NOTICE OF PUBLIC HEARING

TAKE NOTICE that the Board of Commissioners of Haywood County will hold a public hearing on Monday, July 20, 2015 at 5:30 P.M. in the Historic Courtroom of the Haywood County Courthouse at 215 N. Main Street, Waynesville, North Carolina. The purpose of the hearing is to consider an application and variance request for a new wireless telecommunication tower, located at 660 Sleepy Hollow Drive Waynesville on PIN 8617-51-5563 owned by Lake Junaluska Assembly, Inc.

The tower is a proposed stealth Monopine at 132 feet in height.

.

For additional information, contact:

Haywood County: Mr. Kris Boyd
Director
Haywood County Planning Department
157 Paragon Parkway, Suite 200
Clyde, NC 28721
Phone: (828) 452-6632
Fax: (828) 452-6791

Pennington Law Firm (Gary Pennington), agent for Cellco Partnership D/B/A/ Verizon Wireless, will present the application for consideration. Mr. Pennington may be reached at (803) 929-1070.

Persons wishing to be heard at the public hearing are asked to be present. The County Commissioners may adopt reasonable rules governing the conduct of the hearing including (i) fixing the maximum time allotted to each speaker, (ii) providing for the designation of spokesmen for groups of persons supporting or opposing the same position, (iii) providing for the selection of delegates from groups of persons supporting or opposing the same positions when the number of persons wishing to attend the hearing exceeds the capacity of the hall, and (iv) providing for the maintenance of order and decorum in the conduct of the hearing.

This the 1st day and 8th day of July 2015

Ira Dove, County Manager
Haywood County Board of Commissioners

~Doc# 99271.2~

SPECIAL USE PERMIT AND VARIANCE APPLICATIONS OF CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS FOR A NEW WIRELESS TELECOMMUNICATION FACILITY

- (LAKE JUNALUSKA SITE)

- **ADDRESS: 660 Sleepy Hollow Drive**
- **Waynesville, North Carolina**

SUBMITTED BY:

PENNINGTON LAW FIRM, L.L.C.

