Planning and Development Department
156 CHURCH STREET, HENDERSON, NC 27536
(252) 738-2080 / FAX 738-2089

Staff Report 9/12/2013

Owner: Christine, Carl, and Joe Samford

Applicant: Nexsen Pruet, PLLC – Thomas H. Johnson Jr., Agent for property owner

Parcel ID: 0331 03004

Location: Near 10866 NC 39 North

Current Zoning: (A-R) Agricultural Residential

Public Hearing: 08/8/2013 continued to 9/12/2013

Prepared by: Jordan McMillen

Note: As a part of any approval, the board is required to make a determination of the electromagnetic field (EMF) effects of the tower on the health of the public. Based upon the evidence presented, an item has been included within the DRAFT findings of fact that is satisfactory to address this requirement should the board agree.

Description of Conditional Use Permit Request:

The applicant is requesting a conditional use permit to allow construction of a 300 ft. monopole wireless telecommunication facility (cell tower).

Exhibits as follows:

Exhibit 1. Application
Exhibit 2. FCC Compliance Assessment
Exhibit 3. Collocation Certification
Exhibit 4. Tower Owner Insurance Coverage
Exhibit 5. Adjoining Owners, Zoning and 2010 Aerial Map
Exhibit 6. Site Plan
Exhibit 7. Conditional Use Permit check sheet
Exhibit 8. Additional Cell Coverage Analysis (Includes letter and Figure A-F)

DRAFT Findings of Fact

1. The request is for a conditional use permit to allow a 300 foot monopole wireless telecommunication facility (cell tower) on a parcel zoned (A-R) Agricultural Residential.
2. Christine, Carl, and Joe Samford are the property owners. The cell tower site is to be leased from the property owners.
3. The property is located along NC 39 North; more specifically identified as tax parcel 0331 03004.
4. The parcel consists of approx. 156 total acres of which a 100 x 100' lease area would be established for the cell tower and associated equipment.
5. The lot is currently zoned (A-R) Agricultural Residential, is predominantly grassland with pockets of woodland and includes a few residential structures and agricultural structures.
6. The output levels from non-ionizing electromagnetic radiation (NIER) will be significantly less than federally approved levels and therefore should have no harmful effects on the health of the public.
7. The application requesting a conditional use permit was filed on 06/29/2013.
8. The adjoining property owners were notified on July 24, 2013.
9. The property was posted on July 25, 2013.
10. The legal notice was run on July 25, 2013 and August 1, 2013.
11. A public hearing was held on August 8, 2013 and was continued until September 12, 2013 to allow the applicant to provide additional cell coverage analysis and additional requested information.
12. The applicant provided supplemental information concerning the cell coverage analysis and justification on August 30, 2013.

Staff Comments

The applicant is proposing to construct a 300 ft. monopole cell tower to initially be utilized by AT&T with space for colocation by other carriers. Once the tower is complete, it will be owned by American Tower Corporation. The applicant has included a statement indicating the tower owner's intention to allow shared use of the tower in the future. The tower will be located on a leased portion of land and will be surrounded by an 8 ft. fence with a 25 ft. wide landscaped buffer area. The buffer area will consist of 15 red maple trees, 73 American boxwoods for shrubbing and mulch for ground cover. The proposed landscaping and buffering meets the buffer requirements for cell towers as outlined in section 6.10 O.5 of the zoning ordinance.

Due to the tower location within a parcel that is residentially used, it is required that the tower be setback from any structures at a distance of 1 foot for every 1 foot in height of the tower. This requires no structures to be within 310 feet of the tower (height includes antenna on top of tower). According to the plans, no structures are within this fall zone with the closest structure located over 700 feet away.

As is required by the zoning ordinance, the applicant has provided a study determining that the power output levels do not exceed federally approved levels. Specifically, the evidence shows that the output level from non-ionizing electromagnetic radiation (NIER) will be less than 1% of the maximum permissible exposure (MPE) level. With the original conditional use application, evidence was submitted portraying an analysis of the coverage area from the proposed tower. Prior to the hearing on August 8th, the applicant was made aware of a US Cellular tower within 1.5 miles north of the proposed tower that was not included on the original cell coverage analysis. Over the last month, additional analysis has been completed by AT&T to determine whether a colocation on the existing tower would

	be adequate in place of building a new tower. It is important to note that the zoning ordinance discourages towers to be located within 1 mile of each other and limits the height to 200 ft. if they are located within 1 mile of each other. In considering this proposed tower, it is important that adequate evidence be submitted to determine whether the tower location and tower height is justifiable. Staff advises the board to hear more specific information from the applicant regarding the need for a new tower within this location relative to collocating on the tower to the north. In reviewing the newest analysis, it appears that a comparable gap remains in the coverage when comparing whether to build a new tower or to collocate on the existing. If building the new tower, there appears to be a gap to the north; If collocating on the existing US Cellular Tower, a gap remains to the south. This comparison is made by comparing figure E & F of the newest analysis. Additionally staff questions whether a smaller tower (i.e. 200 ft. monopole) could be constructed in conjunction with a colocation on the tower to the north thus creating a smaller visual impact on the surrounding area. Following the meeting on August 8th, staff has made the applicant aware of several items that are necessary in order to constitute a complete submittal. To date, the following items are still in need of being submitted: 1. Documentation by a registered engineer that the tower has sufficient structural integrity to accommodate more than 1 user. 2. Certification from the property owners stating that no future development will be made within the established setback area (310 feet from the tower). 3. Submittal of a revised and completed application that includes the correct property owner information. Tax Records show the property to be owned by Christine, Carl & Joe Samford. 4. Submittal of an appointment of agent executed by all property owners allowing an agent for the property owners.

Vance COUNTY
NORTH CAROLINA

Conditional Use Permit Application

Vance County Planning & Development Department

156 Church Street, Suite 3
Henderson, NC 27536
Ph: (252) 738-2080
Fax: (252) 738-2089

For Administrative Use Only:

Case #	20130808-2
Fee Paid	$250 ck# 408120
BOA Date	

Property Owner Information

Property Owner: Christine Samford
Mailing Address: 10866 NC 39 Hwy North
City: Henderson State: NC Zip Code: 27537
Phone #: (252) 438 - 6709 Fax #: ( ) -
E-mail Address:

Applicant Information

Applicant: Thomas H. Johnson, Jr.
Mailing Address: Nexsen Pruet, PLLC, 4141 Parklake Avenue, Suite 200
City: Raleigh State: NC Zip Code: 27612
Phone #: (919) 786 - 2764 Fax #: (919) 788 - 1104
E-mail Address: tjohnson@nexsenpruet.com

Property Information *For multiple properties please attach an additional sheet.*

Property Address: 10866 NC 39 Hwy North, Henderson, NC 27537
Tax Map Number: PIN (parcel identification #): 0331-03004
Type of Petition: Conditional Use permit
Existing Zoning: AR Proposed Zoning: No change
Acreage: 156.50 Road Frontage: NC Hwy 39
Existing Use: farm

Deed Reference

- [x] Metes and bounds description attached
- [x] Site plan/sketch of proposal attached

Statement of Justification

1. Application is hereby made for the following use: *Please explain below:*

This application is for a proposed 300' self support wireless telecommunications facility.

2. The intent is to : *Check all that apply:*
   - [x] Construct a new structure for a conditional use;
   - [ ] Repair the existing structure for the conditional use;
   - [ ] Alter and/or expand the existing structure for the conditional use;
   - [ ] Other

3. The following requirements have been provided: *Check all that apply:*
   - [x] Site plan;
   - [x] Property description;
   - [ ] NC DOT entrance permit (if applicable);

4. Additional information:

In order to issue a Conditional Use Permit, the Board shall consider each of the following conditions, and based on the evidence presented at the hearing(s) make findings in regards to each and must find that the issuance of the Conditional Use Permit is in the best interest of the county.

A. The use requested is among those listed as an eligible conditional use in the district in which the subject property is located.

Yes [✓] No [ ]

B. The use or development is located, designed and proposed to be operated so as to maintain or promote the public health or safety;

Yes [✓] No [ ]

C. The use or development complies with all required regulations of the Zoning Ordinance and all applicable specific conditions and specifications;
Yes [✓] No [ ]

D. The use or development is located, designed and proposed to be operated so as to maintain or enhance the value of adjoining or abutting property, or that use or development is a public necessity;
Yes [✓] No [ ]

E. The use or development will be in harmony with the area in which it is located and will be in general conformity with the plan of development of the County.
Yes [✓] No [ ]

Property Owners Signature

Please sign in blue or black ink Date 6/28/13

Applicants' Signature

Please sign in blue or black ink Date 6/28/13

1130 Situs Court, Suite 100
Raleigh, NC 27606

DATE: June 27, 2013
SUBJECT: FCC Compliance Assessment for Proposed AT&T Mobility Site 368-441

AT&T Mobility has been requested to evaluate the radio frequency emissions of our proposed site 368-441. In addition, AT&T Mobility has been requested to address other RF related topics such as transmitter operation and maximum permissible output power levels. The remainder of this report will address all RF related items requested by Vance County Zoning/Planning for proposed site 368-441.

