKINGHAM COUNTY**

**Section One: Purpose**

The purpose of this article is to facilitate co-location of radio, television, and wireless communication towers and wherever possible, minimize the impacts of wireless communication facilities (hereinafter WCF) on surrounding areas. Certification of all the following requirements must be made to the Administrator before a building permit for any tower construction, tower modification, antenna collocation, antenna attachment, or antenna modification will be issued.

**Section Two: Applicability**

The following shall apply to the development activities including installation, construction, or modification of the following wireless communications facilities:

- (1) Existing WCF.
- (2) Proposed WCF.
- (3) Public WCF.
- (4) Replacement of an existing WCF.
- (5) Collocation on existing WCF.





(6) Modification(s) to existing collocation or antenna array

(7) Attached WCF.

(8) Antenna element replacement(s)

(9) Concealed WCF.

(10) Broadcast transmission facilities

(11) Wireless Broadband facilities

(12) Small Cell Facilities

### **Section Three: Exempt Installations**

Notwithstanding any other provisions contained in land development regulations for the County, the following items are exempt from the provisions of this article;

(1) Non-commercial, FCC licensed amateur radio antennas as provided for in the definition section.

*Not applicable*

(2) Satellite earth stations that are three meters or less.

*Not applicable*

(3) A government wireless communications facility, whether owned or leased, that is exclusively reserved for non-commercial public safety communications services, and which will not be utilized for any commercial wireless services, upon a written determination of public necessity by the county board of supervisors or designee; except that such facility must comply with all federal and state building and structural requirements. Such non-commercial public safety facility may be constructed using any available technology and may be constructed to accommodate future anticipated public safety wireless communications needs.

*Not applicable*

(4) A temporary, commercial wireless communications facility, upon the declaration of a state of emergency by federal, state, or local government, or determination of public necessity by the county board of supervisors or designee.

*Not applicable*

(5) A temporary, commercial wireless communications facility, for the purposes of providing coverage of a special event such as news coverage or sporting event, subject to approval by the county board of supervisors or designee.

*Not applicable*

(6) Antenna support structures, antennas, and/or antenna arrays for AM/FM/LPTV/DTV broadcast transmission facilities.

*Not applicable*

(7) Micro-wireless facilities that are suspended on cables or lines that are strung between existing utility poles in compliance with national safety codes.

*Not applicable*



#### **Section Four: Permitted Uses (By Right with certification)**

(1) Concealed Attached WCF

*Not applicable*

(2) Attached, Antenna, Collocated or Combined on Existing WCF

*Not applicable*

(3) Modification on to existing collocation or antenna array

*Not applicable*

(4) Antenna Element Replacement

*Not applicable*

(5) Replacement of WCF unless the replacement of an existing non-illuminated WCF is required to become illuminated

*Not applicable*

(6) Eligible Small Cell Facilities

*Not applicable*

**Section Five: Special Use Permit Required – listed by siting hierarchy from highest to lowest.** Preference always given to publicly owned property first (see supplemental document for publicly owned property list).

(1) Second Replacement of WCF

*Not applicable*

(2) Replacement of existing WCF where the replacement will require an existing non-illuminated WCF to become illuminated.

*Not applicable*

(3) Non-concealed attached WCF (only on transmission distribution poles).

*Not applicable*

(4) Concealed freestanding WCF

*Not applicable*

(5) Non-concealed freestanding WCF.

a. On publicly-owned property

*Not applicable*

(i). Monopole tower

(ii). Lattice tower

(iii). Guyed tower



b. On non-publicly owned property

**(i). Monopole tower**

***This is a 195 foot (199 foot including all appurtenances) self-support monopole tower proposed.***

(ii). Lattice tower

(iii). Guyed tower

**Section Six: Submittal Requirements for Permitted and Special Uses**

All submittal requirements are listed in Supplemental document

**Section Seven: Development standards**

(a) Height shall be 199' or less with the exception of replacement of and existing WCF (See supplemental document for replacement details)

*The proposed tower is 195' (199' with lightening rod).*

(b) Setbacks according to each type of facility

(a) Collocated, combined WCF or antenna array and equipment

(1) shall be subject to the setbacks of the underlying zoning district.

*Not applicable*

(2) When a collocated or combined WCF is to be located on a nonconforming building or structure, then the existing permitted nonconforming setback shall prevail.

*Not applicable*

(b) Attached antenna

a. located on a nonconforming building or structure, then the existing permitted nonconforming setback shall prevail.

*Not applicable*

b. New equipment cabinets are subject to the underlying zoning setbacks.

*Not applicable*

(c) Replacement WCF of an existing tower

a. shall not be required to meet new setback standards so long as the new tower and its equipment compound are no closer to any property lines or dwelling units as the tower and equipment compound being replaced. The intent is to encourage the replacement process, not penalize the WCF owner for the change out of the old facility.

*Not applicable*

(4) Small Cell Facilities

*Not applicable*



b. shall be co-located when feasible as a first option on existing utility poles, County owned infrastructure (with the County's consent), existing wireless support structures or base stations in the immediate area;

c. may be developed as replacements for existing utility poles or wireless support structures provided the new facility does not exceed the size of the former facility.

(5) *missing from the ordinance text.*

(6) New freestanding concealed and non-concealed towers and equipment compounds

(a) shall be subject to the setbacks described below for breakpoint technology:

1. If the antenna support structure has been constructed using breakpoint design technology (see Definitions), the minimum setback distance shall be equal to 110 percent of the distance from the top of the structure to the breakpoint level of the structure, plus the minimum side and rear yard requirements.

*See Sheet Z-1 of the ZDs*

For example, on a 100-foot tall monopole with a breakpoint at 80 feet, the minimum setback distance would be 22 feet (110 percent of 20 feet, the distance from the top of the monopole to the breakpoint) plus the minimum side or rear yard setback requirements for that zoning district.

2. If the tower has not been constructed using breakpoint design technology, the minimum setback distance shall be equal to 110 percent of the height of the proposed antenna support structure.

*Not applicable*

(7) Commercial messages shall not be displayed on any tower. The only signage that is permitted upon a tower, equipment cabinets, or fence shall be informational, and for the purpose of identifying the tower (such as ASR registration number), as well as the party responsible for the operation and maintenance of the facility, and any additional security and/or safety signs as applicable.

*There will be no advertising on the tower. Only signage for informational purposes will be present.*

(8) Buffers. In all allowable locations the WCF equipment compound shall be landscaped with a minimum ten-foot wide perimeter buffer containing the following planting standards:

*A buffer will be installed as appropriate by the terms in this ordinance. In addition, the tower will be located in the treeline at the back of the property for additional screening. All of this is shown on the enclosed ZDs.*

1. One row of evergreen trees with a minimum two inches caliper, 25-foot on center.

*Sheet Z-2 of the ZDs shows the proposed plantings of evergreen trees, being two rows, ten feet on center. Otherwise, such trees shall have a minimum of two inches of caliper.*

2. Evergreen shrubs capable of creating a continuous hedge and obtaining a height of at least five feet shall be planted, minimum three gallon or 24 inches tall at the time of planting, five-foot on center.

