



**October 21<sup>st</sup>, 2020 – 6:30 p.m.**

## **Agenda: Planning Commission Workshop**

1. Call to Order
2. Determine Presence of Quorum & Review/Approval of Agenda
3. Review of Minutes from September 16<sup>th</sup>, 2020 Workshop
4. Preview of November 4<sup>th</sup>, 2020 Joint Public Hearing:

**Case No. SU-11-20-21:** Request by CWS X, LLC for an indefinite special use permit to develop a wireless communication facility (“WCF”). The subject property is zoned A1 (Agriculture) and per article one (zoning ordinance) section 14-13-4 (uses requiring a special use permit) WCF’s exceeding one-hundred (100) feet in height require a special use permit. The subject property is 376.2 acres, and the property’s owner(s) intend to lease a 10,000 square foot area to the applicant. The WCF would be confined to a roughly 50’ x 100’ fenced-in compound; the total site disturbance – including access road and fenced-in compound – is estimated to be approximately 1.18 acres. The monopole tower’s proposed height is 175 feet with an attached four (4) ft. lightning rod. The subject property is located on South Blue Ridge Turnpike (Rt. 231), and is owned by M & W Farm, LLC. The subject parcel is identified on Madison County’s Tax Maps as 69-7, and an existing dwelling on the site has a postal address of 950 South Blue Ridge Turnpike, Somerset, VA 22972.

5. Additional Items from Planning Commission or Public
6. Adjournment.

## Madison County Planning Commission

### Workshop Meeting

September 16, 2020

The Madison County Planning Commission Workshop meeting was called to order by Chair, Mike Mosko, at 6:30 p.m. in the County Administration Building auditorium. A quorum was established with all members present: Fay Utz, Francoise Seillier-Moiseiwitsch, Peter Work, Nan Coppedge, Mike Mosko, Mike Fisher, Danny Crigler, Steve Carpenter, and Pete Elliott. Also present were Ligon Webb, County Planner; Sean Gregg, County Attorney; and Clay Jackson, BOS liaison.

Mr. Mosko added the report from the BOS meeting, and copies of the updated Ordinance to the agenda. Motion was made by Danny Crigler to **approve the submitted agenda**, with additions, seconded by Mike Fisher, and carried with all members voting aye. Motion was made by Mr. Fisher to approve the **August 19, 2020 minutes** as submitted, seconded by Mr. Crigler, and carried, with all members voting aye.

Fay Utz reviewed new State information regarding **Large Scale Solar Systems**. Virginia plans to have “fossil free/clean energy” production statewide by 2041, and a \$1,400 revenue sharing payment upfront. Mrs. Utz has conferred with Sam McLearn in Culpeper, and she recommends no changes/actions are needed to our Ordinance at this time.

Steve Carpenter reported from the **BOS meeting**: much discussion and action on CARES funding, EMS-Rescue Squad concerns, emergency communication towers, swinging bridges in Criglersville, and free flu shots available Oct. 1.

Mr. Webb reported CWS submitted an application on Sept. 3 to build a **cell tower in Uno**, following a balloon test many months ago. He will distribute the 150 page supporting document, and this application will most likely be on the November agenda. Mr. Fisher reported that CWS has already made concessions to conservation requirement wishes, and we can expect opposition from many in the area, but also support from residents. This would lead to cell phone and internet service for emergency communication, infrastructure, and school/work from home. Ms. Seillier-Moiseiwitsch initiated discussion on the need for service for all areas of the county, and what can the PC do to further this project along; even study the project and determine a dollar amount needed. Clay Jackson reported success with boosters, and that money is the problem; for both installing the lines and the number of customers to purchase service. Mr. Fisher reminded us that Goal 4 of the Comp Plan addresses the need for affordable countywide cell and internet service. Mr. Gregg stated REC rights-of-ways apply only to electricity, and using electrical lines for internet service would require additional r-o-w's. Mr. Carpenter stated technology changes rapidly and new methods are coming. Peter Work suggested the County Planner work on this. Tracey Gardner has the written report of a previous broadband committee's work on this subject. Mr. Mosko asked Ms. Seillier-Moiseiwitsch and Mr. Work to research this issue. Mrs. Utz stated the tower at the Robinson River bridge has never been connected and Mr. Mosko repeated it comes down to money.

Mr. Fisher asked about **posting signs on property as an additional means of notifying** the community of zoning/special use permit applications. After discussion, Mr. Webb will purchase signs with general information to implement this.

September 16, 2020

**By-laws Amendments:** Article 7-6-6 would require **only the author and the date of written comments** will be read into the meeting minutes, rather than the entire comments. There was discussion on limiting speakers at public hearings to residents and/or property owners of Madison, as some localities do. Points addressed are that it would be narrowminded, not encouraging public input, and not in sync with BOS allowing everyone to speak. Pete Elliott feels otherwise and made a motion to limit speakers at public hearings to Madison County taxpayers. There was no second, and the motion failed. Therefore, there will be **no restrictions on who may speak** at a public hearing. Peter Work asked for clarification on Article 9-2 of the By-laws that can allow the Commission to suspend the By-laws. Mr. Gregg gave an example from Robert's Rules of Order when wanting to suspend the power of the Chair.

Written notice of the proposed By-laws changes will be forwarded to the Commission members for vote at the next workshop meeting.

The October 7, 2020 Joint Meeting will be a public hearing on proposed changes to R3 Apartments, and related definitions.

Mr. Webb will provide all Commissioners with new hard copies of the updated Ordinance.

There being no further business, the meeting was adjourned at 7:36 p.m.

\_\_\_\_\_  
Nan Coppedge, Secretary

\_\_\_\_\_  
Approved

\_\_\_\_\_  
Certified

## PUBLIC NOTICE

Notice is hereby given that Madison County's Planning Commission and Board of Supervisors will hold a joint public hearing in the Madison County Administrative Center Auditorium on **Wednesday, November 4<sup>th</sup>, 2020 at 7 p.m.** The Planning Commission's recommendation(s) will be forwarded to the Board; the Board of Supervisors' meeting will begin after the Planning Commission's meeting has adjourned.

**Case No. SU-11-20-21**: Request by CWS X, LLC for an indefinite special use permit to develop a wireless communication facility ("WCF"). The subject property is zoned A1 (Agriculture) and per article one (zoning ordinance) section 14-13-4 (uses requiring a special use permit) WCF's exceeding one-hundred (100) feet in height require a special use permit. The subject property is 376.2 acres, and the property's owner(s) intend to lease a 10,000 square foot area to the applicant. The WCF would be confined to a roughly 50' x 100' fenced-in compound; the total site disturbance – including access road and fenced-in compound – is estimated to be approximately 1.18 acres. The monopole tower's proposed height is 175 feet with an attached four (4) ft. lightning rod. The subject property is located on South Blue Ridge Turnpike (Rt. 231), and is owned by M & W Farm, LLC. The subject parcel is identified on Madison County's Tax Maps as 69-7, and an existing dwelling on the site has a postal address of 950 South Blue Ridge Turnpike, Somerset, VA 22972.

The public is invited to attend the hearing and comment. Comments may be submitted by email or in writing beforehand. All comments will be included in the official meeting packet. The meeting will be online via multiple platforms. The public may go to the following website for information regarding livestream access and to view documents related to the above cases: [www.madisonco.virginia.gov/meetings](http://www.madisonco.virginia.gov/meetings) Copies of the ordinances and documents related to the cases are available for review in the Building & Zoning Office, 414 North Main Street, Madison, VA; documents can be inspected Monday - Friday from 8:30 a.m. to 4:30 p.m. Documents can also be sent electronically by request. Comments or questions can be sent by email to [lwebb@madisonco.virginia.gov](mailto:lwebb@madisonco.virginia.gov), or by calling 540-948-7513.