Transmitter Operation

AT&T Mobility owns the B/C LTE Bands and B PCS Band PCS licenses in Vance County. The transmitters being used on the proposed site are authorized to operate in the 704-716, 734-746 and 1950-1965 Megahertz (MHz) frequency range. The Ericsson Node B base station transmitters AT&T Mobility utilizes have a maximum output level of 60 watts. AT&T Mobility utilizes the GSM, LTE and UMTS digital technology. As a result our transmitters utilize Gaussian Minimum Shift Keying (GMSK), 16-State Quadrature Amplitude (16QAM), 64-State Quadrature Amplitude (64 QAM) and Quadrature Phase Shift Keying (QPSK) modulation. Precision filters limit unwanted and spurious emissions to levels below the FCC specification. The signals being transmitted will not interfere with the operation of commercial radio, cellular radio, television, telephone or other FCC approved communication equipment. For our proposed site 368-441, GSM technology will not be deployed.

Maximum Permissible Output Power

The maximum permissible output power for 1900 band per sector is 1640 Watts of effective radiated power (ERP) from the antennas in Vance County. The proposed site 368-441 is only transmitting 506 total watts ERP.

The maximum permissible output power for 700 band per sector is 1000 Watts of effective radiated power (ERP) from the antennas in Vance County. The proposed site 368-441 is only transmitting 197 total watts ERP.

RF Exposure (NIER levels)

The FCC states in 47 CFR 1.1310 that the maximum permissible exposure (MPE) level from non-ionizing electromagnetic radiation (NIER) to the general population at cellular and PCS frequencies is 1.0 milliwatt per centimeter squared (mW/cm^2). MPE is a measure of the RF power density at or below which there are no potential harmful effects from the exposure.

Power density calculations are based on guidelines given by the ANSI Standard C95.1-1992 and are based on a worst case scenario. For analysis purposes, worst case conditions were chosen for all output power levels based on the deployment of LTE and UMTS technologies. The site is being deployed initially with 6 transmitters. For analysis purposes, 15 transmitters were used. A summary of the results of the power density calculations for site 368-441 is listed below in **Table 1** and **Table 2**.

Distance From Tower (Feet)	Power Density (mw/cm2)	% FCC Standard
1	0.0000221	0.008831
25	0.0000219	0.008768
50	0.0000159	0.006362
75	0.0000114	0.004555
100	0.0000261	0.010427

Table 1: Power Density Summary for Site 368-441 for 1900 Band

Distance From Tower (Feet)	Power Density (mw/cm2)	% FCC Standard
1	0.0000033	0.0026905
25	0.0000054	0.0044329
50	0.0000086	0.0070368
75	0.0000115	0.0093816
100	0.0000129	0.0105193

Table 2: Power Density Summary for Site 368-441 for 700 Band

As shown in **Table 1**, the maximum power density will not exceed 0.0000261 mW/cm² at ground level in 1900 Band and as shown in **Table 2**, the maximum power density will not exceed 0.0000129 mW/cm² at ground level in 700 Band. Moreover, the average energy expected near ground level is less than 1% of the MPE level. This level does not exceed the MPE limit set by the Federal Communications Commission or the American National Standards Institute.

Based upon the ANSI/FCC standard and the predicted levels of electromagnetic energy emitted by site 368-441, this installation will be of no safety concern to the general public.

If there are any further questions regarding the information provided I can be reached at (919) 852-2717.

Sincerely

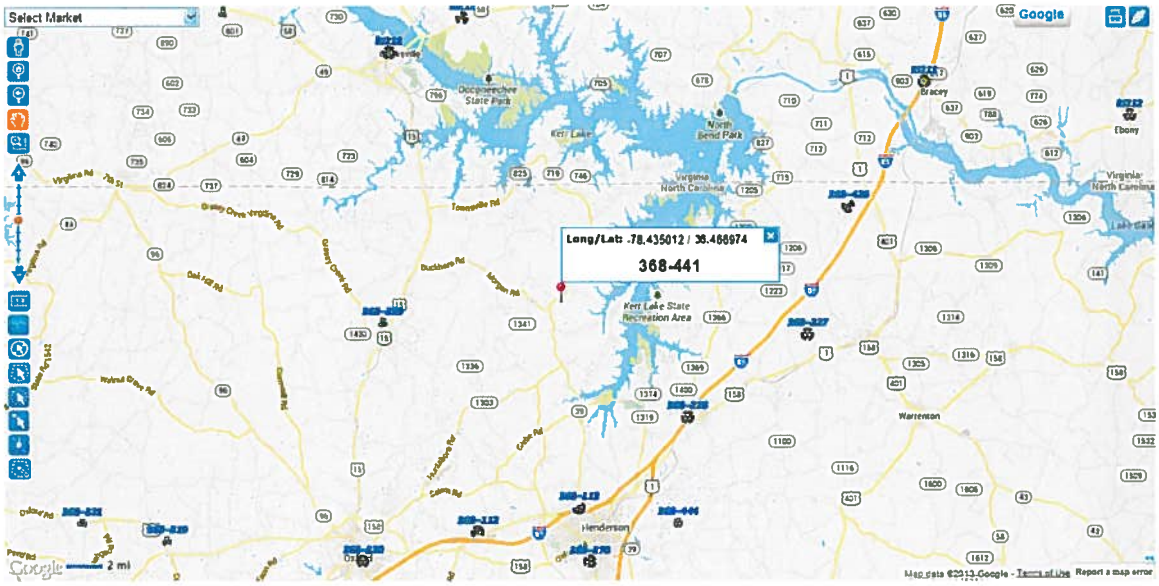
David J. LaCava
Radio Access Network Specialist
AT&T Mobility
Raleigh Market
Tel: 919 852-2717
e-mail: DL2246@att.com

David LaCava
Radio Access Network Specialist
1130 Situs Court, Suite 100
Raleigh, NC 27606

DATE: June 27, 2013
SUBJECT: RF Justification for Cingular Wireless Site 368-441

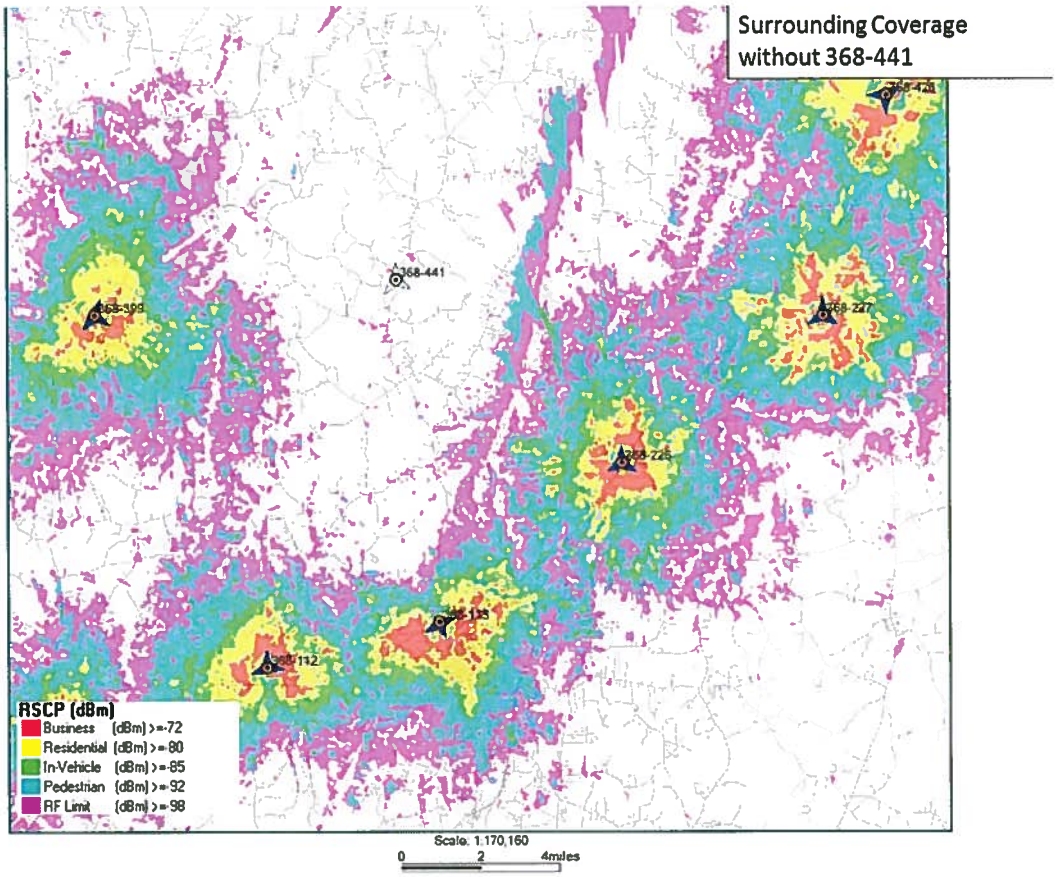
AT&T Mobility has been requested to provide justification for our proposed site 368-441. AT&T Mobility is currently in the process of enhancing/expanding our existing coverage in Vance County. The proposed site will provide coverage to Morgan Road, NC Highway 39 and surrounding area. Existing structures have been utilized whenever possible. **Figure 1** shows the general area within Vance County that the new site will be located. In **Figure 1** blue text and corresponding icons indicate the location of all existing sites and the white text box indicates the location of the proposed site.