GARY C. PENNINGTON AND LAURA ASKINS

ATTORNEYS TO VERIZON WIRELESS

1501 MAIN STREET, SUITE 600

COLUMBIA, SOUTH CAROLINA 29201

803.929.1070

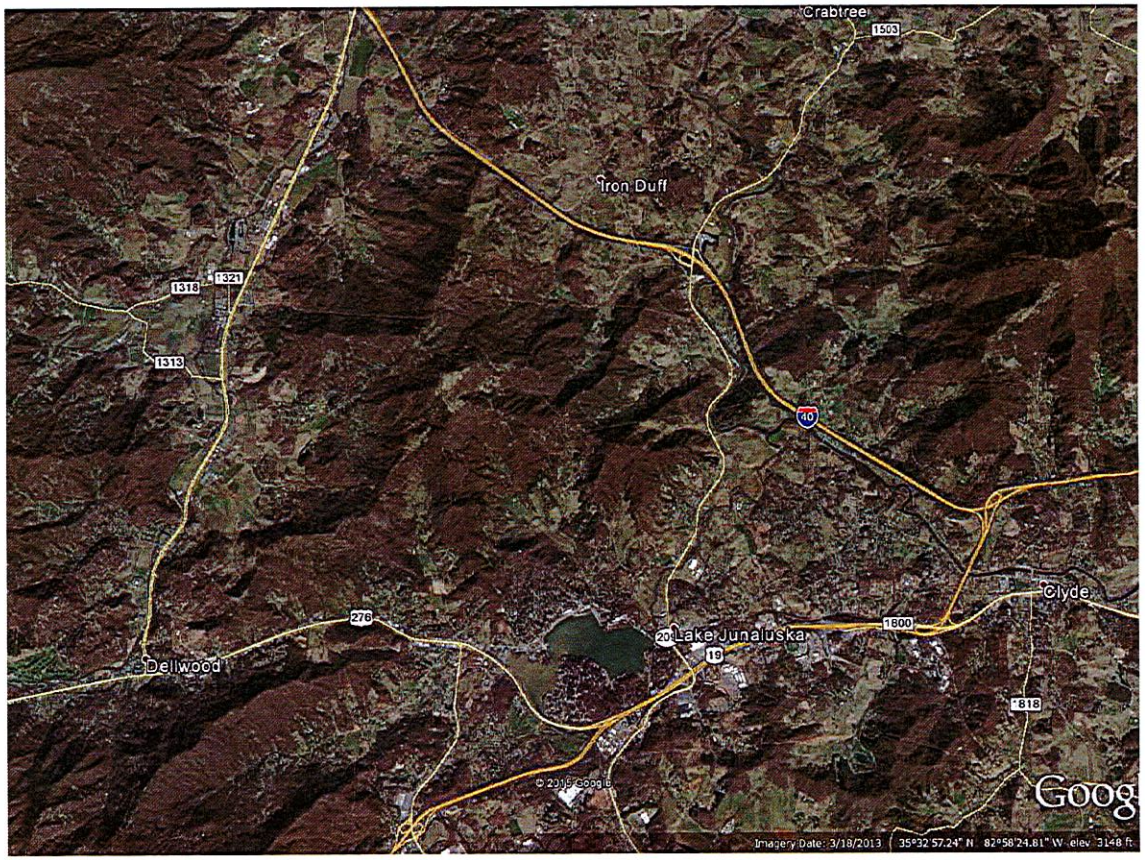
GARYPENNINGTON@PENNLAWFIRM.COM

BACKGROUND

LAKE JUNALUSKA

NETWORK OBJECTIVE

- ***Verizon Wireless's goal is to maintain its standard level of coverage throughout its licensed area, including Haywood County.***
- ***A gap in coverage exists (the "intended coverage area"):***
  - North of Highway 19
  - South of Interstate 40
  - East of Highway 276