Mr. Ligon Webb, County Planner



October 16, 2020

Dear Neighbor,

You are hereby informed that CWS X, LLC has submitted an application for a special use permit to develop a wireless communications facility (cell tower). The submitted application has been reviewed by County staff and a public hearing is scheduled for an upcoming joint meeting of the Planning Commission and Board of Supervisors. **This public hearing will take place on Wednesday, November 4<sup>th</sup>, 2020 (7 p.m.) at the **Madison County Administrative Center Auditorium located at 414 North Main Street, Madison, Virginia.** Notice of this hearing will be advertised in the Madison Eagle on October 22<sup>nd</sup> and 29<sup>th</sup>; the text of this advertisement states the following:**

**Case No. SU-11-20-21:** Request by CWS X, LLC for an indefinite special use permit to develop a wireless communication facility ("WCF"). The subject property is zoned A1 (Agriculture) and per article one (zoning ordinance) section 14-13-4 (uses requiring a special use permit) WCF's exceeding one-hundred (100) feet in height require a special use permit. The subject property is 376.2 acres, and the property's owner(s) intend to lease a 10,000 square foot area to the applicant. The WCF would be confined to a roughly 50' x 100' fenced-in compound; the total site disturbance – including access road and fenced-in compound – is estimated to be approximately 1.18 acres. The monopole tower's proposed height is 175 feet with an attached four (4) ft. lightning rod. The subject property is located on South Blue Ridge Turnpike (Rt. 231), and is owned by M & W Farm, LLC. The subject parcel is identified on Madison County's Tax Maps as 69-7, and an existing dwelling on the site has a postal address of 950 South Blue Ridge Turnpike, Somerset, VA 22972.

**In addition, the Planning Commission will be holding a work session on Wednesday, October 21<sup>st</sup>, 2020 (6:30 p.m.) where this application will be discussed. Though this meeting is not a public hearing, you are invited to attend.** The meeting will be streamed online and also be held at the Madison County Administrative Center.

If you have any questions, concerns or comments you are encouraged to attend the joint public hearing and/or work session. Also, please feel free to contact me at the number (or email) below for immediate assistance.

Sincerely,

Mr. Ligon Webb

County Planner

(540) 948-7513

[lwebb@madisonco.virginia.gov](mailto:lwebb@madisonco.virginia.gov)

# COMMUNITY WIRELESS STRUCTURES

September 8, 2020

Ligon Webb  
County Planner  
P.O. Box 1206  
414 North Main Street  
Madison, VA 22727

RE: **Special Use Permit (SUP) Application and Site Plan Application for CWS Site 43: Uno**  
Proposed Telecommunications Structure  
Tax Map: 69-7  
GPS Coordinates: 38-14-25.770/ -78-13-14.841

Dear Mr. Webb:

I am enclosing 15 copies of the following items in connection with the above Special Use Permit and Site Plan application:

1. Completed Special Use Permit Application and Telecommunications Facility Fee (\$1,500.00)
2. Statement of Justification
3. Parcel Info & Deed
4. Memorandum of Lease Agreement
5. FAA 1-A Survey Certification & FAA Determination
6. Notices to Other Wireless Providers
7. Wireless Infrastructure in the Vicinity of CWS Site 43: Uno
8. Co-location Policy & Tower Profile
9. Shentel: Propagation Plots
10. List of Property Owners within 1,000 Feet of the Subject Property
11. Balloon Test Notice Ad in The Madison Eagle & Record of Weather During the Balloon Test
12. Photo-Simulations
13. Approval by VDHR: Section 106 Notification of No Adverse Effect
14. Survey and (2 sets of 24" X 36" & 17 sets of 11" X 17")
15. Site Plan Application and Review Fee (\$500.00)
16. Site Plan (2 sets of 24" X 36" & 17 sets of 11" X 17")

If you have any questions, please contact Hope McCreary at 703-728-7400 or [info@sharedsites.com](mailto:info@sharedsites.com).

Sincerely,



Queli Campos  
Project Manager

FOR OFFICE USE ONLY:

Zone:	Tax Map No:	By who?
Fee Amount:	Date Paid:	
Receipt #:	Check #:	



MADISON COUNTY  
APPLICATION FOR SPECIAL USE PERMIT

Date: 9/3/2020

The undersigned owner/applicant of the following described property hereby applies for a Special Use Permit as required by Article(s) 14-13 of the Zoning Ordinance of Madison County, Virginia.

Owner of Record:

Name: M&W Farm, LLC

Address: PO Box 476, Somerset, VA 22972

Phone No.: 540-229-2626

E-Mail: mike@mgm-glass.com

Applicant:

Name: CWS X, LLC

Address: 2800 Shirlington Road, Suite 802, Arlington, VA 22206

Phone No.: 703-845-1971

E-Mail: queli.campos@sharedsites.com

TAX MAP: 69-7 ZONE: A-1

# OF ACRES TO BE COVERED BY SPECIAL USE PERMIT: 1.18 AC

LOCATION/ADDRESS OF PROPERTY FOR SPECIAL USE PERMIT: 950 S. Blue Ridge Turnpike, Somerset, VA 22972

Is this an amendment to an existing Special Use Permit? If yes, provide that SP Number: N/A

PROPOSAL/REQUEST: To construct a 175' monopole structure with a 4' lightning rod (overall height of 179') within a fifty by hundred (50' x 100') fenced compound.

I hereby certify that I own the subject property, or have the legal power to act on behalf of the owner in filing this application. I also certify that the information provided on this application and accompanying information is accurate, true, and correct to the best of my knowledge.

[Signature]  
Signature of Owner or Agent

9-3-2020  
Date

Queli Campos  
Print Name

703-845-1971  
Daytime phone number of Signatory

Have all the necessary statements, plats, plans and other pertinent information been submitted?  Yes  No

Reviewed by Planning Commissioner: \_\_\_\_\_ Date: \_\_\_\_\_

Conditions, if any: \_\_\_\_\_

\_\_\_\_\_

Action Taken by Board of Supervisors: \_\_\_\_\_ Date: \_\_\_\_\_

Conditions, if any: \_\_\_\_\_

\_\_\_\_\_

APPROVED:  DENIED:  Betty C. Grayson, Zoning Administrator Date: \_\_\_\_\_

**CWS Site 43: Uno**  
**Statement of Justification**

CWS is applying for a Special Use Permit to construct a 175' foot monopole (with a 4' lightning rod) in southern Madison County, south of Uno. The project will be located on a leased portion of tax parcel #69-7. The parcel is approximately 376 acres, zoned A-1. The monopole will be located in a fifty by one hundred foot (50' x 100') compound surrounded by an eight foot (8') high chain link fence.

The purpose of the proposed telecommunications facility is to provide wireless communications for the citizens, businesses, visitors and emergency personnel in this underserved area of the County. This infrastructure will also serve those traveling to and through the County along portions of two important transportation routes: Blue Ridge Turnpike (Route 231) and Constitution Highway (Route 20). In the near term we anticipate both Shentel and Verizon Wireless will utilize this infrastructure to provide service. The tower has been designed to accommodate the equipment and antennas of up to 6 wireless service providers.

CWS conducted an extensive search over a number of years to find a suitable location for this infrastructure. The challenge was to find a parcel (with a willing ground owner) that satisfies the coverage objective, meets zoning criteria (such as setbacks), is proximate to future fiber deployment and minimizes visual impact, particularly on the Madison-Barbour Rural Historic District. *Attachment 1: Site Selection History* summarizes the process.

The location selected has been vetted by the State Historic Preservation Officer (SHPO) and the proposed structure found to have **“No Adverse Impact”** on historic resources in the area. In order to receive the SHPO's concurrence, CWS agreed on several design changes: the height was lowered by 20 feet, the structure changed to a monopole from a lattice, and we agreed to paint the pole a light non-reflective gray. The structure will not be lit.

Although the area surrounding the site does include open fields, the transportation corridors (Route 20 and 231) are lined with trees and dense shrubbery that screen most of the views from the roadways (*Attachment 2*). Where there are views from the roads, they are mostly distant and unobtrusive, as the enclosed photo-simulations demonstrate.

The proposed telecommunications facility will have no impact on air quality, water quality, light pollution, noise pollution, traffic congestion or circulation. The facility will meet all safety requirements. This is an unmanned facility and once constructed, visits to the site will be minimal. There will be no customers at the site and thus traffic generation is minimal.