*Applicant shall comply with all Ordinance requirements. Given the location of the proposed facilities near significant wooded areas, the topography and proposed plantings of evergreens, shrubs would*



*seem unnecessary and we will be asked for such consideration by the Administrator. However, if required by the County, compliance will be met and will be confirmed at the time of site plan approval.*

3. All plants and trees shall be indigenous to this part of Virginia.

*Confirmed.*

4. Existing trees and shrubs on the site should be preserved and may be used in lieu of required landscaping where approved by the Administrator.

5. Alternative landscaping plans which provide for the same buffer as 1 and 2 above but an propose alternative siting location on the entire subject property on which the proposed facility is projected may be considered and approved by the zoning administrator, provided the proposed alternative maximizes screening as provided above, and is otherwise consistent with the requirements of this section. If in the future the property is redeveloped the property owner may be required to provide the ten-foot wide perimeter buffer around the WCF equipment compound meeting the planning standards of 1 and 2 above.

*Please see Sheet Z-2 of the ZDs.*

(9) A section of fence at least six (6) feet in height shall be provided completely around the base of the tower and any associated equipment inside any required buffer area.

*An 8 foot chain link fence with galvanized barbed wire is proposed (please see Sheets Z-2 and Z-3 of the ZDs).*

(10) The facility shall not interfere with the radio, television, or communications reception of nearby property owners in residence at the time of construction. The applicant shall take steps to successfully eliminate any such interference. Compliance with American National Standards Institute (ANSI) standards for electromagnetic radiation shall be required in order to protect the public from excessive exposure to electromagnetic radiation. The WCF applicant shall certify through a written statement that the facility meets or exceeds current ANSI standards as adopted by the FCC. (see supplemental document for further information on Interference agreement)

*The proposed facility will meet or exceed current ANSI standards as adopted by the FCC.*

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

*Agreed*

(12) All non-concealed WCFs structures (excluding antenna and cables) greater than 50' shall be galvanized steel.

*Agreed*

(13) All freestanding towers up to 150 feet in height shall be engineered and constructed to accommodate no less than five (5) antenna arrays. All towers great than 150 feet shall be engineered and constructed to accommodate no less than six (6) antenna arrays.

*The tower will be designed to accommodate no less than six arrays, the applicant and five others.*

(14) Abandonment.



1. WCFs and the equipment compound, including the foundation(s) down to twelve inches (12") below grade, shall be removed at the owner's expense, within 180 days of cessation of use (i.e. the termination of all radio frequency transmissions from the tower), unless the abandonment is associated with a replacement antenna structure, general submittal requirements, in which case the removal shall occur within 90 days of cessation of use.

*Agreed*

2. An owner wishing to extend the time for removal or reactivation shall submit an application stating the reason for such extension. The county may extend the time for removal or reactivation up to 60 additional days upon a showing of good cause. If the antenna support structure or antenna is not removed within this time, the county may give notice that it will contract for removal within 30 days following written notice to the owner. Thereafter, the county may cause removal of the antenna support structure with costs being borne by the owner.

*Agreed*

3. Upon removal of the WCF and equipment compound, the development area shall be returned to its natural state and topography and vegetated consistent with the natural surroundings or consistent with the current uses of the surrounding or adjacent land at the time of removal.

*Agreed*

#### **Section Eight: Approval Factors and Process**

(1) The approving bodies, in exercise of the County's zoning regulatory authority, may consider an application for approval and determine: whether a WCF is in harmony with the area; the effects and general compatibility of a WCF with adjacent properties; or the aesthetic effects of the WCF as well as mitigating factors concerning aesthetics.

(2) The approving bodies, in exercise of the County's zoning regulatory authority, may disapprove an application on the grounds that the WCF's aesthetic effects are unacceptable, or may condition approval on changes in WCF height, design, style, buffers, or other features of the WCF or its surrounding area. Such changes need not result in performance identical to that of the original application.

(3) Factors relevant to aesthetic effects are: the protection of the view in sensitive or particularly scenic areas, and areas containing unique natural features, scenic roadways or historic areas; the concentration of WCFs in the proposed area; and, whether the height, design, placement or other characteristics of the proposed WCF could be modified to have a less intrusive visual impact.

(4) If the approving bodies determine that the proposed additional service, coverage, or capacity to be achieved by the location of the proposed new WCF can be achieved by use of one or more alternative existing wireless communications facilities, it may disapprove the proposed WCF application.

(5) A collocation application shall be reviewed by the County within ninety days of a completed submission, and an application for a new facility shall be reviewed by the County within one hundred fifty days of a completed submission (or within some other mutually agreed upon timeframe). The County shall notify an applicant within 20 business days of initial submission if there are any deficiencies relating to the application materials, otherwise the initial submission shall be deemed complete.



(6) Approval or denial of the application shall be in writing and shall be postmarked to the applicant by the ninetieth day from the date of final complete submission (in the case of collocation) or one hundred fiftieth day (in the case of new facilities). Denials shall identify the deficiencies in the application which, if cured, would make the application complete. Upon resubmitting of the revised site plan and paperwork the County shall follow the process identified in subsection (6) above until all deficiencies identified are deemed cured.

(7) If the County does not respond in writing to the applicant within the specified timeframe detailed above, then the application shall be deemed approved.

(8) Where the County deems it appropriate because of the complexity of the methodology or analysis required to review an application for a new wireless communication facility, the county may require the applicant to pay for a technical review by a third-party expert, selected by the County, the costs of which \$4,000.00 shall be borne by the applicant and be in addition to other applicable fees. Further, if additional information is needed to evaluate the applicant's request, the applicant, shall make such additional information available as the County might reasonably request.

a. Permitted uses #1 - #5 may be technically reviewed by a third-party expert, the costs of which \$1,800.00 shall be borne by the applicant and be in addition to other applicable fees. Permitted use #6 (Small Cell Facilities) will be reviewed and charged as allowed by Code of Virginia

#### **Section 15.2-2316.4**

#### **Section Nine: RESERVED**

#### **Section Ten: Definitions**

The following words, terms and phrases, when used in this Article, shall have the meanings ascribed to them in this Article, except where the context clearly indicates a different meaning. Where terms are not defined, they shall have their ordinarily accepted meaning, or such as the context may imply.

Generally, the words "used for" include "designed for," and vice versa; the word "building" includes the word "structure"; the word "dwelling" includes the word "residence"; and the word "lot" includes the word "plot." Any words pertaining to gender shall be interchangeable. The word "he" shall mean "she," and "she" shall mean "he." The word "shall" is mandatory; the word "may" or "should" is permissive.

*Administrator.* Also referred to as the zoning administrator. The official charged with the enforcement of the subdivision and zoning ordinances. He may be any appointed or elected official who is by formal resolution designated to the position by the governing body. He may serve with or without compensation as determined by the governing body.

*Agent.* One who represents another, called the principal, in dealings with third persons. The agent undertakes some business by authority of the principal. The principal is the property owner.