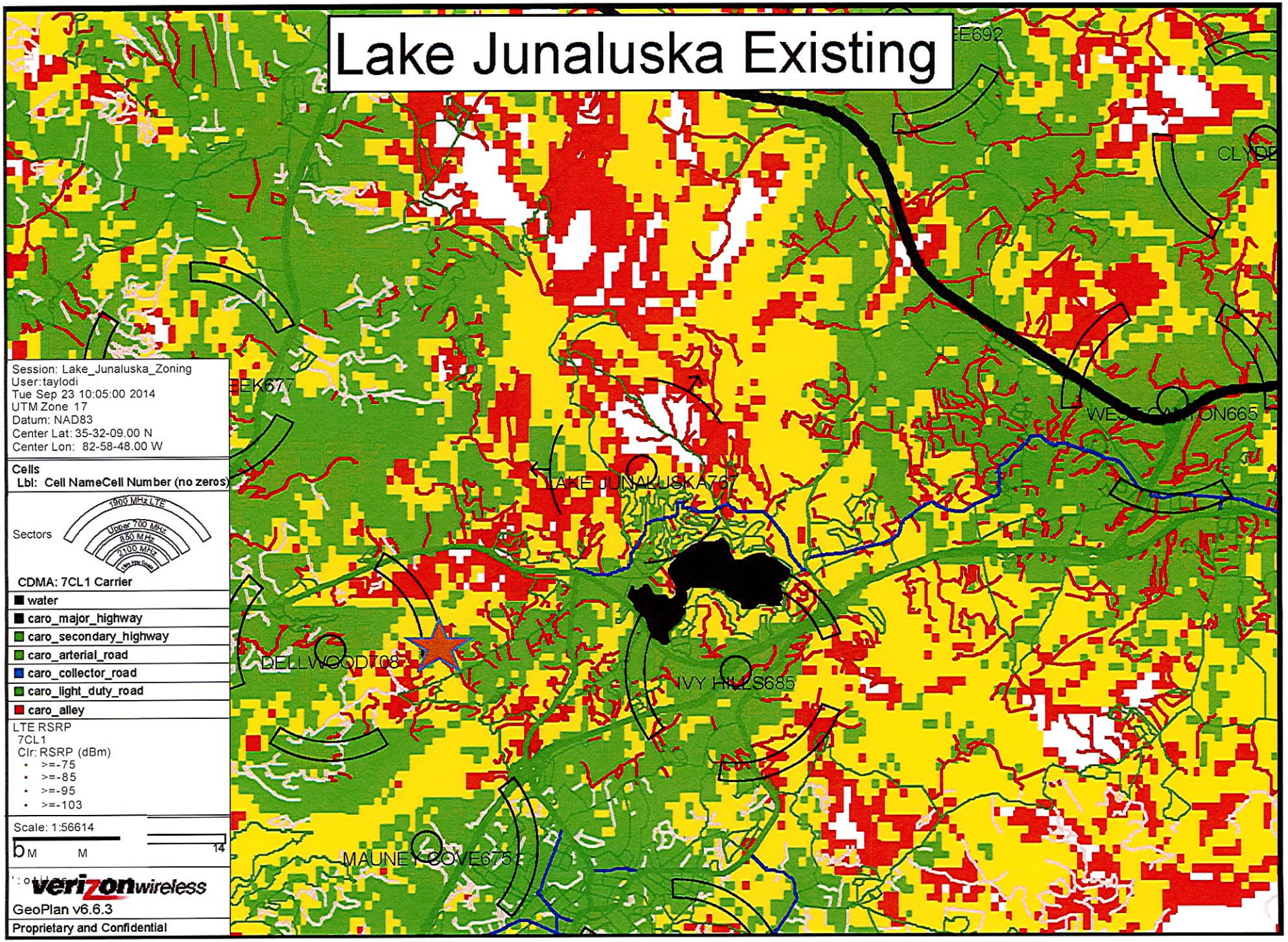


NETWORK OBJECTIVE

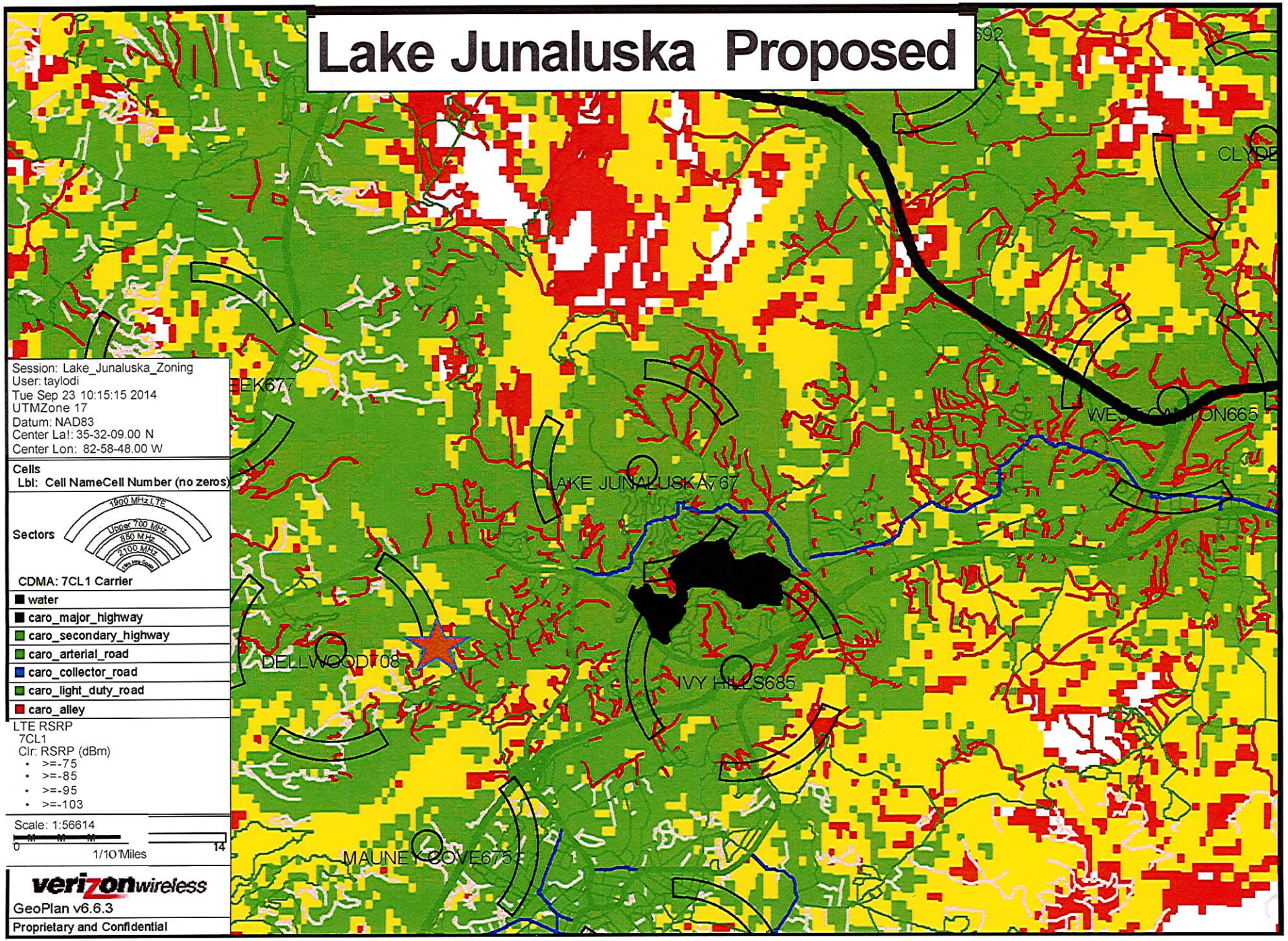
- ***Intended coverage area presently covered by Verizon Wireless' "Ivy Hills" and "West Canton" sites.***