This proposal is consistent with the policies set forth in the Madison County Zoning Ordinance for Wireless Communications Facilities (WCF) and supports the stated goals:

**(A) Minimize the total number of freestanding antenna support structures throughout the County, by maximizing the use of existing support structures;**

*There are no existing structures which are suitable for the mounting of antennas to address the described service gap. The closest telecommunications structures are approximately three miles to the east and over 5 miles away in all other directions (Refer to the enclosed **Wireless Infrastructure in the Vicinity...**)*

**(B) Strongly encourage the joint use of new and existing WCF sites;**

*The proposed new WCF will accommodate up to six wireless service providers.*

**(C) Strongly encourage the owners and operators of WCFs to locate them, to the extent possible, in areas where the adverse impact on the County is minimal.**

*Numerous parcels were vetted. The transportation corridors (Route 20 and 231) are lined with trees and dense shrubbery that screen most of the views from the roadways. Where there are views from the roads, they are distant and unobtrusive, as the enclosed photo-simulations demonstrate. With agreed upon design changes, the SHPO found the structure to have “No Adverse Impact” on historic resources.*

**(D) Limit the location of freestanding antenna support structures that detract from the scenic qualities of Madison County;**

*Numerous parcels were vetted. The transportation corridors (Route 20 and 231) are lined with trees and dense shrubbery that screen most of the views from the roadways. Where there are views from the roads, they are distant and unobtrusive, as the enclosed photo-simulations demonstrate. With agreed upon design changes, the SHPO found the structure to have “No Adverse Impact” on historic resources.*

**(E) Encourage the owners and operators of WCFs to locate and configure them in a way that minimizes the adverse visual impact on the landscape and adjacent properties; and**

*Numerous parcels were vetted. The transportation corridors (Route 20 and 231) are lined with trees and dense shrubbery that screen most of the views from the roadways. Where there are views from the roads, they are distant and unobtrusive, as the enclosed photo-simulations demonstrate. With agreed upon design changes, the SHPO found the structure to have “No Adverse Impact” on historic resources.*

**(F) Enhance the ability of wireless communications providers to provide such services efficiently and effectively to residents and visitors of Madison County.**

*The proposed WCF will provide mobile wireless and fixed broadband service along and near two major transportation corridors: Blue Ridge Turnpike (Route 231) and Constitution Highway (Route 20), between Uno and Somerset.*

**WCF requirements in Sections 14-13-6 through 14-13-9 of the WCF Ordinance are addressed on the following pages.**

**14-13-6. General Requirements**

**(A)** *CWS will obtain all authorization and approvals specified in this section.*

**(B) Visibility.** Each WCF and related buildings, structures and equipment shall be configured and located in a manner that shall minimize adverse visual impacts on the landscape and adjacent properties.

*Numerous parcels were vetted. The transportation corridors (Route 20 and 231) are lined with trees and dense shrubbery that screen most of the views from the roadways. Where there are views from the roads, they are distant and unobtrusive, as the enclosed photo-simulations demonstrate. With agreed upon design changes, the SHPO found the structure to have “No Adverse Impact” on historic resources. The structure will be painted a non-reflective gray color.*

**(C) Height.** Each WCF shall be of the least height necessary to meet the needs of the geographic area to be served by the facility, not to exceed 199 feet. Height calculations shall include above-ground foundations, but shall exclude lightning rods and lights required by the FAA which do not provide any support for antennas.

*The proposed WCF is 179 feet, inclusive of a 4 foot lightning rod.*

**(D) Monopoles preferred.** Each freestanding, non-concealed WCF shall utilize a monopole support structure or utility pole.

*Applicant has proposed a painted monopole.*

**(E) (iii) Design for co-location.** Each freestanding WCF that is 151 or more feet in height shall be engineered and constructed to accommodate no fewer than 6 WCFs.

*The proposed WCF has been designed to accommodate up to six wireless service providers.*

**(F) Grading.** Grading shall be minimized and shall be limited to the area necessary for the new WCF and associated equipment compound and fencing.

*Grading will be limited to the area necessary for the new WCF.*

**(G) (i) Lighting.** There shall be no lighting of any WCF except as specifically required by federal statute or FAA regulations.

*FAA does not require lighting of this structure. Please refer to the enclosed **FAA Determination of No Hazard to Air Navigation.***

**(H) (i) Setbacks.** If a freestanding support structure is to be constructed using breakpoint design technology, then the minimum setback shall be a distance equal to 110 percent of the distance from the highest point on the structure to the breakpoint level of the structure. Certification by an engineer of the breakpoint design and of the design's fall radius must be provided at the time of application, along with the other information required by this ordinance.

*The proposed monopole will utilize breakpoint design technology and will conform to the associated setback requirements. Please refer to the enclosed Site Plan for specifics.*

**(I) Equipment cabinets and compounds.**

(i) Equipment cabinets more than 3 feet in height shall not be visible from ground level. Cabinets may be located within a principal building, behind a screen on a rooftop, or on the ground within a fenced-in compound with landscape screening.

*Equipment cabinets and shelters will be located within a fifty by one hundred foot compound, surrounded by an eight foot high chain link fence with one foot (1') of barbed wire on top.*

(iii) Equipment compounds shall not be used for the storage of any excess equipment or hazardous materials.

*The compound will not be used for the storage of excess equipment or hazardous materials.*

**(J) Fencing.** All freestanding support structures and associated equipment compounds shall be enclosed by a fence adequate to preclude unauthorized access.

*The proposed site will be surrounded by an eight foot (8') high chain link fence with one foot (1') of barbed wire on top.*

**(K) Signs.** No signs shall be permitted on any WCF, other than the following:

- (i) Signs required by the FAA or FCC shall be permitted;
- (ii) Informational signs shall be permitted for the purpose of identifying the support structure (such as an ASR registration number), contact information for the party responsible for operation and maintenance of the facility, and contact information for the property manager (if applicable); and
- (iii) Warning signs shall be permitted, if more than 220 volts are necessary for the operation of the facility and such voltage is present in a ground grid or

in the antenna support structure. Any such signs shall be posted at 20-foot intervals on the fence or wall surrounding the facility and shall display in large, bold, high-contrast letters (minimum 4 inches in height) the words "DANGER-HIGH VOLTAGE".

*Applicant will confirm to signage restrictions.*

**(L) Federal standards for interference protection.** Each WCF shall comply with all applicable federal laws and regulations regarding interference protection, including but not limited to federal regulations regarding adjacent channel receiver (blanket) overload and inter-modulation distortion. Each applicant seeking an approval required by this ordinance shall provide a written certification at the time of application that the subject WCF shall comply with such regulations.

*Service providers co-locating on the WCF will comply with all pertinent federal laws and regulations.*

**(M) Federal standards for radio frequency emissions.** Each WCF shall comply with all applicable federal laws and regulations regarding radio frequency emissions. At the time of application, the applicant shall provide a certification that radio frequency emissions from the WCF comply with FCC standards, and that, individually and cumulatively, and together with any other facilities located on or immediately adjacent to the proposed WCF, the proposed WCF complies with FCC standards. The certification shall be accompanied by a statement of the qualifications of the person providing the certification

*Service providers co-locating on the WCF will comply with all pertinent federal laws and regulations.*

**(N) Compliance with ANSI standards.** Each WCF shall comply with American National Standards Institute (ANSI) standards, as adopted by the FCC, pertaining to electromagnetic radiation. Each applicant seeking an approval required by this ordinance shall provide a written certification at the time of application that the subject WCF shall comply with such standards.

*Service providers co-locating on the WCF will comply with ANSI standards.*

**(O) Safety.**

- (i) Each WCF and its accessory equipment shall be constructed in compliance with requirements of the Virginia Uniform Statewide Building Code.
- (ii) Any time an antenna is added to an existing WCF located on a support structure in excess of 100 feet, the owner or operator of the antenna shall provide the County with an engineer's certification that the WCF can structurally accommodate the total number of antenna to be located on the WCF.

*Applicant will comply with all safety guidelines and practices.*

**(P) Sounds.** No unusual sound emissions, such as alarms, bells, buzzers, etc. are permitted.

*There will be no impact on the noise level in surrounding area.*

**(Q) Abandonment.**

- (i) A WCF and its accessory equipment shall be removed, at the owner's expense, within 180 days of cessation of use, unless the abandonment is associated with a replacement support structure, in which case the removal shall occur within 90 days of cessation of use.
- (ii) A support structure which remains unoccupied by any antenna for a period of 180 consecutive days ("vacancy period") shall be removed within 60 days of the last day of the vacancy period, at the owner's expense.
- (iv) Upon removal of a WCF and its accessory equipment, the site shall be returned to its natural state and topography, and shall be vegetated consistent with the natural surroundings or the current uses of the surrounding or adjacent land at the time of the removal.