*Alternative tower structure.* Man-made trees, clock towers, bell steeples, light poles and similar alternative-design mounting structures that camouflage or conceal the presence of antennas or towers.

*Amateur radio tower.* A structure on which an antenna is installed for the purpose of transmitting and receiving amateur radio signals erected and operated by an amateur radio operator licensed by the FCC.



*Ancillary structure.* For the purposes of telecommunications, means any form of development associated with a wireless communications facility, including but not limited to: foundations, concrete slabs on grade, guy anchors, generators, and transmission cable supports; however, specifically excluding equipment cabinets.

*Antenna.* Any apparatus designed for the transmitting and/or receiving of electromagnetic waves including, but not limited to telephonic, radio or television communications. Types of elements include, but are not limited to: omnidirectional (whip) antennas, sectorized (panel) antennas, multi or single bay (FM and TV), yagi, or parabolic (dish) antennas.

*Antenna array.* A single or group of antenna elements and associated mounting hardware, transmission lines, or other appurtenances which share a common attachment device such as a mounting frame or mounting support structure for the sole purpose of transmitting or receiving electromagnetic waves.

*Antenna element replacement.* The replacement of an existing antenna element with a same or like model number or another element with identical or reduced dead weight and wind load properties. In addition there can be no increase in the size or number of feed lines utilized by the facility.

*Anti-climbing device.* A piece or pieces of equipment which are either attached to an antenna support structure, or which are free-standing and are designed to prevent people from climbing the structure. These devices may include but are not limited to fine mesh wrap around structure legs, "squirrel-cones," or other approved devices, but excluding the use of barbed or razor wire.

*Applicant.* Any person submitting any application required or permitted pursuant to any of the provisions of this chapter, including his successors and assigns.

*Base station.* The electronic equipment usually ground mounted, utilized by the wireless providers for the transmission and reception of radio signals.

*Broadcasting or communication tower.* Any unstaffed facility for the transmission and/or reception of radio, television, radar, cellular telephone, personal paging device, specialized mobile radio (SMR), and similar services. A broadcasting or communication tower usually consists of an equipment shelter or cabinet, a support tower or other structure used to achieve the necessary elevation, and the transmission or reception devices or antenna.

Excluded are "amateur radio towers," which are described separately. Also excluded are wireless communication antennas which fit the definition of "utility services, minor."

*Building, height of.* See "height, building."

*Building line or setback line.* A line that establishes the area within which the principal building or structure must be erected or placed and which may be located by means of a plat of subdivision or site plan at a distance greater than, but in no case less than, the minimum setbacks or yard spaces required by the zoning ordinance.

*Code of Virginia.* The Code of Virginia of 1950, as it may be amended from time to time. ("This Code," however, refers to the Ordinances of the County of Buckingham, Virginia.)

*Collocation.* The practice of installing, mounting, maintaining, modifying, operating or replacing a wireless facility on, under, within, or adjacent to a base station, building, existing structure, utility pole, or wireless support structure.





*Combined antenna.* An antenna or an antenna array designed and utilized to provide services for more than one wireless provider for the same or similar type of services.

*Commission.* The Planning Commission of the County.

*Communications service.* Establishment primarily engaged in the provision of broadcasting and other information relay services accomplished through the use of electronic and telephonic mechanisms. Excluded from this use type are facilities classified as "utility services, major" or "broadcasting or communication towers." Typical uses include television studios, telecommunication service centers, telegraph service offices or film and sound recording facilities.

*Concealed Tower.* A tower, ancillary structure, or equipment compound that is not readily identifiable as such, and is designed to be aesthetically compatible with existing and proposed building(s) and uses on a site.

There are two types of concealed facilities:

1) antenna attachments and 2) freestanding.

1) Examples of concealed attached facility include, but are not limited to the following: painted antenna and feed lines to match the color of a building or structure, faux windows, dormers or other architectural features that blend with an existing or proposed building or structure.

2) Freestanding concealed tower's usually have a secondary, obvious function which may be, but is not limited to the following: church steeple, windmill, bell tower, clock tower, light standard, flagpole with or without a flag, or tree.

*County.* Buckingham County, Virginia, a political subdivision of the State of Virginia.

*Easement.* A grant by a property owner of the use of land for a specific purpose.

*Equipment cabinet.* Any structure above the base flood elevation including: cabinets, shelters, pedestals, and other similar structures. Equipment cabinets are used exclusively to contain radio or other equipment necessary for the transmission or reception of wireless communication signals.

*Equipment compound.* The fenced area surrounding a wireless communication facility including the areas inside or under the following: an antenna support structure's framework and ancillary structures such as equipment necessary to operate the antenna on the WCF that is above the base flood elevation including: cabinets, shelters, pedestals, and other similar structures.

*FAA.* The Federal Aviation Administration.

*FCC.* The Federal Communications Commission.

*Feed lines.* Cables used as the interconnecting media between the transmission/receiving base station and the antenna.

*Geographic search area.* An area designated by a wireless provider or operator for a new base station, produced in accordance with generally accepted principles of wireless engineering.

*Governing body.* The Board of Supervisors of the County.

*Guyed structure.* A style of antenna support structure consisting of a single truss assembly composed of sections with bracing incorporated. The sections are attached to each other, and the assembly is



attached to a foundation and supported by a series of wires that are connected to anchors placed in the ground or on a building. (see "antenna support structure")

*Handoff candidate.* A wireless communication facility that receives call transference from another wireless facility, usually located in an adjacent first "tier" surrounding the initial wireless facility.

*Height.* The measurement of any freestanding and guyed WCF as measured at ground level to the top of the WCF structure, excluding antenna(s) and lightning rods.

*Height, building.* The vertical distance measured from the adjoining grade at the front entrance of the building or structure to the highest point of the structure. For corner lots, the building height shall be the average of the front height defined above and the building side height adjacent to the street. The building side height shall be defined as the vertical distance measured from the lowest adjoining grade on the side adjacent to the street to the highest point of the structure.

*Height, structure.* The distance between the highest point of any structure, and the lowest grade adjacent to the structure.

*Height, tree.* The measurement taken from the top of the root ball to the top of the canopy area at full foliage.

*Historical area.* An area containing buildings places, either or both, in which historic events occurred or having special public value because of notable architectural or other features relating to the cultural or artistic heritage of the area, of such significance as to warrant conservation and preservation. An historic area may not currently lie in nor constitute an historic district.

*Historic district.* A site, structure, landmark, one or more of them, or a group of them, which have unique architectural, historic, cultural, or archaeological importance to the county, the commonwealth, or the nation, and which are designated on the official zoning map as constituting an historic district.

*Historic site.* A site or structure which may not be included in an historic district, but which has an important historic, architectural or cultural significance to the County, Commonwealth, or nation. An historic site is registered with the Virginia Landmarks Registry or the National Register of Historic Places.