Figure 1: Map of Cingular Wireless' Existing and Proposed Sites



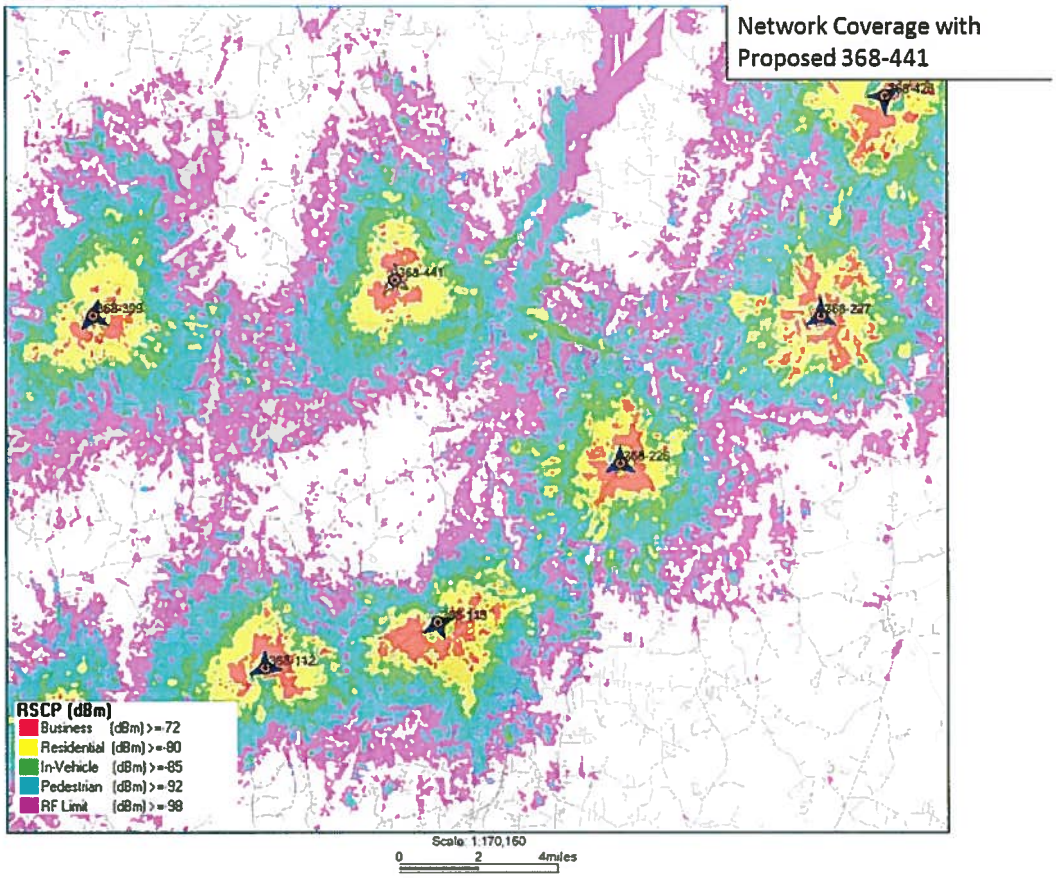
Currently AT&T Mobility does not have adequate coverage in the concerning area. Refer to **Figure 2**, which shows coverage without the proposed site 368-441.

Figure 2: Map of Cingular Wireless' Coverage Without 368-441



With the addition of proposed site 368-441 AT&T Mobility will provide adequate coverage to Morgan Road, NC Highway 39 and surrounding area. Refer to **Figure 3** which shows coverage with proposed site 368-441.

Figure 3: Map of Cingular Wireless' Coverage With 368-441



If there are any further questions regarding I can be reached at (919) 852-2717.

David LaCava
Radio Access Network Specialist
Raleigh, NC

Vance County Planning Department
122 Young Street, Suite B
Henderson, NC 27536

Application of American Towers LLC to construct a new Wireless Telecommunications Tower for the following site:

Site Name: Taylor Gate, Site No. 368-441
Site Address: 10866 NC 39 Hwy North, Henderson, NC 27537

AMERICAN TOWERS LLC

American Towers LLC ("AT") is one of the leading independent owner and operator of shared wireless infrastructure. The core business of American Towers LLC involves the engineering, deployment, marketing, ownership, operation and leasing of shared wireless communications sites. The sharing of infrastructure among multiple services lies at the heart of American Tower's business philosophy. Our portfolio of wireless communication sites, including existing towers and rooftops, enables our customers to serve their markets more efficiently and with sensitivity to local planning and zoning jurisdictions. American Towers LLC designs all of our facilities for multiple collocation opportunities for our customers. We endeavor to assist communities in reducing the number of towers in a given jurisdiction by supplying our customers with locations that are ready for them "Just in Time" for their coverage design and wireless performance needs. As one of the largest tower companies in the world, American Towers LLC has master lease agreements, negotiated at arms-length, with all major wireless carriers licensed to operate in North Carolina. In negotiating the rental rates of these master lease agreements, American Towers LLC considers the competitive environment of its business and the presence of other major tower companies such as Crown Castle and SBA. This ensures that American Towers LLC charges only reasonable rates to service providers.

Collocation Certification

American Towers LLC agrees to comply with the Zoning Ordinance of the Vance County, North Carolina and is willing to permit other user(s) to attach communication equipment which do not interfere with the primary purpose of the tower, provided that such other users agree to negotiate a reasonable compensation to the owner from such liability as may result from such attachment.

American Towers LLC

By: _____
~~Jill House~~
DAVID HOCKEY

ITS: ~~Project Manager~~
ZONING MANAGER

NPRALI:267513.1-LT-(AWOOTEN) 038532-00164

MEMORANDUM OF INSURANCE

Date: December 28, 2012

This Memorandum of Insurance is issued as a matter of information only to authorized viewers for their internal use only and confers no rights upon any viewer or holder of this Memorandum. This Memorandum does not amend, extend or alter the insurance coverage described below. This Memorandum may only be viewed, copied, printed and distributed by an Authorized Viewer for such Authorized Viewer's internal use. Any other use, duplication or distribution of this Memorandum without the consent of Wells Fargo Insurance Services is prohibited. "Authorized Viewer" shall mean an entity or person authorized by the insured named herein to access this Memorandum via http://wfis.wellsfargo.com/amtower/moifaq.htm. The information contained herein is current as of the date of this Memorandum. Wells Fargo Insurance Services shall be under no obligation to update such information.

PRODUCER	INSURER(S) AFFORDING COVERAGE	NAIC #
Wells Fargo Insurance Services USA, Inc. 699 Boylston St. Boston, Massachusetts 02116	INSURER A: Greenwich Insurance Company	22322
	INSURER B: Great American Assurance Company	26344
INSURED American Tower Corporation 116 Huntington Avenue Boston, Massachusetts 02116-5749 United States	INSURER C: XL Specialty Insurance Company	37885
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES

The policies of insurance listed below have been issued to the insured named above for the policy period indicated, notwithstanding any requirement, term or condition of any contract or other document with respect to which this Memorandum may be issued or may pertain. The insurance afforded by the policies described herein is subject to all the terms, exclusions and conditions of such policies. Limits shown may have been reduced by paid claims.