*Applicant agrees to demolish and remove the tower in accordance with these guidelines.*

**14-13-7. New freestanding WCF.**

(A) No new or mitigated freestanding WCF shall be permitted unless the applicant demonstrates that no existing WCF can accommodate the WCF facilities or is suitable, as to design or location.

*Please refer to the enclosed "Wireless Infrastructure in the Vicinity of CWS Site: 43: Uno". There are no other existing structures suitable for the mounting of antennas in this location.*

**14-13-8. Mitigation of existing freestanding WCF.**

N/A

**14-13-9. Interference with public safety communications.**

In order to facilitate the regulations, placement and construction of each WCF, and to ensure that all parties are complying to the fullest extent possible with the rules, regulations and guidelines of the FCC, each owner of a WCF, and each applicant (if different than the owner) shall agree in a signed written statement to the following:

- (1) Compliance with "Good Engineering Practices" as defined by the FCC in its rules and

regulations.

(2) Compliance with FCC regulations regarding susceptibility to radio frequency interference, frequency coordination requirements, general technical standards for power, antenna, bandwidth limitations, frequency stability, transmitter measurements, operating requirements, and any and all other federal statutory and regulatory requirements relating to radio frequency interference (RFI).

*Service providers co-locating on the WCF will comply with all pertinent federal laws and regulations and provide a written statement certifying compliance.*

# Attachment 2



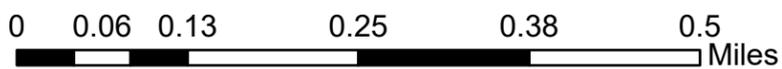
Commonwealth of Virginia, Microsoft, Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

- Areas of potential visibility
- Visibility blocked by vegetation
- Project Site Location
- Project Radius at 1/2 Mile
- National Register of Historic Places District

Modeling based on surface elevation with land cover & 198' tower height

**Viewshed Analysis Including Land Cover**

**CWS 43 SOMERSET  
950 S. BLUE RIDGE TURNPIKE  
MADISON COUNTY  
SOMERSET, VA 2972**



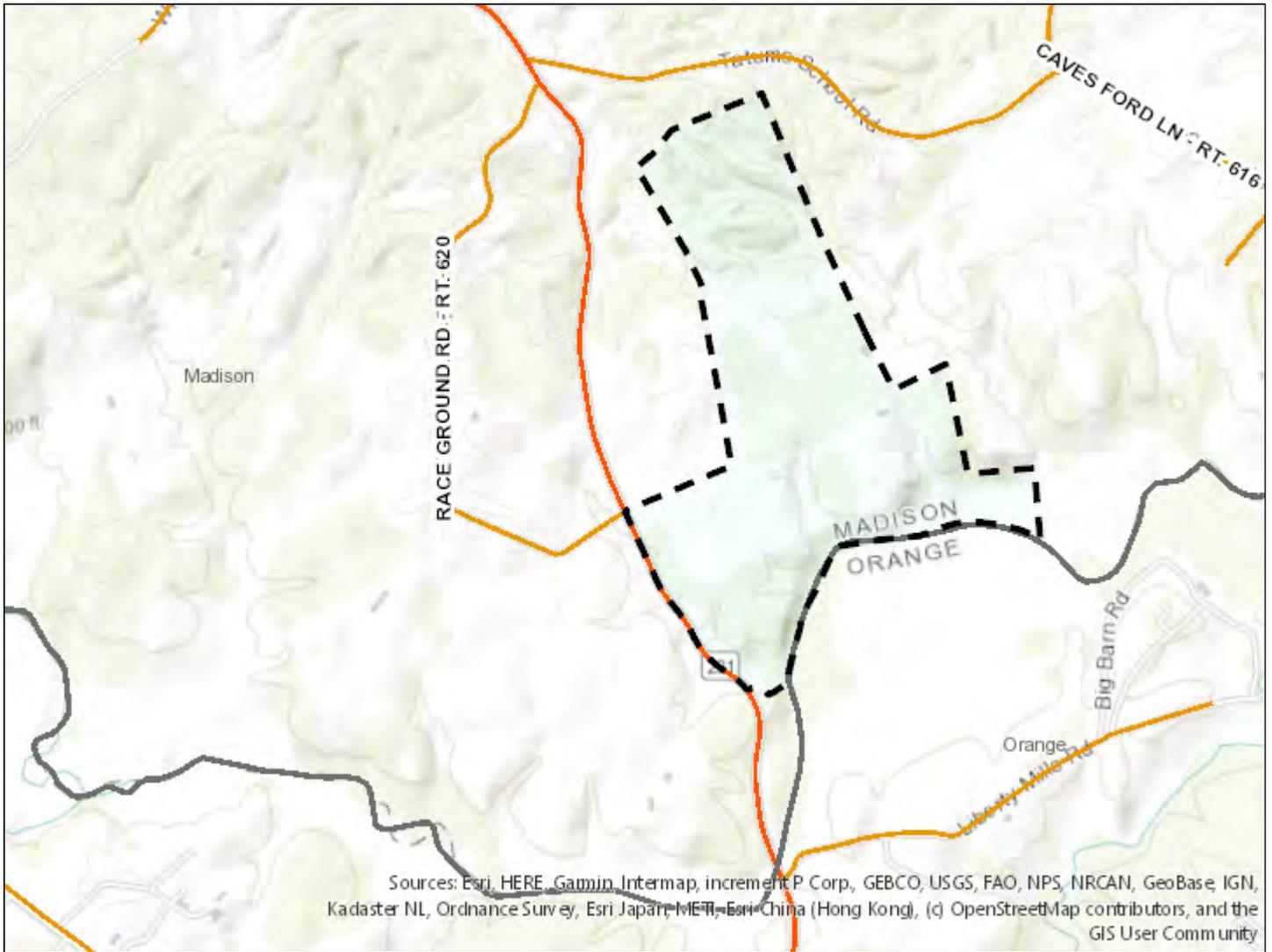
This map depicts areas of POTENTIAL visibility  
This map accounts for elevation and derived canopy height.  
LiDAR sourced DSM at (2.5 ft) Print at 11x17

Source: Selected data from USGS, EBI, VITA

Date: 1/15/2020



PN: 6119005246



**Disclaimer:** The information contained on this page is NOT to be construed or used as a survey or legal description. Map information is believed to be accurate but accuracy is not guaranteed.

Approx. Scale 1:32099



**Layer: Parcels**

**Map Number:** 69-7  
**PIN:** 69 7  
**Owner:** M & W FARM LLC  
**Mailing Address 1:** PO BOX 476  
**Mailing City:** SOMERSET  
**Mailing State:** VA  
**Mailing Zip:** 22972  
**Acres:** 376.252  
**Land Class Code:** 6  
**Occupancy Code:** 12  
**Building Value:** 432900  
**Land Value:** 1946900  
**Improved Value:** 137100  
**Total Value:** 2379800  
**Year Built:** 1975  
**Year Sold:** 2017

**Sell Price:** 2400000  
**Location House Number:** 950  
**Location Street Name:** BLUE RIDGE  
**Location Street Direction:** S  
**Legal Description 3:** RT 231  
**RecNo:** 0000311  
**Account:** 311  
**Grantor:** BABSON FARMS INC  
**MDSEC2:** 69-7  
**Source:** Imagery  
**MDSEC1:** IN 170000003 376.252 AC  
**MDWELL:** 01  
**MMAP:** 69 7  
**UID:** 9360  
**Shape\_Length:** 23000.037894583  
**Shape\_Area:** 16270916.884152

Attributes at point: 11563498, 6773172

**Layer: Voting Districts**

**Name:** ROCHELLE PRECINCT  
**Polling Location:** MT. NEBO LUTHERAN CHURCH  
**Polling Address:** 3980 JACKS SHOP ROAD

24

**EXHIBIT "C" TO LAND LEASE AGREEMENT**

**MEMORANDUM OF AGREEMENT**

**MEMORANDUM OF LAND LEASE AGREEMENT**  
**(CELLULAR TELECOMMUNICATIONS TOWER)**

Property Identification Number: 69-7

CLERK: Please return this document to: **CWS X, LLC**  
2800 Shirlington Road, Suite 802  
Arlington, Virginia 22206

Return to: Community Wireless Structures  
2800 Shirlington Rd. Suite 802  
Arlington, VA 22206

This Memorandum of Land Lease Agreement is entered into effective as of the 24<sup>th</sup> day of September, 2019, by and between M&W Farm, LLC with a mailing address of P.O. Box 476, Somerset, VA 22972 (hereinafter referred to as "Owner"), and CWS X, LLC with a mailing address at 2800 Shirlington Road, Suite 802, Arlington, VA 22206, (hereinafter referred to as "CWS").