*Historic structure.* Any structure that is:

- (1) Listed individually in the Virginia Landmarks Registry or the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the secretary to qualify as a registered historic district;
- (3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- (4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
  - a. By an approved state program as determined by the Secretary of the Interior; or



b. Directly by the Secretary of the Interior in states without approved programs.

*Intermodulation distortion.* The preventable and avoidable results of the mixture of two certain and specific radio frequencies (3rd Order); or more certain or specific radio frequencies (5th Order), that creates at least one other unwanted, undesirable, and interfering radio frequency (3rd Order), or multiple other unwanted, undesirable, and interfering radio frequency signals (5th Order).

*Lattice structure.* A tapered style of antenna support structure that consists of vertical and horizontal supports with multiple legs and cross-bracing, and metal crossed strips or bars to support antennas. (see also "antenna support structure").

*Least visually obtrusive profile.* The design of a wireless communication facility intended to present a visual profile that is the minimum profile necessary for the facility to properly function.

*Lot.* A parcel of land intended to be separately owned, developed, or otherwise used as a unit, established by plat, subdivisions or as otherwise permitted by law.

*Macro wireless facility.* Any wireless facility exceeding the size dimensions defined as a small cell facility.

*Micro-wireless facility.* A small cell facility that is not larger in dimension than 24 inches in length, 15 inches in width, and 12 inches in height and that has an exterior antenna, if any, not longer than 11 inches.

*Master telecommunications plan.* A plan developed to enforce applicable development standards, state statutes and federal regulations related to the deployment of wireless telecommunications infrastructure.

*Monopole structure.* A style of free-standing antenna support structure consisting of a single shaft usually composed of two or more hollow sections that are in turn attached to a foundation. This type of antenna support structure is designed to support itself without the use of guy wires or other stabilization devices. These facilities are mounted to a foundation that rests on or in the ground or on a building's roof. (see also "antenna support structure")

*National Register of Historic Places.* The official list, maintained by the National Park Service of the United States Department of the Interior, of historic resources considered by that agency to be worthy of preservation.

*Non-Concealed Tower.* A wireless communication facility that is readily identifiable as such and can be either freestanding or attached.

*Person.* An individual, firm, corporation, or association.

*Personal wireless service.* Commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services, as defined in the Telecommunications Act of 1996.

*Plat.* A map or plan of a parcel of land that is to be, or has been subdivided. When used as a verb, "plat" is synonymous with "subdivide."

*Property.* Any tract, lot, parcel or several of such tracts, lots or parcels collected together.

*Radio frequency emissions.* Any electromagnetic radiation or other communications signal emitted from an antenna or antenna-related equipment on the ground, antenna support structure, building, or other vertical projection.



*Replacement.* In the context of telecommunications, means a modification of an existing antenna support structure to increase the height, or to improve its integrity, or to replace or remove one or several antenna support structure(s) located in proximity to a proposed new antenna support structure in order to encourage compliance with this ordinance or improve aesthetics or functionality of the overall wireless network.

*Replacement cost.* The cost of restoring a damaged building or structure to its original condition. Replacement cost shall include reasonable estimates of the cost of materials and labor and shall be compared with the assessed value as determined by the county assessor to determine the percentage of the cost of improvements.

*Right-of-way.* A legally established area or strip of land, either public or private, on which an irrevocable right of passage has been recorded, and which is occupied or intended to be occupied by a street, utility service, water main, sanitary or storm sewer main, or other similar use.

*Road.* See "street."

*Satellite earth station.* A single or group of parabolic (or dish) antennas are mounted to a support device that may be a pole or truss assembly attached to a foundation in the ground, or in some other configuration. A satellite earth station may include the associated separate equipment cabinets necessary for the transmission or reception of wireless communications signals with satellites.

*Shrub.* A woody plant producing multiple shoots or stems from the base height, with a total height of 15 feet or less. Also, when used to meet the landscaping criteria of the zoning ordinance, a perennial planting that, at the time of planting, has a minimum height of two feet measured from the ground elevation after planting.

*Sign.* Any display of letters, words, numerals, figures, devices, emblems, pictures, or any parts or combinations thereof, by any means whereby the same are made visible for the purpose of making anything known, whether such display be made on, or attached to, or as a part of a structure, surface or any other thing, including, but not limited to, the ground, any rock, tree or other natural object, which display is visible beyond the boundaries of the parcel of land on which the display is made. A display of less than one square foot in area is excluded from this definition.

*Site.* That portion of property on which a personal wireless service facility is to be placed.

*Small cell facility.* A wireless facility that meets both of the following qualifications: (i) each antenna is located inside an enclosure of no more than six cubic feet in volume, or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements could fit within an imaginary enclosure of no more than six cubic feet and (ii) all other wireless equipment associated with the facility has a cumulative volume of no more than 28 cubic feet, or such higher limit as is established by the FCC. The following types of associated equipment are not included in the calculation of equipment volume: electric meter, concealment, telecommunications demarcation boxes, back-up power systems, grounding equipment, power transfer switches, cut-off switches, and vertical cable runs for the connection of power and other services.

*Special exception.* A special use exception or yard, area or height exception specifically listed in this chapter which may be permitted by the board of zoning appeals in a specified district or in all districts in accordance with the provisions of this chapter.

*Stealth.* (See "concealed wireless communications facility").



*Street.* A public or private thoroughfare which affords access to abutting property.

*Structure.* Anything constructed or erected, the use of which requires permanent location on the ground or attachment to something having a permanent location on the ground. This includes, among other things, dwellings, buildings, signs, etc.

*Surveyor.* A certified land surveyor licensed by the commonwealth.

*Tower.* (See "wireless communication facility").

*Vegetative buffer.* Deciduous and evergreen plants, shrubs, or trees that are mature enough to act as an effective visual and audible buffer.

*Virginia Landmarks Register.* The official list, maintained by the Department of Historic Resources, of historic resources considered by the Board of Historic Resources to be worthy of historic preservation.

*WCF.* (See "wireless communication facility").

*Wireless Broadband Facility.* An unstaffed location for the wireless transmission and/or reception of broadband data services exclusively, usually consisting of a tower, an antenna or group of antennas, transmission cables, and equipment cabinets, and may include an antenna support structure.

*Wireless communications.* Any personal wireless service, which includes but is not limited to, cellular, personal communication services (PCS), specialized mobile radio (SMR), enhanced specialized mobile radio (ESMR), unlicensed spectrum services utilizing devices described in Part 15 of the FCC rules and regulations (i.e., wireless internet services and paging).

*Wireless communication facility (WCF).* Any manned or unmanned location for the transmission and/or reception of radio frequency signals, or other wireless communications, and usually consisting of an antenna or group of antennas, transmission cables, and equipment cabinets, and may include an antenna support structure. The following developments shall be considered as a WCF: developments containing new, mitigated, or existing antenna support structures, public antenna support structures, replacement antenna support structures, collocation on existing antenna support structures, attached wireless communications facilities, concealed wireless communication facilities, and non-concealed wireless communication facilities. Excluded from the definition are: non-commercial amateur radio, amateur ham radio and citizen band antennas, satellite earth stations and antenna support structures, and antennas and/or antenna arrays for AM/FM/LPTV/DTV broadcasting transmission facilities.