Insr Ltr	Type Of Insurance	Policy Number	Policy Effective Date	Policy Expiration Date	Limits Limits in USD unless otherwise indicated	
A	**General Liability** Commercial General Liability Occurrence	RGD9437614	Dec. 31, 2012	Dec. 01, 2013	General Aggregate	$ 2,000,000
					Products-Comp/OP AGG	$ 2,000,000
					Personal And ADV Injury	$ 1,000,000
					Each Occurrence	$ 1,000,000
					Fire Damage (Any One Fire)	$ 100,000
					Med Exp (Any One Person)	$ 10,000
A	**Automobile liability** Any auto Self-insured Physical damage	RAD9437615 (AOS) RAD9437616 (MA)	Dec. 31, 2012 Dec. 31, 2012	Dec. 01, 2013 Dec. 01, 2013	Combined Single Limit (Each Accident)	$ 1,000,000
					Bodily Injury (Per Person)	$
					Bodily Injury (Per Accident)	$
					Property Damage	$
						$
						$
B	**Excess Liability** Umbrella Form Occurrence	UMB4646910	Dec. 31, 2012	Dec. 01, 2013	Each Occurrence	$ 5,000,000
					Aggregate	$ 5,000,000
						$
						$
C	**Workers Compensation / Employers Liability** The Proprietor / Partners / Executive Officers Are: Included	RWD9435386 (AOS) RWD9435391 (IN)	Dec. 31, 2012 Dec. 31, 2012	Dec. 01, 2013 Dec. 31, 2013	X WC Statutory Limits / Other	
					E.L Each Accident	$ 1,000,000
					E.L. Disease – Ea Employee	$ 1,000,000
					E.L. Disease – Policy Limit	$ 1,000,000

This Memorandum of Insurance serves solely to list insurance policies, limits and dates of coverage. Any modifications hereto are not authorized.

MEMORANDUM OF INSURANCE	Date: December 28, 2012

This Memorandum of Insurance is issued as a matter of information only to authorized viewers for their internal use only and confers no rights upon any viewer or holder of this Memorandum. This Memorandum does not amend, extend or alter the insurance coverage described below. This Memorandum may only be viewed, copied, printed and distributed by an Authorized Viewer for such Authorized Viewer's internal use. Any other use, duplication or distribution of this Memorandum without the consent of Wells Fargo Insurance is prohibited. "Authorized Viewer" shall mean an entity or person authorized by the insured named herein to access this Memorandum via http://wfis.wellsfargo.com/amtower/moifaq.htm. The information contained herein is current as of the date of this Memorandum. Wells Fargo Insurance Services shall be under no obligation to update such information.

PRODUCER	INSURED
Wells Fargo Insurance Services USA, Inc. 699 Boylston St. Boston, Massachusetts 02116	American Tower Corporation 116 Huntington Avenue Boston, Massachusetts 02116-5749 United States

ADDITIONAL INFORMATION
Named Insureds:
American Tower Corporation
American Towers, LLC
American Towers, Inc.
ATC Towers, Inc.
Semann Engineering Solutions, LLC
SpectraSite Communications, LLC
ATC Payroll LLC

American Tower Corporation has Additional Insured Endorsements that apply to the Commercial General Liability and Automobile Liability policies issued by Greenwich Insurance Company. Because of the nature of these endorsements, it is not necessary to specifically schedule parties with a contractual and insurable interest, as Additional Insured status is extended to those parties by the nature of the written business relationship as follows:

BLANKET ADDITIONAL INSURED INCLUDES:
Any person or organization with an insurable interest is additional insured, as required by written contract with the named insured, but only in accordance with the policy terms.

ADDITIONAL INSURED – Scheduled Designated Person or Organization
Schedule: ALL PREMISES WHERE REQUIRED BY CONTRACT

The insurance provided will not exceed the lesser of:
1. The coverage and/or limits of this policy, or
2. The coverage and/or limits required by said contract or agreement.

The insurance provided does not apply to:
1. Any "occurrence" which takes place after the insured ceases to be a tenant in that premises.
2. Structural alterations, new construction or demolition operations performed by or on behalf of the person or organization shown in the Schedule.
3. Professional Services.

ADDITIONAL INSURED LESSOR – Additional Insured and Loss payee – Automobile Liability
Schedule: Where required by written contract

Description: Any auto leased or rented to you.
A. Coverage
1. Any "leased auto" designated or described in the schedule will be considered a covered "auto" you own and not a covered "auto" you hire or borrow. For a covered "auto" that is a "leased auto," Who Is An Insured is changed to include as an "insured" the lessor named in the Schedule.
2. The coverages provided under this endorsement apply to any "leased auto" described in the Schedule until the expiration date shown in the Schedule, or when the lessor or his or her agent takes possession of the "leased auto," whichever occurs first.

B. Loss Payable Clause:
1. We will pay, as interest may appear, you and the lessor named in this endorsement for "loss" to a "leased auto."
2. The insurance covers the interest of the lessor unless the "loss" results from fraudulent acts or omissions on your part.
3. If we make any payment to the lessor, we will obtain his or her rights against any other party.

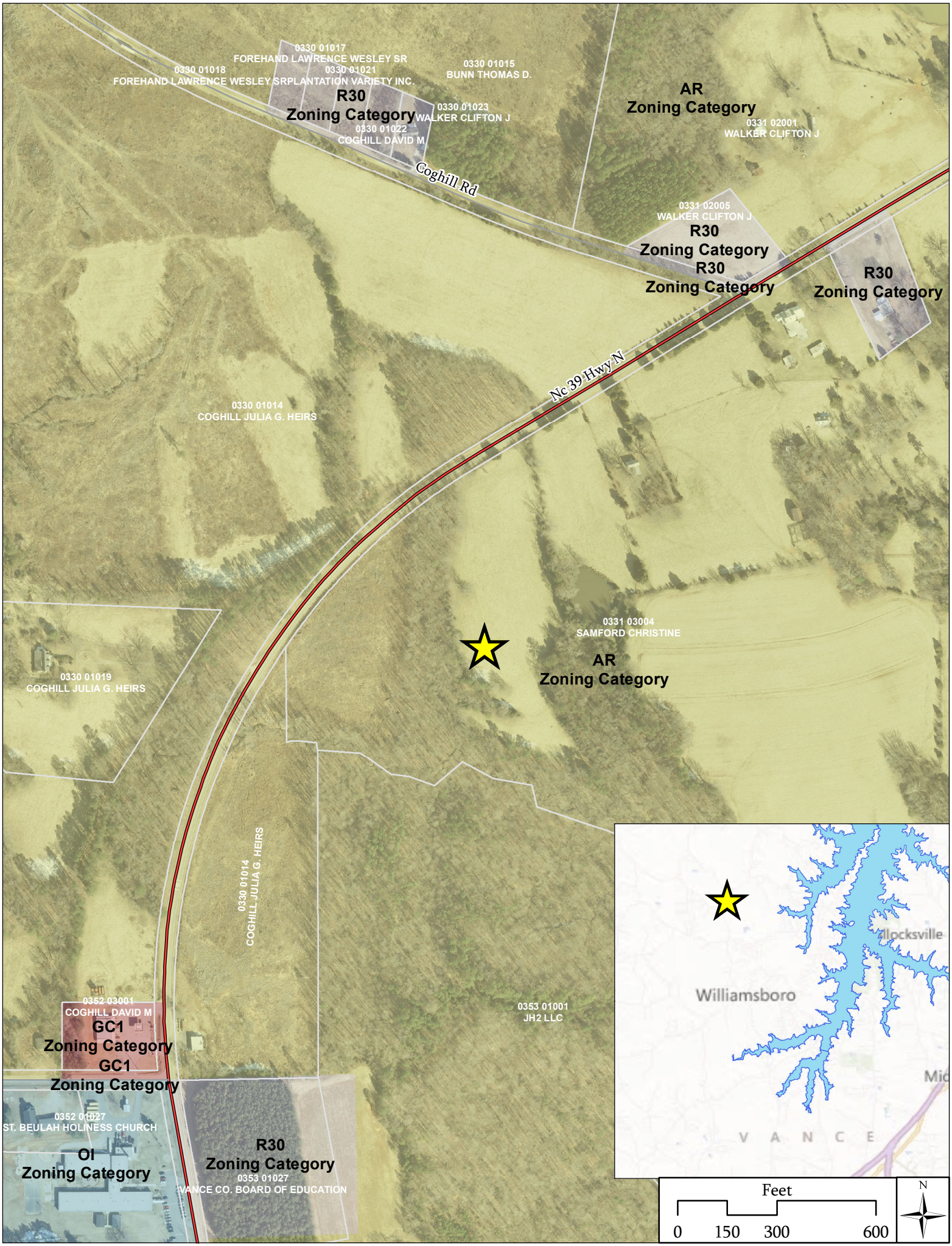
This Memorandum of Insurance serves solely to list insurance policies, limits and dates of coverage. Any modifications hereto are not authorized.

C. Cancellation
1. If we cancel the policy, we will mail notice to the lessor in accordance with the cancellation Common Policy Condition
2. If you cancel the policy, we will mail notice to the lessor.
3. Cancellation ends this agreement.