1. Owner and CWS entered into a Land Lease Agreement ("Agreement") dated September 24, 2019, for the purpose of constructing, installing, removing, replacing, maintaining and operating a communications facility, subject to such modifications and alterations as required by CWS (collectively, the "Communications Facility"), all as more specifically set forth in the Agreement. In addition, CWS shall have the right to install and maintain, in and around the Property, any landscaping buffer required by any governmental agency having jurisdiction over the Owner's Property. The Communications Facility may include, without limitation, antenna arrays, dishes, cables, wires, temporary cell sites, equipment shelters and buildings, electronics equipment, generators, and other accessories. Owner shall provide CWS with twenty – four (24) hour, seven (7) day a week, access to the Property. CWS shall have the right to park its vehicles on Owner's Property when CWS is constructing, removing, replacing, and/or servicing its Communications Facility.
2. The term of this Agreement shall be ten (10) years commencing on the date ("Commencement Date") that CWS commences construction on the tower located on the Owner's Property and terminating on the tenth annual anniversary of the Commencement Date (the "Term"), unless otherwise terminated as provided in Paragraph 16. CWS shall have an eighteen (18) month due diligence period, from the date of lease execution, to obtain all governmental approvals needed to commence construction of the Communications Facility (as defined below). If after eighteen months CWS has not commenced construction, this Agreement shall terminate, except that CWS may extend the due diligence period for an additional eighteen (18) months by giving Owner written notice thereof

RETURN TO:  
TERRY'S TITLE

before the expiration of the first due diligence period. CWS shall have the right to extend the Term for four (4) successive ten (10) year periods (the "Renewal Terms") on the same terms and conditions as set forth herein. This Agreement shall automatically be extended for each successive Renewal Term unless CWS notifies Owner, in writing, of its intention not to renew prior to commencement of the succeeding Renewal Term.

3. The land which is the subject of the Agreement, is described as Madison County Parcel Number 69-7 ("Owner's Property"). The Owner's Property is described more particularly on **Exhibit A**. The Owner has leased a 10,000 square feet portion of the Owner's Property, exclusive of any landscaping buffer, ("Property") to CWS as further described on **Exhibit B**. The area leased includes a non-exclusive access easement for ingress and egress and a non-exclusive easement required to run utility lines and cables on the Owner's Property as depicted on **Exhibit B**.
4. The Agreement runs with the Owner's Property and is binding upon the successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties have executed this Memorandum of Land Lease Agreement as of the day and year first above written.

Owner:

By: [Signature]  
Managing Member

COMMONWEALTH OF VIRGINIA)

COUNTY OF Orange )

BE IT REMEMBERED, that on this 23 day of September, 2019 before me, the subscriber, a person authorized to take oaths in the State of Virginia, personally appeared Michael L. Willis who, being duly sworn on his oath, deposed and made proof to my satisfaction that he is the person named in the within instrument; and I, having first made known to him the contents thereof, he did acknowledge that he signed, sealed and delivered the same as his voluntary act and deed for the purposes therein contained.

[Signature]  
Notary Public

My Commission Expires:  
April 30, 2020



2.7

CWS X, LLC

By: [Signature]  
Hope P. McCreary  
Managing Member

COMMONWEALTH OF VIRGINIA)  
CITY OF ALEXANDRIA)

BE IT REMEMBERED, that on this 24<sup>th</sup> day of September, 2019, before me, the subscriber, a person authorized to take oaths in the Commonwealth of Virginia, personally appeared **Hope P. McCreary** who, being duly sworn on her oath, deposed and made proof to my satisfaction that she is the person named in the within instrument; and I, having first made known to her the contents thereof, she did acknowledge that she signed, sealed and delivered the same as her voluntary act and deed for the purposes therein contained.



[Signature]  
Notary Public  
My Commission Expires:  
11/30/21

7 7



29

**EXHIBIT "B" TO LAND LEASE AGREEMENT  
PROPERTY**

The Property shall consist of approximately 10,000 square feet, exclusive of any landscaping buffer, as depicted in the sketch below.

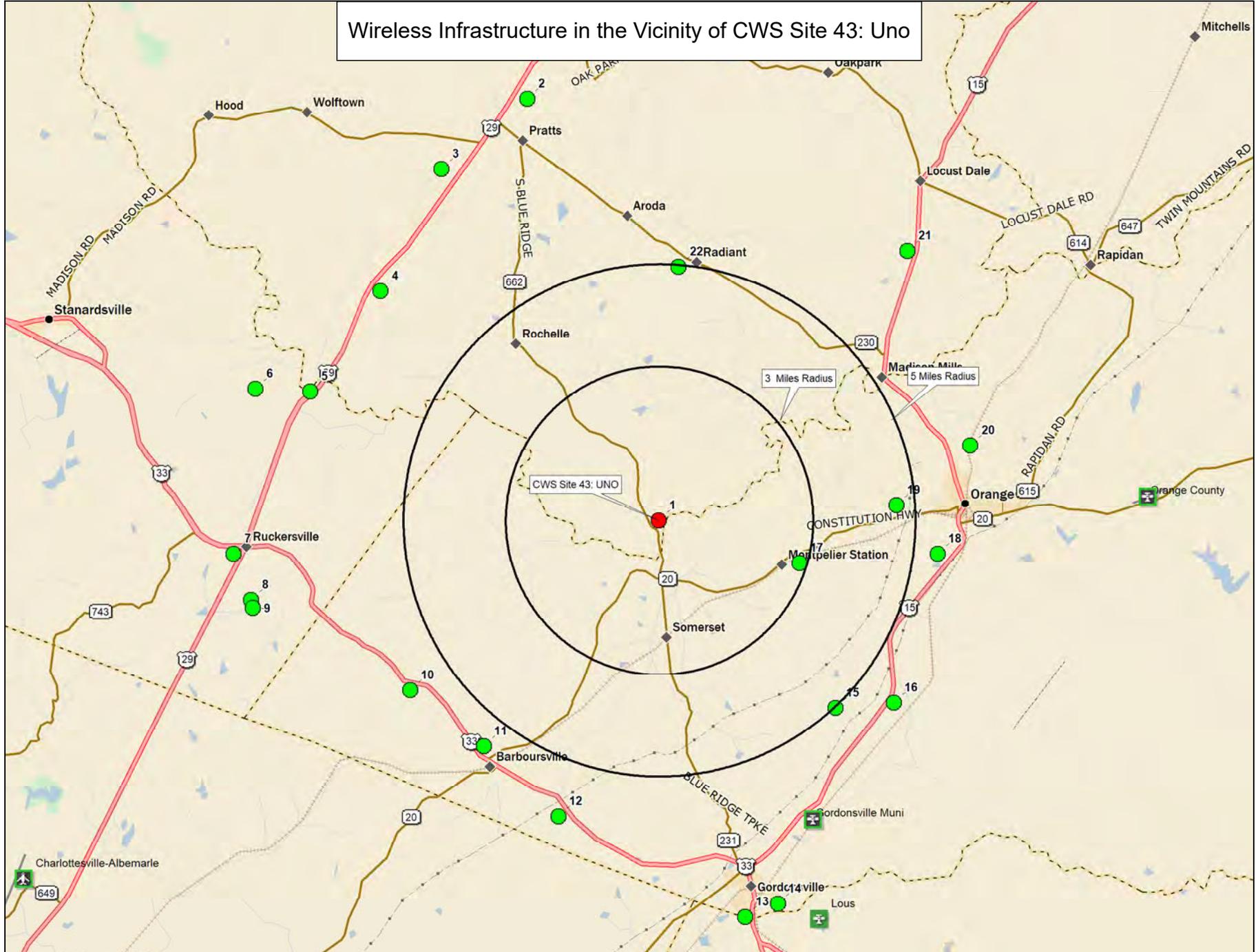


Notes:

1. This Exhibit may be replaced by a land survey of the Property at CWS's sole cost and expense, together with non-exclusive easements for utility lines and cables to service the Property, and a non-exclusive easement for ingress and egress across Owner's Property to the Property.
2. Setback of the Property from the land's property lines shall be the distance required by the applicable governmental authorities.
3. Width of access road, if any, shall be the width required by the applicable governmental authorities, including police and fire departments.