Specific types of WCFs includes:

Attached wireless communication facility means an antenna or antenna array that is secured to an existing building or structure with any accompanying pole or device which attaches it to the building or structure, together with transmission cables, and an equipment cabinet, which may be located either on the roof or inside/outside of the building or structure. An attached wireless communications facility is considered to be an accessory use to the existing principal use on a site.

Concealed wireless communications facility, sometimes referred to as a stealth or camouflaged facility, means a wireless communications facility, ancillary structure, or WCF equipment compound that is not readily identifiable as such, and is designed to be aesthetically compatible with existing and proposed building(s) and uses on a site.

There are two types of concealed WCFs:



1) attached and

2) freestanding.

1) Examples of concealed attached facility include, but are not limited to the following: painted antenna and feed lines to match the color of a building or structure, faux windows, dormers or other architectural features that blend with an existing or proposed building or structure.

2) Freestanding concealed WCFs usually have a secondary, obvious function which may be, but is not limited to the following: church steeple, windmill, bell tower, clock tower, cupola, light standard, flagpole with or without a flag, or tree). (See "non-concealed wireless communication

facility"). Freestanding wireless communication facility means any manned or unmanned location for the transmission and/or reception of radio frequency signals, or other wireless communications, and usually consisting of an antenna or group of antennas, feed lines, and equipment cabinets, and may include an antenna support structure. A freestanding wireless communication facility includes, but is not limited to the following: guyed, lattice, or monopole towers. Non-concealed wireless communication facility means a wireless communication facility that is readily identifiable as such and can be either freestanding or attached.

*Zoning administrator.* also referred to as the "administrator" in this portion of the zoning ordinances.

## **I. SUPPLEMENTAL DOCUMENT TO ARTICLE 9 OF THE ZONING ORDINANCE**

### **Purpose**

In accordance with the County's zoning authority this document serves all county staff and potential applicants with a list of publicly owned properties and detailed submittal requirements for all applications

## **II. SECTION ONE: USES OF COUNTY-OWNED LANDS**

*III.*

*IV. NOT APPLICABLE*

The following Buckingham County-owned properties are available for new wireless telecommunication infrastructure subject to all the zoning requirements of this document and the Zoning Ordinance.

Property	Address	MP Site ID	Infrastructure Type	Infrastructure Maximum Height
Household Waste & Recycling Center	29420 N. James Madison Highway	5	Monopole	125'
Household Waste & Recycling Center	720 Plank Road	10	Monopole	199'
Water Tank	52 Dillwyn Primary Road	14	Concealed Antenna Attachments	n/a
Household Waste & Recycling Center	Section 138, Lot 16	15	Concealed	125'
Water Treatment Plant	1788 Troublesome Creek Road	18	Monopole	199'
Household Waste & Recycling Center	16836 W. James Anderson Highway	26	Monopole	199'
Buckingham County Courthouse	13043 W. James Anderson Highway	27	Monopole Flag Pole/concealed attached	125'
Buckingham County Administrative Offices	13360 W. James Anderson Highway	28	Monopole Flag Pole/concealed attached	125'
Undeveloped Land	Section 137, Parcel 121A	29	Concealed	125'
Undeveloped Land	Section 137, Lot 47	30	Concealed	125'
Water Tank	16830 W. James Anderson Hwy	32	Concealed Antenna Attachments	n/a
Animal Shelter	9659 Andersonville Road	34	Monopole	199'
Old landfill	Off Andersonville Road	35	Monopole	199'

(a) If an applicant requests a permit to develop a site on County-owned property, the permit granted hereunder shall not become effective until the applicant and the County have executed a written agreement or lease setting forth the particular terms and provisions under which the permit to occupy and use the public lands of the jurisdiction will be granted.

(b) No permit granted under this section shall convey any exclusive right, privilege, permit, or franchise to occupy or use the publicly-owned sites of the jurisdiction for delivery of telecommunications services or any other purpose.

(c) No permit granted under this section shall convey any right, title or interest in the public lands, but shall be deemed a permit only to use and occupy the public lands for the limited purposes and





term stated in the agreement between the lessor and lessee. Further, no permit shall be construed as a conveyance of a title interest in the property.

**Section Two: Submittal requirements for each type of facility.**

**#1 For All New WCFs outside the right-of-way:**

- 1) In addition to the submittal requirements of any subsection below, each applicant shall submit a completed application form and required application fees as part of its submittal package.
  - a) Prior to application submittal.

The applicant shall contact the Zoning Administrator to confirm submittal requirements and Planning Commission and Board of Supervisor meeting dates.

*Completed*

- b) Balloon Test for all new freestanding macro cell WCFs outside the right-of- way greater than 50 feet in height.

*The applicant performed a balloon test on May 26, 2020, in accordance with the ordinance below, and the resulting photo-simulated renderings are attached.*

- 1) The applicant shall arrange to raise a balloon of a color or material that provides maximum visibility and no less than three feet in diameter, at the maximum height of the proposed WCF and within 50 horizontal feet of the center of the proposed antenna support structure.
- 2) The applicant shall inform in writing the zoning administrator, abutting property owners, elected County Supervisor, and appointed Planning Board Commissioner of the district of the date and times of the test at least 14 days in advance.
- 3) The applicant shall request in writing permission from the abutting property owners to access their property during the balloon test to take pictures of the balloon and to evaluate the visual impact of the proposed tower on their property.
- 4) The date, time and location of the balloon test shall be advertised in a locally distributed paper by the applicant at least seven but no more than 14 days in advance of the test date. The advertisement shall also include an alternate inclement weather date for the balloon test.
- 5) Signage similar to rezoning signage shall be posted on the property to identify the location on the property where the balloon is to be launched. This signage shall be posted a minimum of seventy-two hours prior to the balloon test. If unsuitable weather conditions prevail on the date of the balloon test then cancellation of the test shall be clearly noted on the signage.
- 6) The balloon shall be flown for at least four consecutive hours during daylight hours on the date chosen.
- 7) The applicant shall record the weather during the balloon test.
- 8) If the wind during the balloon test is above 20 miles per hour then the balloon test shall be postponed and moved to the alternate inclement weather date provided in the advertisement.





2) Provided with application:

- a) For all new macro facility towers, the applicant shall demonstrate that the following notice was mailed (via certified mail) to all other wireless service providers licensed to provide service within the county as well as known tower owners as indicated on the list of wireless service providers provided by the county:

"Pursuant to the requirements of the Buckingham County Zoning Ordinance, Article 9 is hereby providing you with notice of our intent to meet with the county staff in a pre-application conference to discuss the location of a free-standing wireless communications facility that would be located at (physical address, latitude and longitude (NAD- 83)). In general, we plan to construct a support structure of \_feet in height for the purpose of providing\_\_\_\_\_ (type of wireless service). Please inform the County Staff if you have any desire for placing additional wireless facilities or equipment within 2 miles of our proposed facility. Please provide us and Buckingham Planning Department with this information within twenty business days after the date of this letter. Your cooperation is sincerely appreciated.