D. The lessor is not liable for payment of your premium.

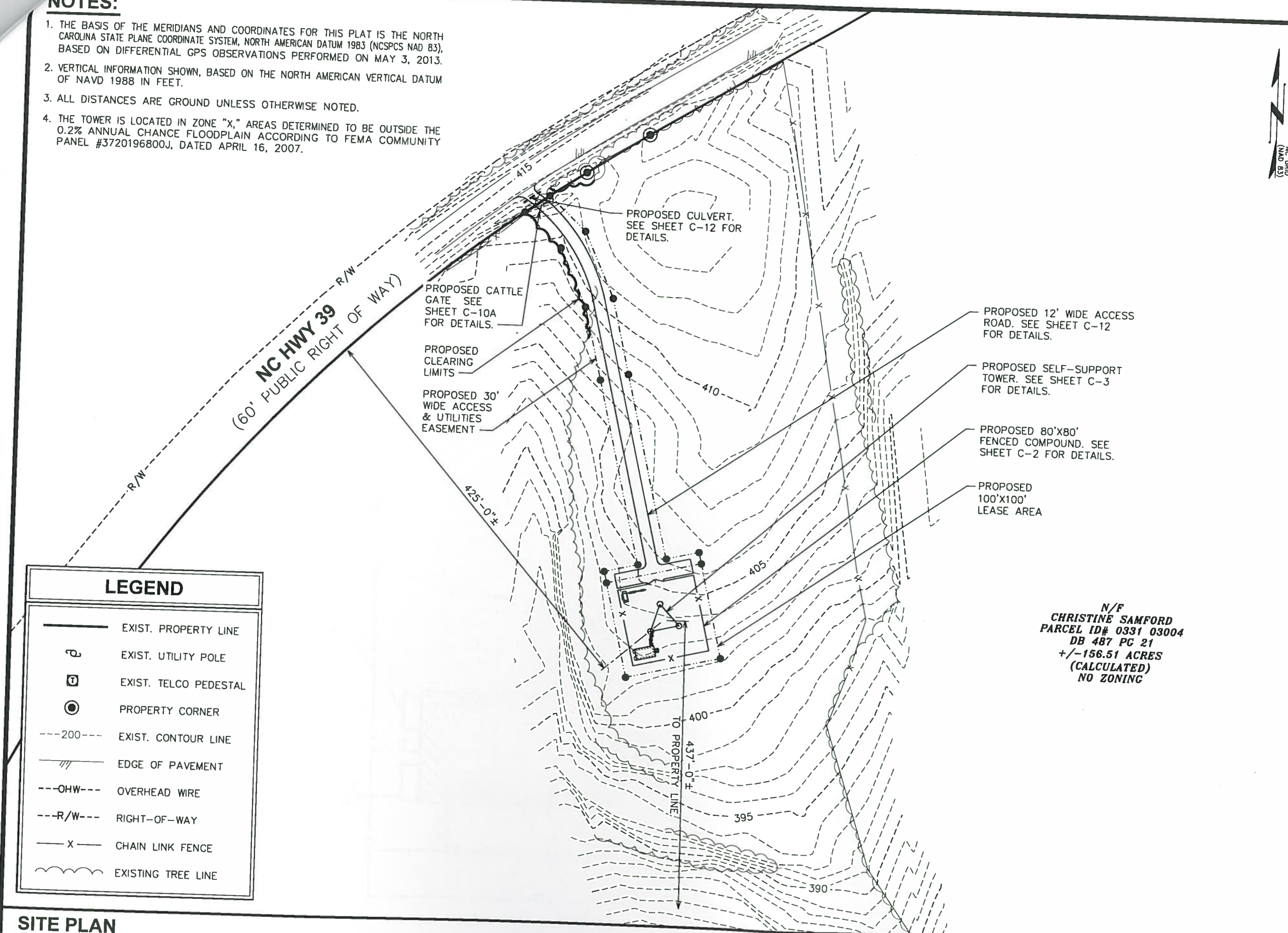
E. Additional Definition - "Leased auto" means an "auto" leased or rented to you, including any substitute, replacement or extra "auto" needed to meet seasonal or other needs, under a leasing or rental agreement that requires you to provide direct primary insurance for the lessor.

This Memorandum of Insurance serves solely to list insurance policies, limits and dates of coverage. Any modifications hereto are not authorized.


0330 01017
FOREHAND LAWRENCE WESLEY SR
0330 01018
FOREHAND LAWRENCE WESLEY SRPLANTATION VARIETY INC.
0330 01021
R30
Zoning Category
0330 01015
BUNN THOMAS D.
0330 01023
WALKER CLIFTON J
0330 01022
COGHILL DAVID M
AR
Zoning Category
0331 02001
WALKER CLIFTON J
Coghill Rd
0331 02005
WALKER CLIFTON J
R30
Zoning Category
R30
Zoning Category
R30
Zoning Category
Nc 39 Hwy N
0330 01014
COGHILL JULIA G. HEIRS
0331 03004
SAMFORD CHRISTINE
AR
Zoning Category
0330 01019
COGHILL JULIA G. HEIRS
0330 01014
COGHILL JULIA G. HEIRS
0352 03001
COGHILL DAVID M
GC1
Zoning Category
GC1
Zoning Category
0353 01001
JH2 LLC
0352 01027
ST. BEULAH HOLINESS CHURCH
OI
Zoning Category
R30
Zoning Category
0353 01027
VANCE CO. BOARD OF EDUCATION
Williamsboro
V A N C E
Feet
0
150
300
600
N

NOTES:

1. THE BASIS OF THE MERIDIANS AND COORDINATES FOR THIS PLAT IS THE NORTH CAROLINA STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM 1983 (NCSPCS NAD 83), BASED ON DIFFERENTIAL GPS OBSERVATIONS PERFORMED ON MAY 3, 2013.
2. VERTICAL INFORMATION SHOWN, BASED ON THE NORTH AMERICAN VERTICAL DATUM OF NAVD 1988 IN FEET.
3. ALL DISTANCES ARE GROUND UNLESS OTHERWISE NOTED.
4. THE TOWER IS LOCATED IN ZONE "X," AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN ACCORDING TO FEMA COMMUNITY PANEL #3720196800J, DATED APRIL 16, 2007.



LEGEND

- EXIST. PROPERTY LINE
- EXIST. UTILITY POLE
- EXIST. TELCO PEDESTAL
- PROPERTY CORNER
- ---200--- EXIST. CONTOUR LINE
- EDGE OF PAVEMENT
- ---OHW--- OVERHEAD WIRE
- ---R/W--- RIGHT-OF-WAY
- —X— CHAIN LINK FENCE
- EXISTING TREE LINE

SITE PLAN

SCALE: 1" = 100'

PLANS PREPARED FOR:

AMERICAN TOWER CORPORATION
400 REGENCY FOREST DRIVE
CARY, NC 27511

PROJECT INFORMATION:

AT&T SITE #: 368-441
ATC#: 280362
TAYLOR GATE
10866 NC 39 HWY NORTH
HENDERSON, NC 27537
(VANCE COUNTY)

PLANS PREPARED BY:

TOWER ENGINEERING PROFESSIONALS
3703 JUNCTION BOULEVARD
RALEIGH, NC 27603-5263
OFFICE: (919) 661-6351
www.tepgroup.net

N.C. LICENSE # C-1794

SEAL:

PRELIMINARY
DO NOT USE FOR CONSTRUCTION

REV	DATE	ISSUED FOR:
0	06-12-13	PRELIMINARY

DRAWN BY: LMM | CHECKED BY: KSM

SHEET TITLE:

SITE PLAN

SHEET NUMBER: **C-1**

REVISION: 0

TEP #: 131675

Conditional Use Permit Check Sheet

1. The use requested is among those listed as an eligible conditional use in the district in which the subject property is located.

	True	False		True	False		True	False	TOTAL
Alston:	☐	☐	Harvin:	☐	☐	Stainback:	☐	☐	
Brummitt:	☐	☐	Johnson:	☐	☐	Alternate 1:	☐	☐	
Haley:	☐	☐	Shaw:	☐	☐	Alternate 2:	☐	☐	

2. The use or development is located, designed and proposed to be operated so as to maintain or promote the public health or safety.

	True	False		True	False		True	False	TOTAL
Alston:	☐	☐	Harvin:	☐	☐	Stainback:	☐	☐	
Brummitt:	☐	☐	Johnson:	☐	☐	Alternate 1:	☐	☐	
Haley:	☐	☐	Shaw:	☐	☐	Alternate 2:	☐	☐	

3. The use or development complies with all required regulations of the Zoning Ordinance and all applicable specific conditions and specifications.

	True	False		True	False		True	False	TOTAL
Alston:	☐	☐	Harvin:	☐	☐	Stainback:	☐	☐	
Brummitt:	☐	☐	Johnson:	☐	☐	Alternate 1:	☐	☐	
Haley:	☐	☐	Shaw:	☐	☐	Alternate 2:	☐	☐	

4. The use or development is located, designed and proposed to be operated so as to maintain or enhance the value of adjoining or abutting property, or that the use is a public necessity;

	True	False		True	False		True	False	TOTAL
Alston:	☐	☐	Harvin:	☐	☐	Stainback:	☐	☐	
Brummitt:	☐	☐	Johnson:	☐	☐	Alternate 1:	☐	☐	
Haley:	☐	☐	Shaw:	☐	☐	Alternate 2:	☐	☐	

5. The use or development will be in harmony with the area in which it is to be located and will be in general conformity with the plan of development of the County.