7

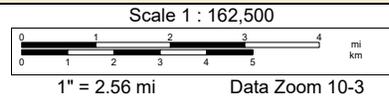
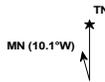
# Wireless Infrastructure in the Vicinity of CWS Site 43: Uno



Data use subject to license.

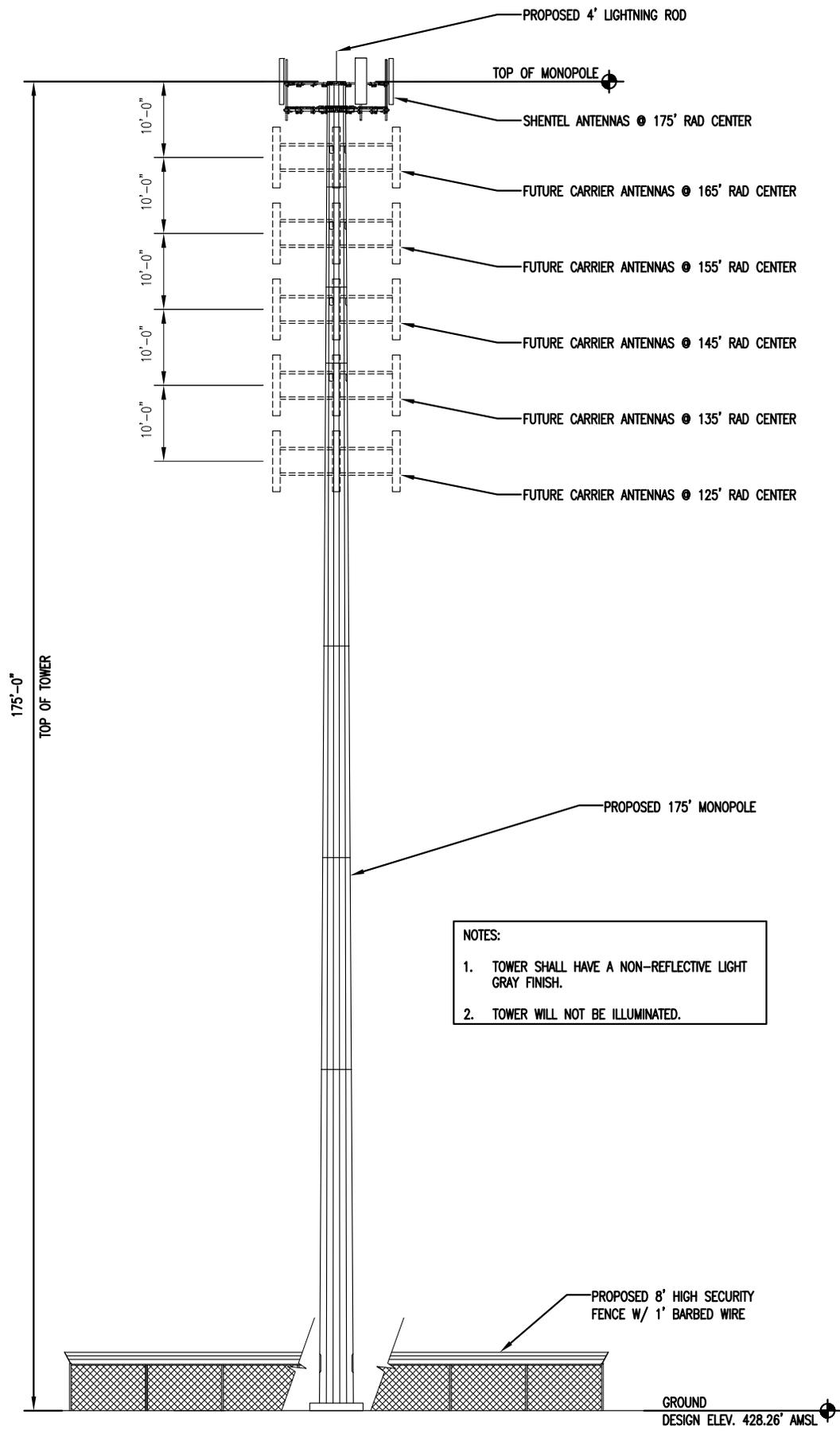
© DeLorme. DeLorme Street Atlas USA® 2015.

www.delorme.com





PROPOSED  
UNMANNED  
WIRELESS  
COMMUNICATION  
  
UNO  
CWS 43  
  
950 S BLUE RIDGE TURNPIKE  
SOMERSET, VA 22972



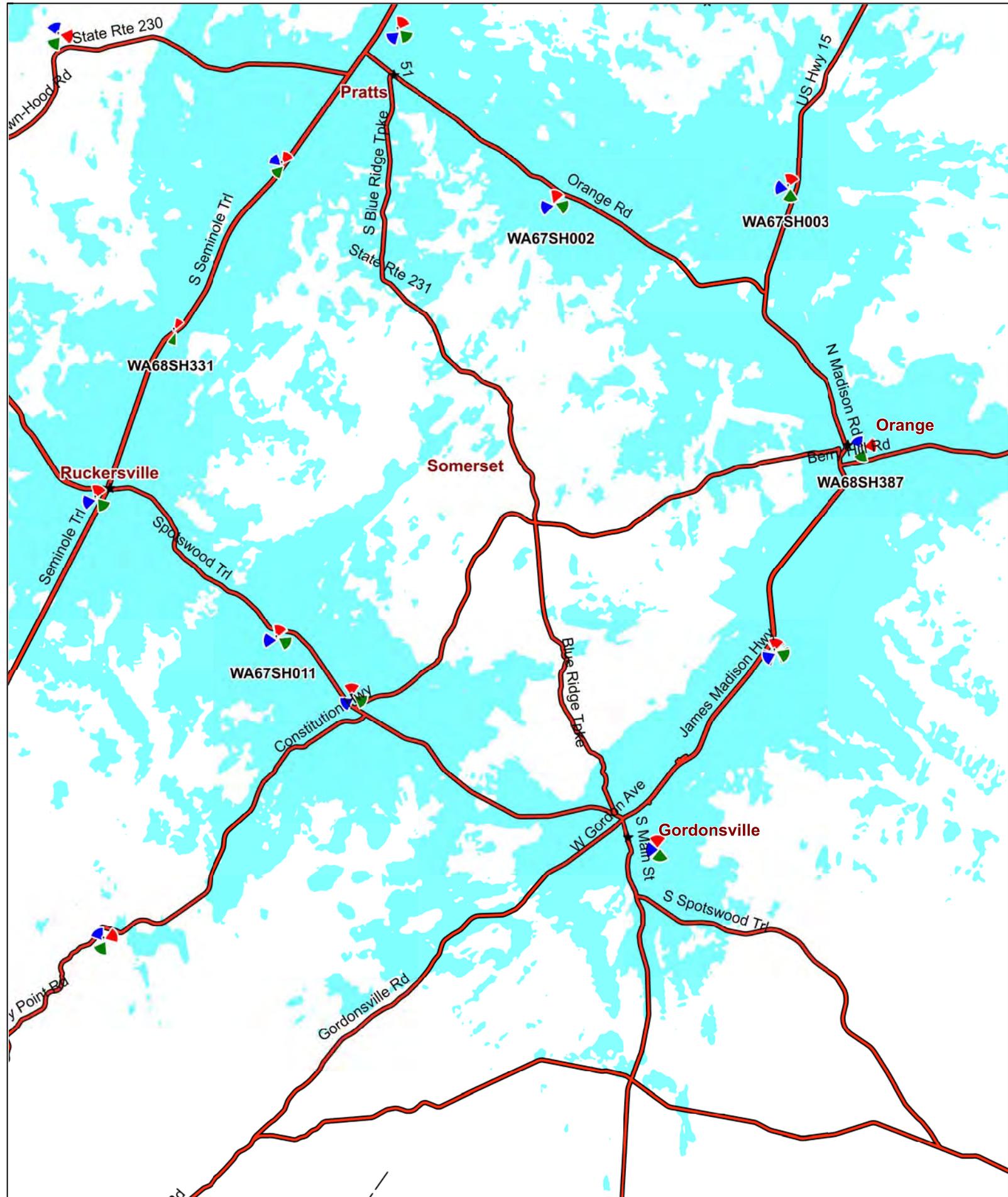
- NOTES:
1. TOWER SHALL HAVE A NON-REFLECTIVE LIGHT GRAY FINISH.
  2. TOWER WILL NOT BE ILLUMINATED.