Sincerely, (pre-application applicant, wireless provider)"

- b) An affidavit by a radio frequency engineer demonstrating: (NOTE: These documents are needed to justify a facility and to determine if the proposed location is the only or best one in the designated geographic area of the proposed facility.)

*See attached proximity sites map showing no existing tower locations within 7.5 miles of this site.*

- 1) No existing wireless communications facilities located within the geographic area meets the applicant's engineering requirements, and why.

*See attached proximity sites map showing no existing tower locations within 7.5 miles of this site.*

- 2) Existing wireless communications facilities are not of sufficient height to meet the applicant's engineering requirements, and cannot be increased in height.

*There are no available structures to collocate on within 7.5 miles of the site.*

- 3) Existing wireless communications facilities do not have sufficient structural integrity to support the applicant's proposed wireless communications facilities and related equipment, and the existing facility cannot be sufficiently improved.

*There are no available structures to collocate on within 7.5 miles of the site.*

- 4) Other limiting factors that render existing wireless communications facilities unsuitable.



*There are no available structures to collocate on within 7.5 miles of the site. In doing a search for facilities in the area there are no structures available that we are aware of that are within 5 miles of this site that achieve the necessary height, based on the topography of the site, to accommodate the surrounding terrain. For example, most churches in the area are 1½ to 2 stories in height and many do not have a steeple that can achieve the height necessary to provide any service.*

- 5) Costs of concealment technology that exceed facility development costs shall not be presumed to render the technology unfeasible.

*Not applicable*

- c) Sixteen sets (11"× 17") of signed and sealed site plans by a surveyor or engineer licensed in the State of Virginia, including antenna support structure elevations, and landscape plans if required, and one reduced copies (8 1/2"× 11"), of the foregoing preliminary grading plans may be included on site plans or separately submitted in equal quantities. The site plans shall identify adjacent land owners, land uses, height of principal building, size of lots, and existing zoning and land use designation.

*Agreed.*

- d) An identification card for the subject property from the office of the Commissioner of the Revenue for the County or a tax bill showing the ownership of the subject parcel.

*See attached tax card from the Buckingham County GIS application.*

- e) Proof that a property and/or WCF owner's agent has appropriate authorization to act upon the owner's behalf (if applicable).

*See attached with this application.*

- f) For monopolies using breakpoint technology a written statement by a registered professional engineer licensed by the State of Virginia specifying the design structural failure modes of the proposed facility.

*Not applicable.*

- g) Materials detailing the locations of existing wireless communications facilities to which the proposed antenna will be a handoff candidate; including latitude, longitude, and power levels of the proposed and existing antenna is required.

*See attached proximity sites map.*

- h) A map showing the designated search ring.

*See attached proximity sites map.*

- i) Identification of the intended service providers of the WCF.

*The applicant and primary user of the proposed facility will be Verizon Wireless. The applicant gladly*



*accepts applications for collocation on the proposed facility pursuant to the attached collocation policy.*

- j) Title report or American Land Title Association (A.L.T.A.) survey showing all easements on the subject property, together with a full legal description of the property.

*See attached with this application.*

- k) The applicant shall supply a statement on applicant letterhead of compliance with all FCC rules regarding interference to other radio services.

*See attached with this application.*

- l) The applicant shall supply a statement on applicant letterhead of compliance with all FCC rules regarding human exposure to radio frequency energy.

*See attached with this application.*

- m) One original and two copies of a survey of the property delineating an area equal to 200 percent (200%) of the height of the WCF as measured from the boundary of the equipment compound of the tower in all directions. This survey shall include all property lines and buildings and be completed by a professional surveyor, licensed in the State of Virginia, showing all existing uses, structures, and improvements.

*See attached with this application.*

- n) A landscape plan in accordance with the provisions of Section 7 (8) of Article 9 in the Zoning Ordinance, to include without limitation, any required buffer.

*See ZDs detailing the proposed facility buffer.*

- o) If the United States Fish and Wildlife Service require the applicant to submit any information to them concerning the proposed wireless communications facility, the applicant shall also furnish a copy of any material submitted to the United States Fish and Wildlife Service to the county as part of the application package.

*The applicant is required to obtain all appropriate local and federal authorizations prior to construction of the facility. This includes, but is not limited to the local jurisdiction, FCC, FAA and NEPA/ SHPPO. Copies of these approvals can be furnished in due course upon receipt as requested.*

- p) All other documentation, evidence, or materials necessary to demonstrate compliance with the applicable approval criteria set forth in this document and the Buckingham County Zoning Ordinance.

(3) Provide with building permit:

- a) Prior to issuance of a building permit, proof of FAA compliance with Subpart C of the



Federal Aviation Regulations, Part 77, "Objects Affecting Navigable Airspace," if applicable.

*See attached FAA determination of no hazard notice.*

- b) Prior to issuance of a building permit a stamped or sealed structural analysis of the proposed WCF prepared by a registered professional engineer licensed in the State of Virginia indicating the proposed and future loading capacity of the WCF.

*Duly noted.*

- c) Prior to issuance of a building permit, proof of Virginia Department of Historic Resources (VDHR) approval and State Historic Protection and Preservation Office (SHPPPO) approval, if required.

*Duly noted. Copies of all necessary and required approval shall be provided upon receipt.*

**#2 Attached, collocated, collocation modifications of existing arrays, or combined antenna on an existing WCF.**

**V.**

*Section not applicable.*

The following shall be provided in addition to the requirements listed above.

- a) If antennas are proposed to be added to an existing structure, all existing antennas and other equipment on the structure, as well as all ground equipment, shall be identified by owner, type and size. The method(s) by which the antennas will be attached to the mounting structure shall be depicted.
- b) The top of the attached antenna shall not be more than twenty (20) feet above the existing or proposed building or structure.
- c) When required, photo-simulated post construction renderings of the completed proposed antenna support structure, equipment cabinets, and ancillary structures shall at a minimum include renderings from the vantage point of any adjacent roadways and occupied or proposed non-residential or residential structures and other locations as determined by the Administrator, proposed exterior paint and stain samples for any items to be painted or stained, and pictures of exterior building materials and roof materials.
- d) Concealed Attached WCFs: Feed lines and antennas shall be designed to architecturally match the façade, roof, wall, or structure on which they are affixed so that they blend with the existing structural design, color, and texture.
- e) Equipment cabinets shall be located within the existing building or behind an opaque enclosure matching the architectural designs and colors of the principal building or structure. If the existing equipment compound is not sized adequately to accommodate the new proposed ground equipment, then a revised site plan of the original WCF site shall be submitted addressing the overall ground space for the WCF.
- f) Non-concealed attachments shall only be allowed on electrical transmission towers and existing light stanchions subject to approval by the utility company, the development standards for attached WCFs, and compliance with existing legal restrictions contained in any easement granted for said transmission towers and/or light stanchions.
- g) Provide with Building Permit: Prior to issuance of a building permit a stamped or sealed structural analysis by a registered professional engineer licensed in the State of Virginia



indicating the antenna support structure and/or building or structure to which the antenna will be attached has sufficient structural integrity to support the proposed antenna and feed lines in addition to all other equipment located or mounted on the structure.