	True	False		True	False		True	False	TOTAL
Alston:	☐	☐	Harvin:	☐	☐	Stainback:	☐	☐	
Brummitt:	☐	☐	Johnson:	☐	☐	Alternate 1:	☐	☐	
Haley:	☐	☐	Shaw:	☐	☐	Alternate 2:	☐	☐	

NEXSEN | PRUET

John I. Mabe

August 30, 2013

VIA ELECTRONIC & U.S. MAIL

Mr. Jordan McMillen
Vance County Planning Department
122 Young Street, Suite B
Henderson, North Carolina 27536

Site Name: Taylor Gate, Site No. 368-441
Site Address: 10866 NC 39 Hwy North, Henderson, NC 27537

Dear Mr. McMillen:

This is to supplement the application of American Towers LLC for leave to erect a wireless telecommunications tower on property located at 10866 NC Highway 39 North, application number 2013-0808-2. On August 8, the hearing on this application was postponed by the Board of Adjustment, among other reasons, to allow further submittal of information and further review by you of the applicant's showing of the necessity for this tower.

Attached are a series of maps covering roughly from US 15 in the west to SR 1210 (Oine Road) in the east, and from the state line south to the southern end of Kerr Lake.

Figure A displays the current coverage by AT&T's wireless network in the area.

Figure B displays the current coverage as in Appendix A, plus the approved Satterwhite tower and the co-location on the Townsville tower, site 368-798, plus a colocation to the east, site 368-500.

Figure C displays the capability of the proposed tower at site 368-441.

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Attorneys and Counselors at Law

Figure D displays the capability of the US Cell tower further north from site 368-441. Note that the area of coverage is much less than Figure C. This is because of the elevation that is available on this tower.

Figure E combines the coverages planned by AT&T. This is as shown on B, plus the present proposal shown on C, with the addition of the Williamsborough colocation to the south.

Figure F shows the coverage with the removal of the present proposal shown on C, and the addition of the coverage that can be achieved by colocating on the US Cell tower shown on D.

The addition of a colocation at the US Cell tower in lieu of the present proposal is not acceptable to American Towers LLC because it is not acceptable to its tenant, AT&T. A comparison of Figures E and F reveals that the coverage of Kerr Lake and its western shore is deficient, as is the coverage to the west, in Figure F. Figure F also leaves an unacceptable level of coverage along Highway 39.

Thank you for conveying this additional information to the Board with the application materials.

Cordially,

John I. Mabe

JIM:mw

Enclosures

cc: Ms. Jill House (via email)
Mr. Stephen Howard (via email)
Mr. David LaCava (via email)