08-24-20 GWLO 13:45:50 D:/Dropbox (BC)/Server/BC Files/Drawings - 2019/Community Wireless Structures/Uno - Site 43/\_LE's - Rev A - 2020-08-24 (Tower Elevations)/A1.dwg

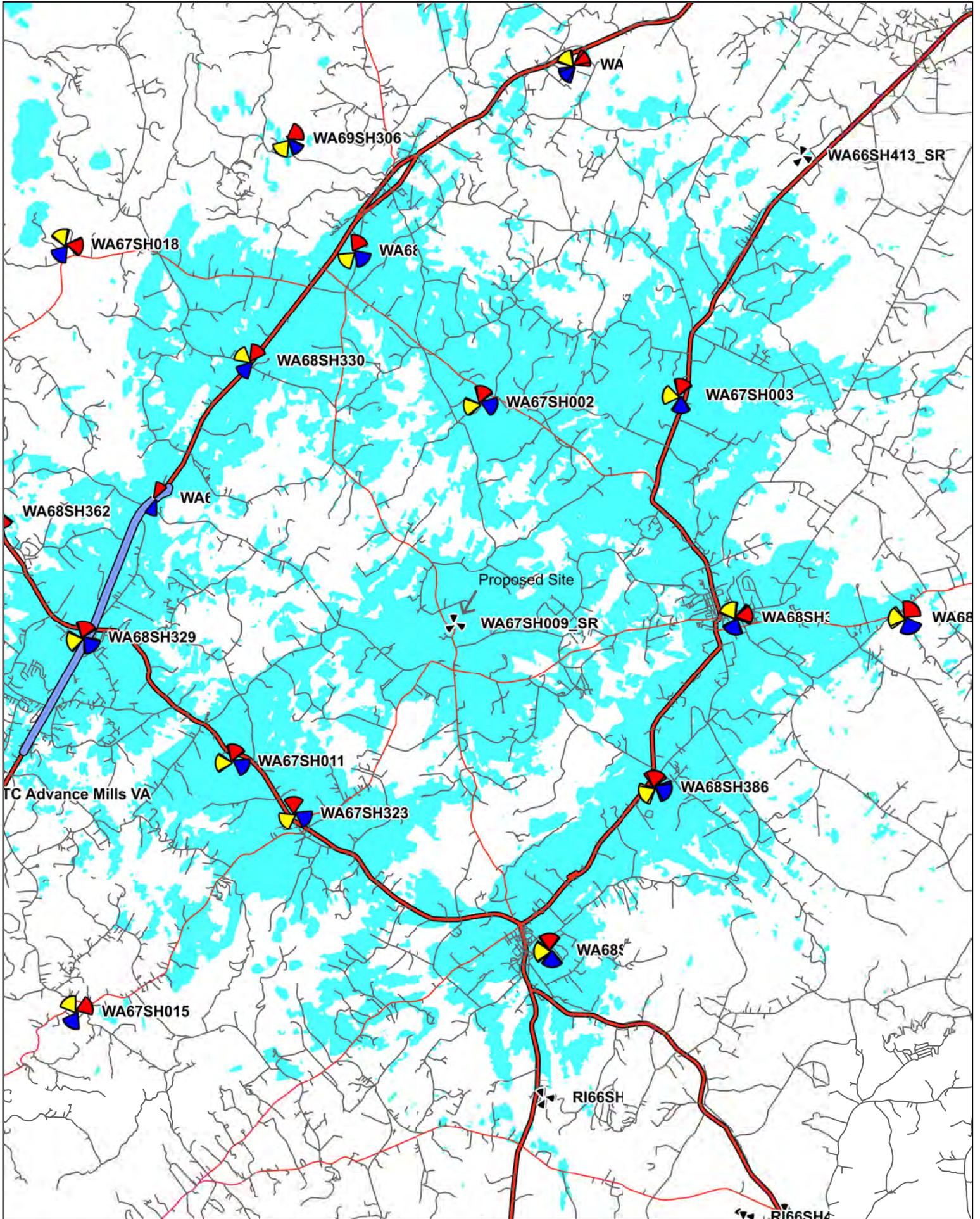
1"=20'

Existing vehicular coverage in Somerset



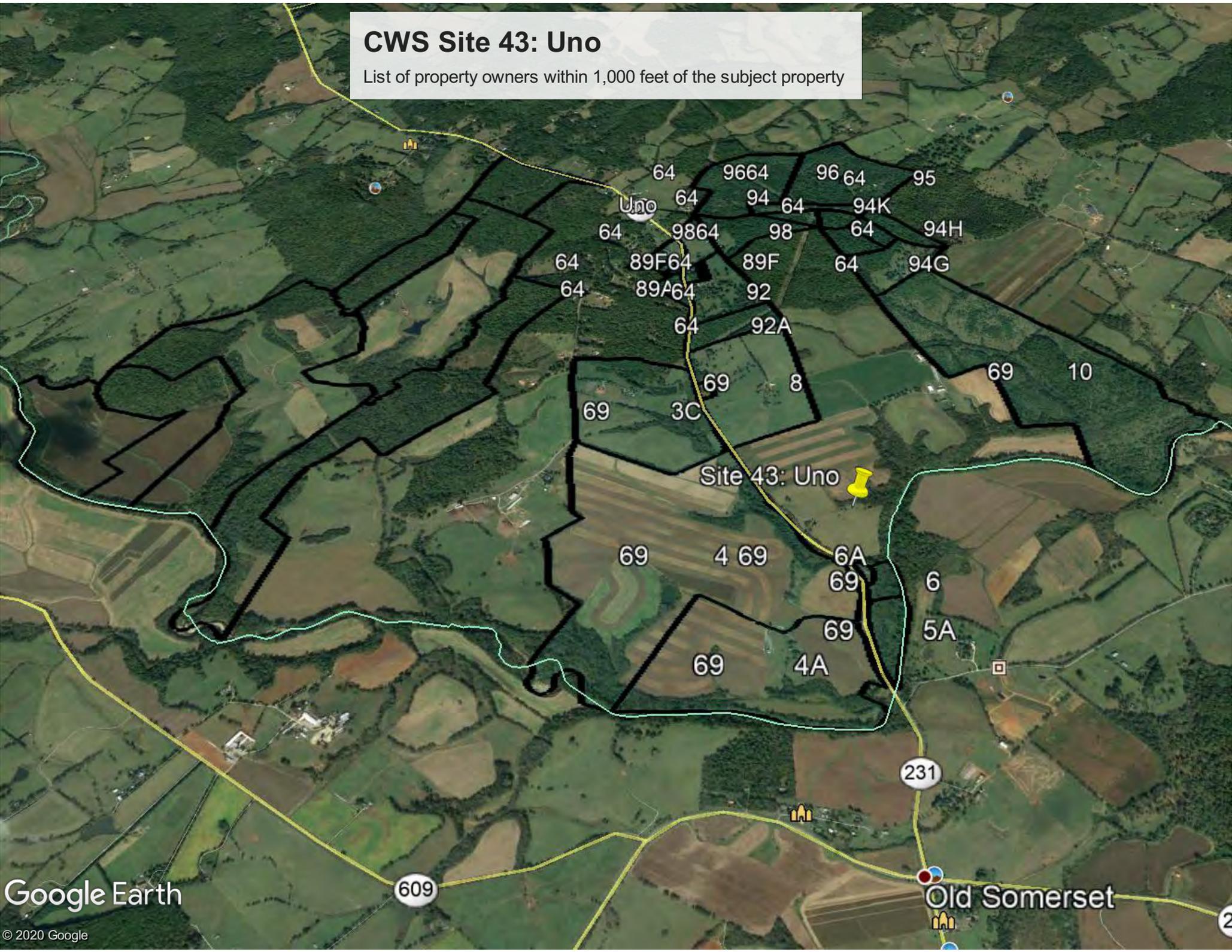
Vehicular coverage

WA67SH009 (Somerset) proposed and existing vehicular coverage



# CWS Site 43: Uno

List of property owners within 1,000 feet of the subject property



64 9664 96 64 95  
Uno 64 94 64 94K 64 94H  
64 9864 98 64 94G  
64 89F64 89F 64 94G  
64 89A64 92  
64 92A  
69 8 69 10  
69 3C  
Site 43: Uno  
69 4 69 6A 6 6  
69 69 5A  
69 4A 69