### **#3 Replacement of WCFs.**

*Section not applicable.*

The following shall also be provided in addition to the requirements listed in #1. Replacement of WCFs shall accomplish a minimum of one of the following: 1) reduce the number of towers; or 2) reduce the number of nonconforming towers; or 3) replace an existing tower with a new tower to improve network functionality resulting in compliance with this ordinance. Replacement is subject to the following:

- a) Height: The height of a tower approved for a first time replacement shall not exceed one hundred and fifteen (115) percent of the original height of the tallest tower or the maximum height permitted in district whichever is greater. (For example a 250' existing tower could be rebuilt at 287.5')
- b) A second replacement for a tower previously replaced requires approval of a Special Use Permit.
- c) Breakpoint technology: Replacement monopole towers shall use breakpoint technology in the design of the replacement facility.
- d) Replacement WCFs shall be configured and located in a manner that minimizes adverse effects on the landscape and adjacent properties, with specific design considerations as to height, scale, color, texture, and architectural design of the buildings on the same and adjacent zoned lots.
- e) The existing tower being replaced, including tower base but excluding the tower foundation, must be removed within ninety (90) days of the initial operation of the new tower.

### **#4 Freestanding concealed WCFs.**

*Section not applicable.*

The following shall be provided in addition to the requirements listed in Section #1:

- a) Height:
  - 1) Height calculations shall include above ground foundations, but exclude lightning rods or lights required by the FAA that do not provide any support for antennas.
  - 2) New concealed towers shall be limited to 199' or less in height.
  - 3) For replacements of existing towers #3, entitled, "Replacement of WCF's".
- b) New concealed freestanding towers shall be designed to match adjacent structures and landscapes with specific design considerations such as architectural designs, height, scale, color, and texture.
- c) Photo-simulated post construction renderings of the completed proposed antenna support structure, equipment cabinets, and ancillary structures shall at a minimum include renderings from the vantage point of any adjacent roadways and occupied or proposed non-residential or residential structures and other locations as determined by the



Administrator, proposed exterior paint and stain samples for any items to be painted or stained, exterior building material and roof samples.

In addition to the requirements of Section Two, #1, the applicant shall provide simulated photographic evidence of the proposed WCFs appearance from any and all residential and village zones as identified on the zoning map that are within 1,000 feet and vantage points approved by the Administrator including the facility types the applicant has considered and the impact on adjacent properties including:

- 1) Overall height.
- 2) Configuration.
- 3) Physical location.
- 4) Mass and scale.
- 5) Materials and color.
- 6) Illumination.
- 7) Architectural design.

**#5 Non-concealed WCFs.**

- a) It is intended that all new non-broadcasting towers be 199' or less in height. However, should a tower be required in excess of 199', all new non-broadcast facilities shall be subject to the following additional requirements:

*Not applicable as the tower proposed has a maximum height of 195' (with 4' for lightening rods).*

- 1) Propagation maps and corresponding data including but not limited to topographic and demographic variables for the intended service area shall be provided for review illustrating with detail that the service area and intercoupling hand-off will be sufficiently compromised to require an additional antenna support structure(s) for network deployment, which would not otherwise be required.
  - 2) It shall be noted on the site plan that the tower shall be designed to allow for a future reduction of elevation to no more than 199', or the replacement of the tower with a monopole type structure at such time as the wireless network has developed to the point that such a reduction in height can be justified.
- b) Photo-simulated post construction renderings of the completed proposed antenna support structure, equipment cabinets, and ancillary structures shall at a minimum include renderings from the vantage point of any adjacent roadways and occupied or proposed non-residential or residential structures and other locations as determined by the Administrator, proposed exterior paint and stain samples for any items to be painted or stained, and pictures of exterior building materials and roof materials.

Agreed.

- c) The applicant shall provide simulated photographic evidence of the proposed WCFs



appearance from any and all residential and village zones as identified on the zoning map that are within 1,000 feet and vantage points approved by the Administrator including the facility types the applicant has considered and the impact on adjacent properties including:

- 1) Overall height.
- 2) Configuration.
- 3) Physical location.
- 4) Mass and scale.
- 5) Materials and color.
- 6) Illumination.
- 7) Architectural design.

*The applicant has conducted a balloon test in accordance with the ordinance above and generated the appropriate photo-simulation images, attached.*

#### **#6 Antenna Element Replacement**

*Section not applicable.*

For any replacement of an existing antenna element on a WCF, prior to making such replacement, the applicant, in lieu of the requirements provided in Section Two #1 shall submit and provide:

- a) A written statement setting forth the reasons for the replacement.
- b) A description of the proposed antenna replacement including the antenna element design, type and manufactures model number of the existing and proposed antenna.

#### **#7 Small Cell Facility**

*Section not applicable.*

For any small cell facility, in lieu of the aforementioned items a certification is required and includes an application and sketch plan with the following items:

- a) Location of proposed structure by GPS coordinates
- b) Location and size of existing or proposed buildings and structures
- c) Setbacks from property lines, right-of-ways, and existing structures
- d) Entrance/Access and parking layout
- e) Exterior lighting if any. All illumination shall be full cutoff and pointed in a down direction.
- f) Tax map and parcel number
- g) Zoning district
- h) North Point
- i) Date of drawing and name of individual who prepared the plan
- j) Minimum setback lines
- k) Approximate boundary dimensions
- l) A certification of structural integrity from a professional engineer licensed to practice in the Commonwealth of Virginia, or a certification of testing and design from a manufacturer of the pole structure

- m) Certification that the antennas meet or exceed FCC emission and interference requirements.

**Section Three: Other Submittal requirements for WCFs**

- a) Demonstration of Visual and Aesthetic Impacts:
  - 1) The applicant shall provide a statement as to the potential visual and aesthetic impact of the proposed WCF on all adjacent properties and roadways, trails, and travel ways.

*The proposed facility will have little visual or aesthetic impact on the surrounding area. Photo-simulations from the balloon test as described above are provided with this application.*

- 2) Except where the facility will be located entirely within an existing structure, a scaled plan and a scaled elevation view and other supporting drawings, calculations, and other documentation required by the agent, signed and sealed by an appropriate licensed professional. The plans and supporting drawings, calculations and documentation shall show:
  - i. The benchmarks and datum used for elevations. The datum shall coincide with the Virginia State Plane Coordinate System, South Zone, North American Datum of 1983 (NAD83), United States Survey Feet North American Vertical Datum of 1988 (NAVD88), and the benchmarks shall be acceptable to the County.

*The required information is provided on the ZDs included in the application.*

- ii. The design of the facility, including the specific type of support structure and the design, type, location, size, height and configuration of all existing and proposed antennas and other equipment.