Network ON,
Everything OFF

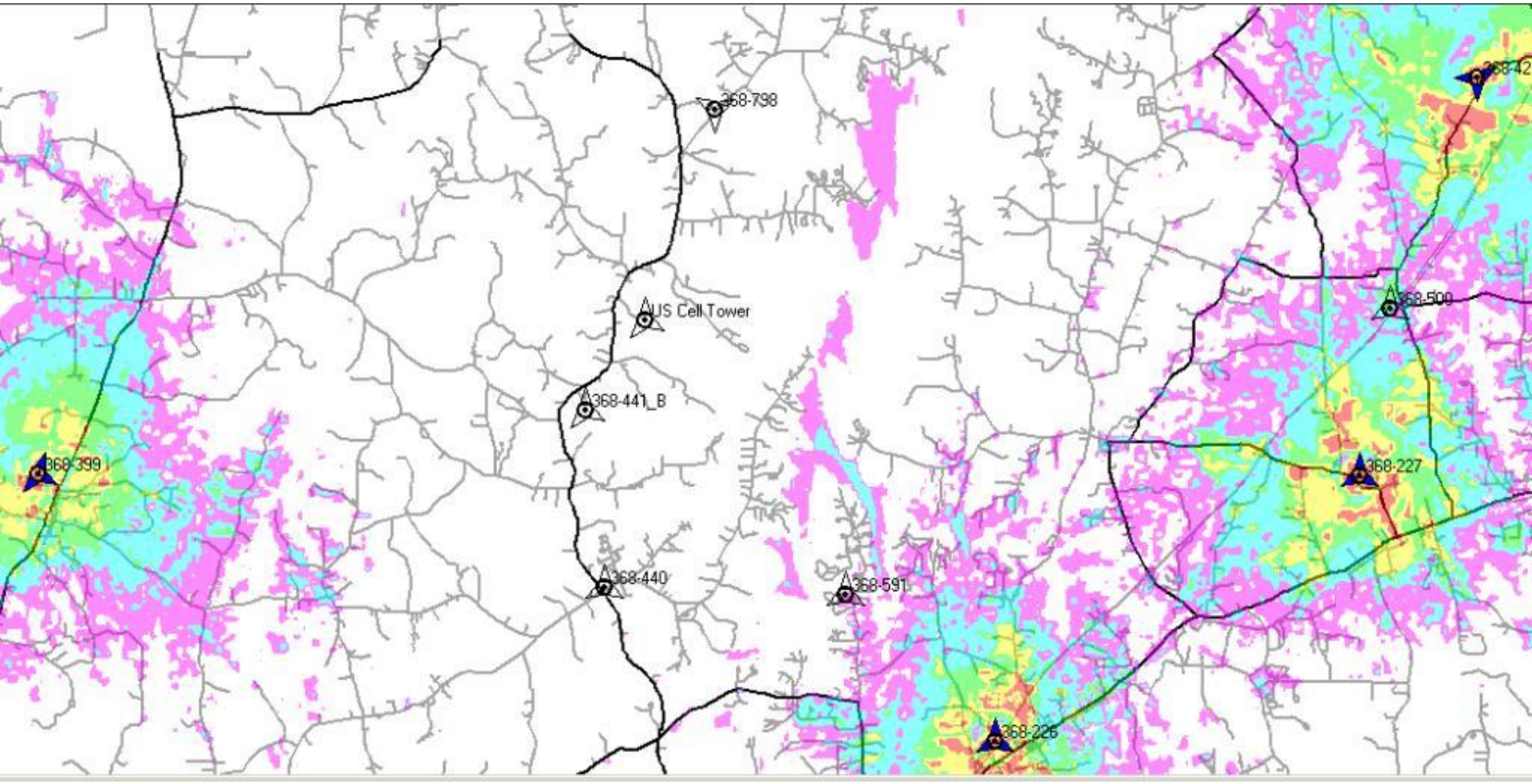

Figure A

Network ON, 368-591,368-500,368-798 ON ,
Everything OFF

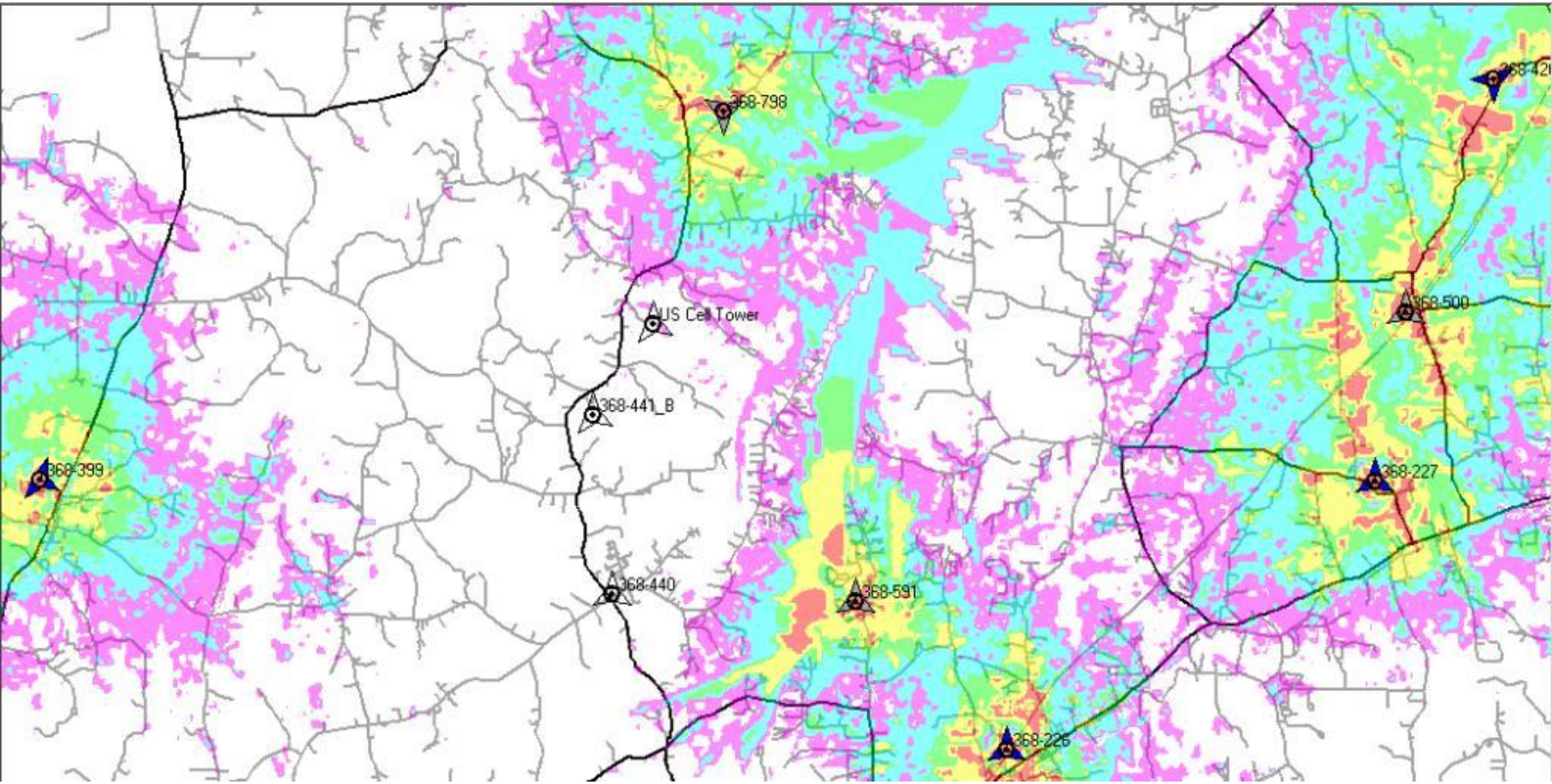

Figure B

368-441_B ON,
Everything OFF

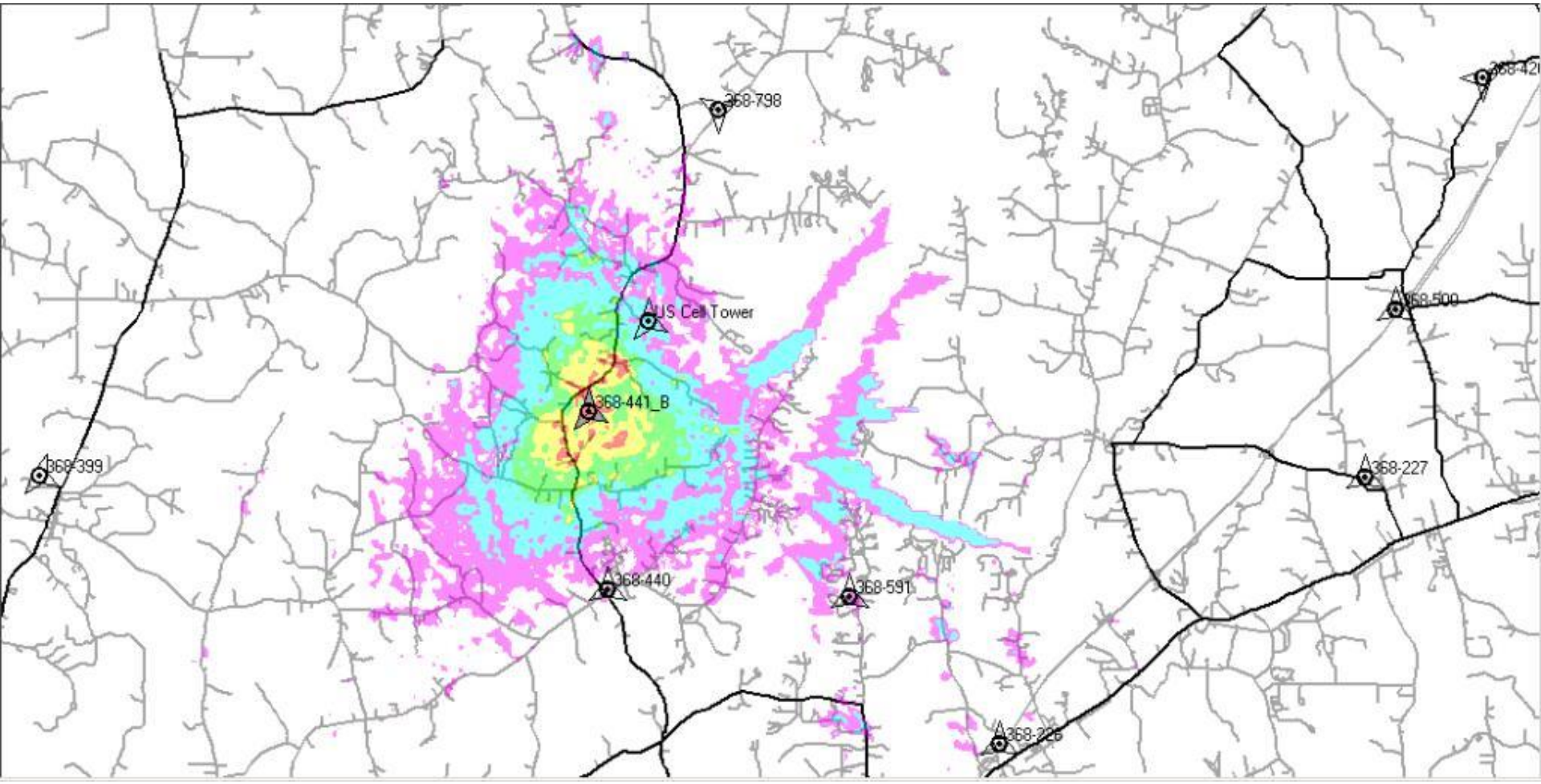

Figure C

Us cell ON,
Everything OFF