**Balloon Test for  
Proposed Telecommunications Structure  
Saturday, November 23rd  
8:00 a.m. – 12:00 p.m.**

CWS is applying for a Special Use Permit to construct a 199' foot lattice tower at 950 S. Blue Ridge Turnpike, Somerset (Tax Map #69-7). The telecom facility will enhance public safety for those living and traveling in the area, and provide citizens much needed access to mobile wireless and broadband services. To allow neighbors and other interested parties to assess the proposed installation, CWS will fly a balloon on site at the proposed height of the tower. We value your input, and hope that you will view the balloon and reach out with any questions or feedback. In the event of inclement weather, the balloon test will be rescheduled for Saturday, December 7th from 8 AM to Noon. If you have any questions, please contact Hope McCreary at 703-728-7400 or at [info@sharedsites.com](mailto:info@sharedsites.com).



#5

CWS Somerset

#4

#3

#2

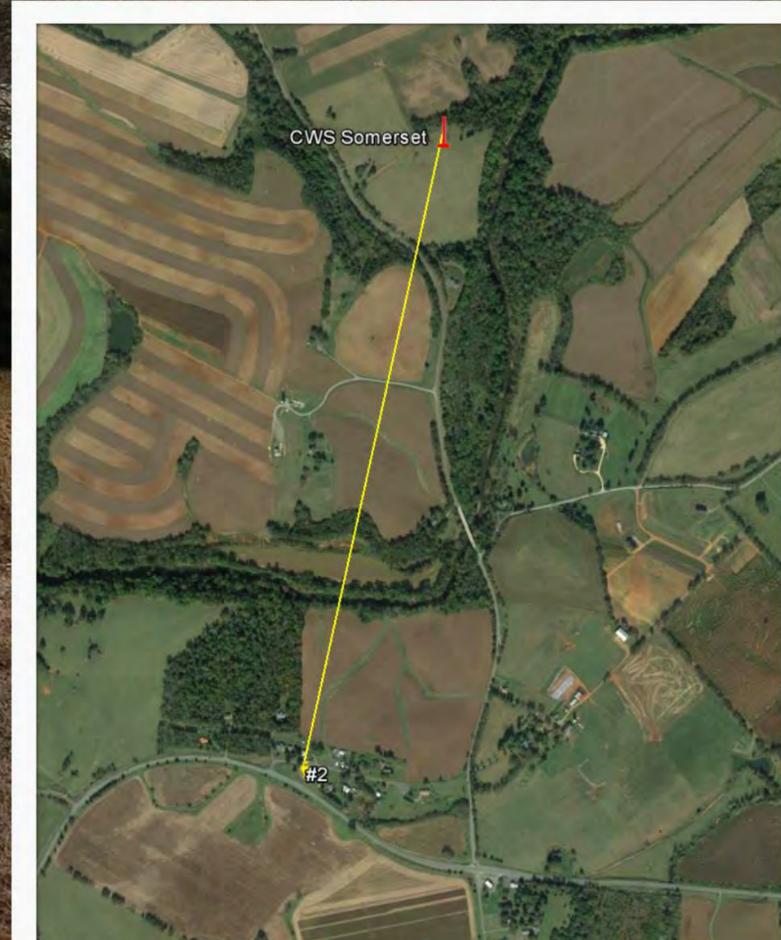
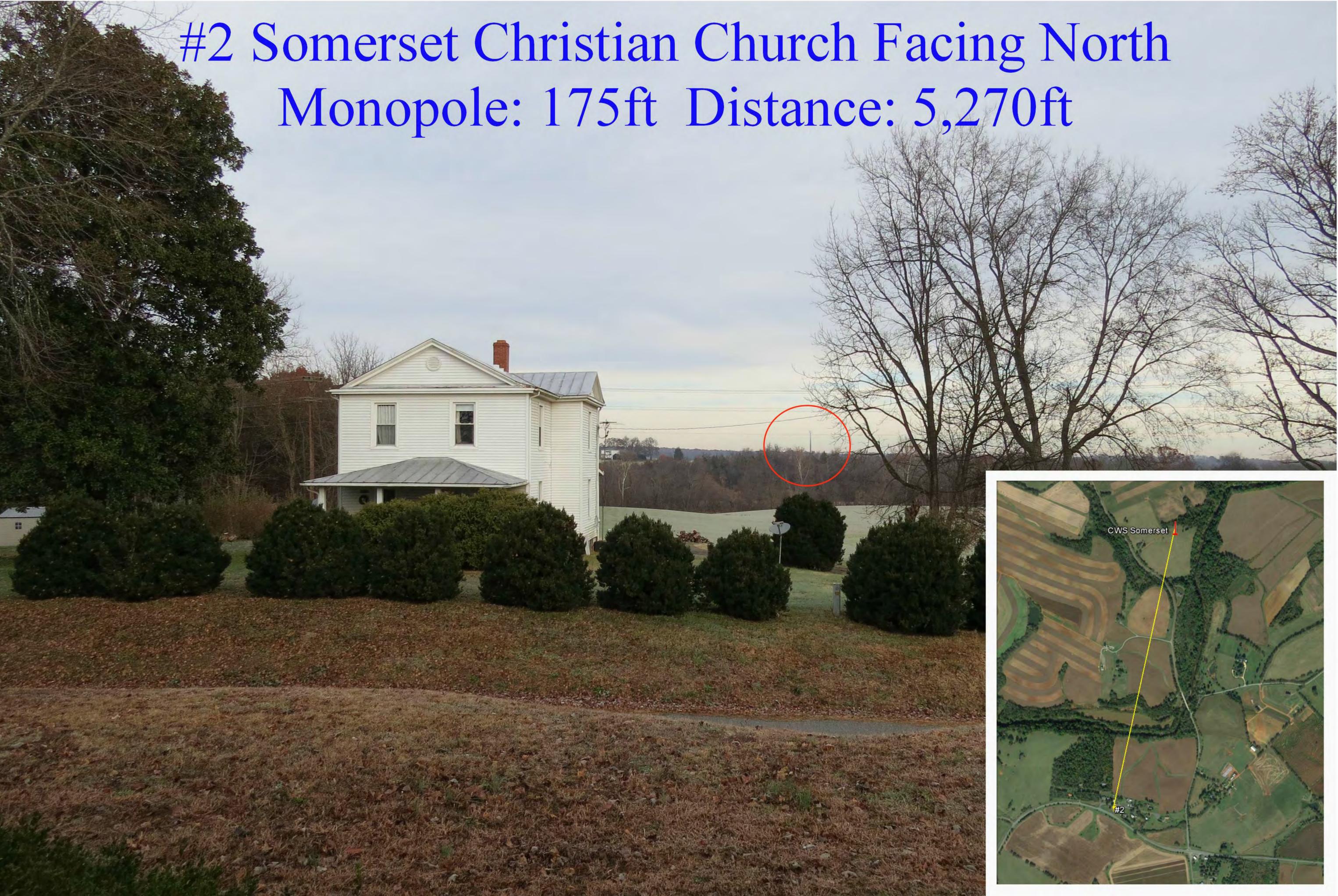
#1

#1 Rt20 Facing North  
Monopole: 175ft Distance: 6,660ft



# #2 Somerset Christian Church Facing North

Monopole: 175ft Distance: 5,270ft



#3 SR 231 Facing North  
Monopole: 175ft Distance: 3,360ft

Tower not visible  
behind trees



# #4 Liberty Mills Road Facing North

Monopole: 175ft Distance: 3,250ft



# #5 Across SR 231 Facing East

Monopole: 175ft Distance: 2,620ft