*The required information is provided on the ZDs included in the application.*

- iii. Except where the facility would be attached to an existing structure or is less than fifty (50) feet, the topography within two thousand (2,000) feet of the proposed facility, in contour intervals shown on United States Geological Survey topographic survey maps or the best topographic data available.
- iv. The height, caliper and species of all trees where the drip-line is located within fifty (50) feet of the facility that are relied upon to establish the proposed height and/or screening of the monopole. All trees that will be adversely impacted or removed during installation or maintenance of the facility shall be noted, regardless of their distances to the facility.
- v. All existing and proposed setbacks, parking, fencing and landscaping.

*The required information is provided on the ZDs included in the application.*

The location of all existing and proposed access ways Interference with public safety communications. In order to facilitate the regulation, placement, and construction of WCFs, and to ensure that all parties are complying to the fullest extent possible with the rules, regulations,





and/or guidelines of the FCC, each owner of a WCF or applicant for a WCF shall agree in a written statement to the following:

- 3) Compliance with "good engineering practices" as defined by the FCC in its rules and regulations.

*The Applicant kindly directs your attention to the notice included with this application.*

- 4) Compliance with all FCC rules and regulations relating to radio frequency interference (RFI).

*The Applicant kindly directs your attention to the notice included with this application.*

- 5) In the case of an application for collocated telecommunications facilities, the applicant, together with the owner of the subject site, shall use their best efforts to provide a composite analysis of all users of the site to determine that the applicant's proposed facilities will not cause radio frequency interference with the county's public safety communications equipment and will implement appropriate technical measures, antenna element replacement, to attempt to prevent such interference.

*Not applicable.*

- 6) Whenever the county has encountered radio frequency interference with its public safety communications equipment, and it believes that such interference has been or is being caused by one or more WCFs, the following steps shall be taken:

*Duly noted.*

- i. The county shall provide notification to all WCF service providers operating in the county of possible interference with the public safety communications equipment, and upon such notifications, the owners shall use their best efforts to cooperate and coordinate with the county and among themselves to investigate and mitigate the interference, if any, utilizing the procedures set forth in the joint wireless industry-public safety "Best Practices Guide," released by the FCC in February 2001, including the "good engineering practices," as may be amended or revised by the FCC from time to time.
- ii. If any WCF owner fails to cooperate with the county in complying with the owner's obligations under this section or if the FCC makes a determination of radio frequency interference with the county public safety communications equipment, the owner who failed to cooperate and/or the owner of the WCF which caused the interference shall be responsible, upon FCC determination of radio frequency interference, for reimbursing the county for all costs associated with ascertaining and resolving the interference, including but not limited to any engineering studies obtained by the county to determine the source of the interference. For the purposes of this subsection, failure to cooperate shall include failure to initiate any response or action as described in the "Best Practices Guide" within 24 hours of county's notification.

**39 Building Permits were issued in the amount of \$6524.57 for the month of June 2021**

Permit No.	District	Name	Purpose	Cost of Construction	Cost of Permit
18455	Marshall	Hamden Seay	Inground Pool	\$8,500.00	\$67.45
18542	Francisco	Sondra and Warren Walker	Remodel- Residential	\$5,500.00	\$25.50
18543	Maysville	Heather Dandridge	Electrical	\$0.00	\$25.50
18544	Maysville	Anthony Caldwell	New Dwelling- Stickbuilt	\$150,000.00	\$315.08
18545	Curdsville	Clayton Homes	Modular Unit	\$186,000.00	\$409.43
18547	Marshall	Carl Lanigan	Electrical	\$299.00	\$25.50
18548	Curdsville	John Yoder	Farm Building- Exempt	\$250.00	\$10.00
18549	Town of Dillwyn	Mitchell Homes	New Dwelling- Stickbuilt	\$225,000.00	\$708.22
18550	Slate River	Gail Banks	Electrical	\$900.00	\$25.50
18551	Slate River	Power Home Solar	Addition Residenital	\$62,616.00	\$51.00
18552	Curdsville	Amos Beiler	Commerical Construction	\$150,000.00	\$972.90
18553	Marshall	Marie Hill Jonach Wilholm	Shed	\$20,000.00	\$63.85
18554	James River	Clayton Homes	Mobile Home- Singlewide	\$85,000.00	\$226.75
18555	Marshall	James and Beulah Bowling	Addition Residenital	\$20,800.00	\$44.10
18556	Curdsville	Bryan D Law	Addition Residenital	\$6,000.00	\$51.00
18557	Slate River	Sallie Crews	Detached Carport	\$6,895.00	\$99.76
18558	Marshall	Mills Heating and Air	Electrical	\$2,544.00	\$25.50
18559	Curdsville	John Snoddy	Farm Building- Exempt	\$53,000.00	\$0.00
18560	Marshall	Richard Corwin	Mobile Home- Singlewide	\$22,000.00	\$106.17
18561	Francisco	Mills Heating and Air	Mechanical	\$5,998.00	\$25.50
18562	Francisco	Mills Heating and Air	Electrical	\$15,996.00	\$25.50
18563	James River	Verizon CO Kevin Feng	Commerical Addittion	\$30,000.00	\$76.50
18564	James River	At&T CO Alexandra Bull	Commerical Addittion	\$30,000.00	\$535.50
18565	James River	At&T CO Alexandra Bull	Commerical Addittion	\$30,000.00	\$408.00
18566	Curdsville	American Tower CO Connie Fear	Commerical Addittion	\$30,000.00	\$51.00
18567	Slate River	CMH Homes	Modular Unit	\$213,816.00	\$494.19
18568	James River	Fotchman James and Brenda	New Dwelling- Stickbuilt	\$170,000.00	\$214.71
18569	James River	Hanover Quailty Builders	Addition Residenital	\$20,000.00	\$36.92
18570	Marshall	Christopher Wright	Electrical	\$100.00	\$25.50
18571	Maysville	Hearn Woodworks LLC	New Dwelling- Stickbuilt	\$395,000.00	\$621.79
18572	James River	Jeffrey Hubner	Electrical	\$3,000.00	\$25.50
18573	James River	Jeffrey Hubner	Electrical	\$3,000.00	\$25.50
18574	Slate River	Tambra Riggs- Gutierrez	New Dwelling- Stickbuilt	\$30,000.00	\$108.85
18575	Slate River	John Meeks	New Dwelling- Stickbuilt	\$160,000.00	\$352.22
18576	Marshall	Marc Jones Construction LLC	Addition Residenital	\$38,564.00	\$51.00
18578	Maysville	Gerald Freeman	Addition Residential	\$3,500.00	\$65.68
18579	Slate River	Power Home Solar	Addition Residential	\$46,560.00	\$51.00
18580	Curdsville	Power Home Solar	Addition Residential	\$70,718.00	\$51.00
18581	Curdsville	Kyanite Mining Corp	Electrical	\$700.00	\$25.50
<b>**Cost of permit is calculated based on square footage of structure**</b>				<b>\$2,302,256.00</b>	<b>\$6,524.57</b>