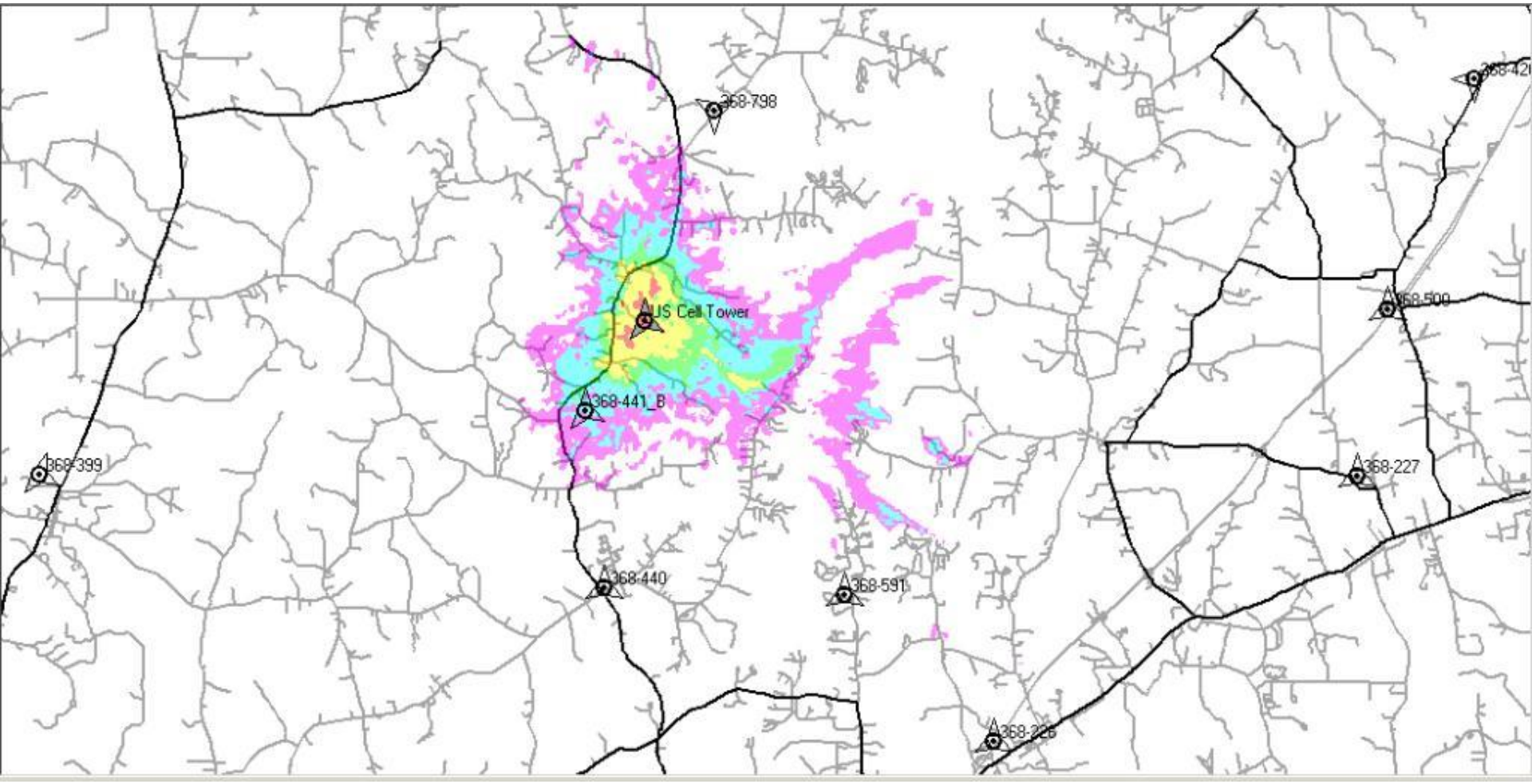

Figure D

368-441_B ,Network ON,368-591,368-500,368-798 ON,368-440 ON,
US Cell OFF

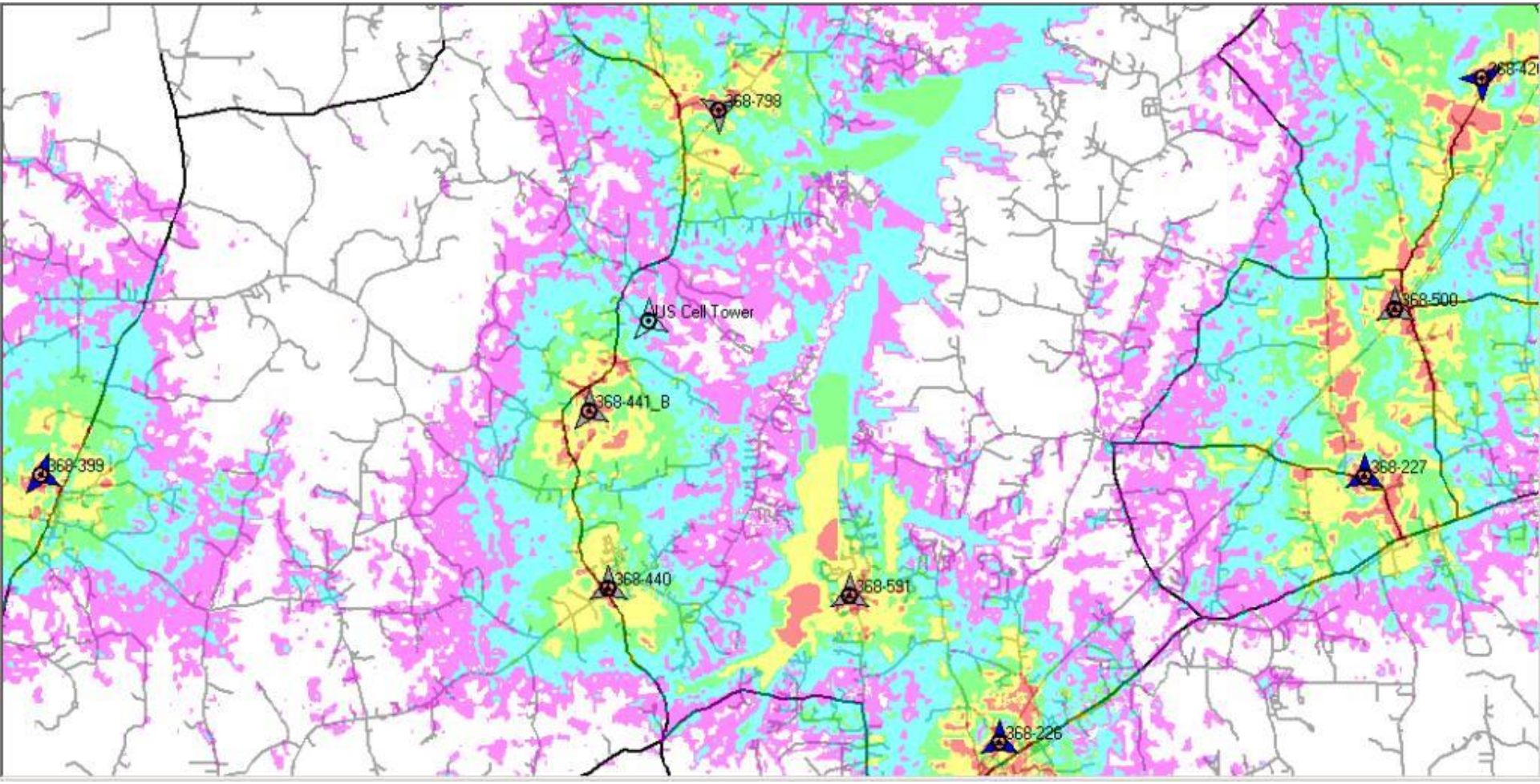

Figure E

Us cell ON, Network ON,368-591,368-500,368-798,368-440 ON
368-441 OFF

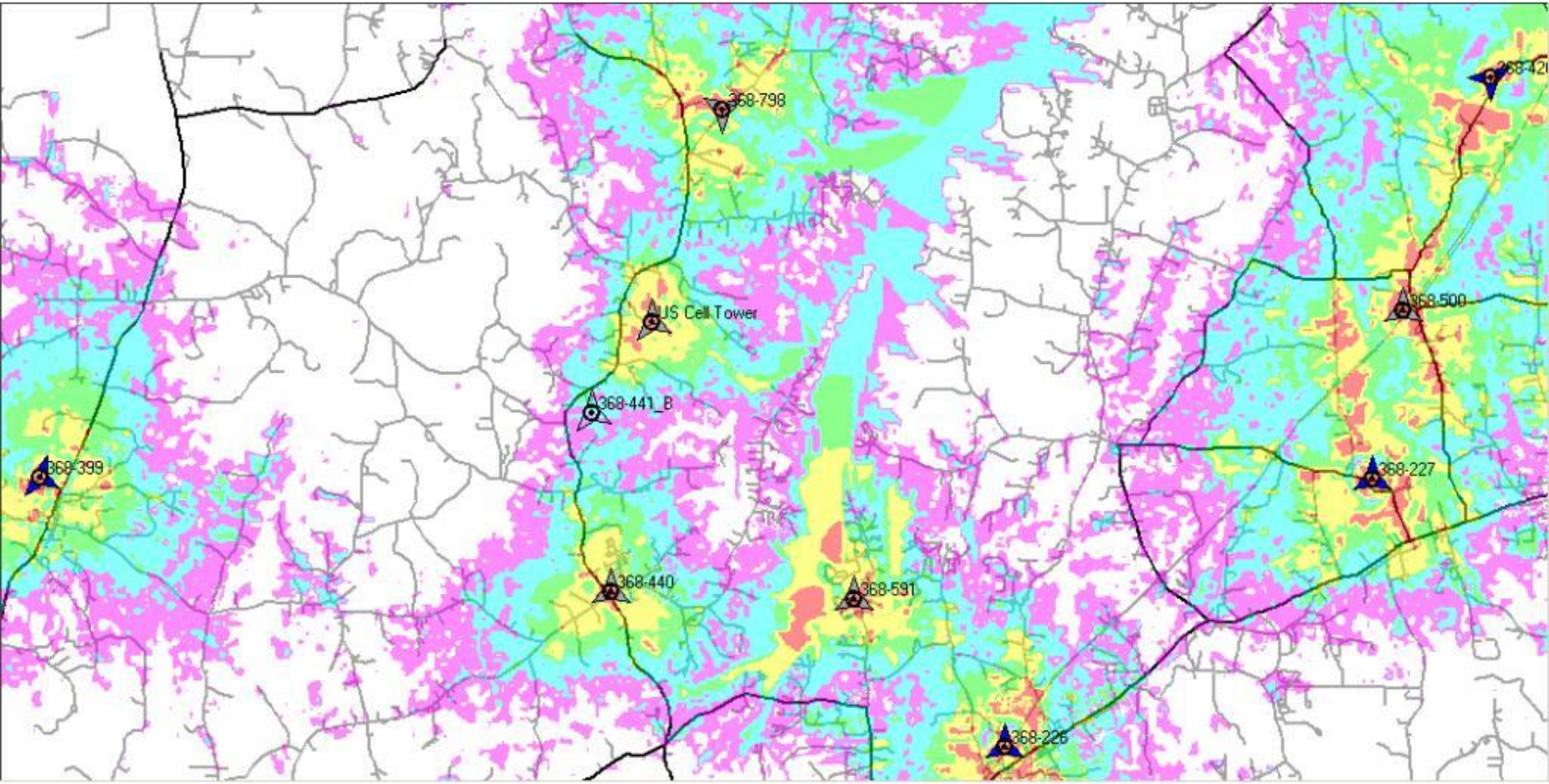

Figure F