- ***Existing Verizon Wireless Site Limitations:***
  - Ivy Hills site coverage limited due to elevation change North of Highway 16
  - West Canton site currently operating at full capacity

- ***New Wireless Telecommunications Facility Needed to Meet Network Objective:***
  - New facility will increase coverage between Highway 19 and Interstate 40
  - New facility will address capacity limitations at West Canton site
    - West Canton site thus able to provide better quality of coverage in all directions


Lake Junaluska Existing
Session: Lake_Junaluska_Zoning
User:taylodi
Tue Sep 23 10:05:00 2014
UTM Zone 17
Datum: NAD83
Center Lat: 35-32-09.00 N
Center Lon: 82-58-48.00 W
Cells
Lbl: Cell NameCell Number (no zeros)
Sectors
1900 MHz LTE
Upper 700 MHz
850 MHz
2100 MHz
CDMA: 7CL1 Carrier
water
caro_major_highway
caro_secondary_highway
caro_arterial_road
caro_collector_road
caro_light_duty_road
caro_alley
LTE RSRP
7CL1
Clr: RSRP (dBm)
>=-75
>=-85
>=-95
>=-103
Scale: 1:56614
verizonwireless
GeoPlan v6.6.3
Proprietary and Confidential
LAKE JUNALUSKA767
DELLWOOD708
IVY HILLS685
MAUNEY COVE675
CLYDE
WEST CANTON665

Lake Junaluska Proposed



Session: Lake_Junaluska_Zoning
User: taylodi
Tue Sep 23 10:15:15 2014
UTMZone 17
Datum: NAD83
Center La!: 35-32-09.00 N
Center Lon: 82-58-48.00 W

Cells
Lbl: Cell NameCell Number (no zeros)

Sectors

1900 MHz LTE
Upper 700 MHz
850 MHz
2100 MHz
Very Low Band

CDMA: 7CL1 Carrier

- water
- caro_major_highway
- caro_secondary_highway
- caro_arterial_road
- caro_collector_road
- caro_light_duty_road
- caro_alley

LTE RSRP
7CL1
Clr: RSRP (dBm)
- >=-75
- >=-85
- >=-95
- >=-103

Scale: 1:56614
0 1/10 Miles 14

verizonwireless
GeoPlan v6.6.3
Proprietary and Confidential

INABILITY TO COLLOCATE

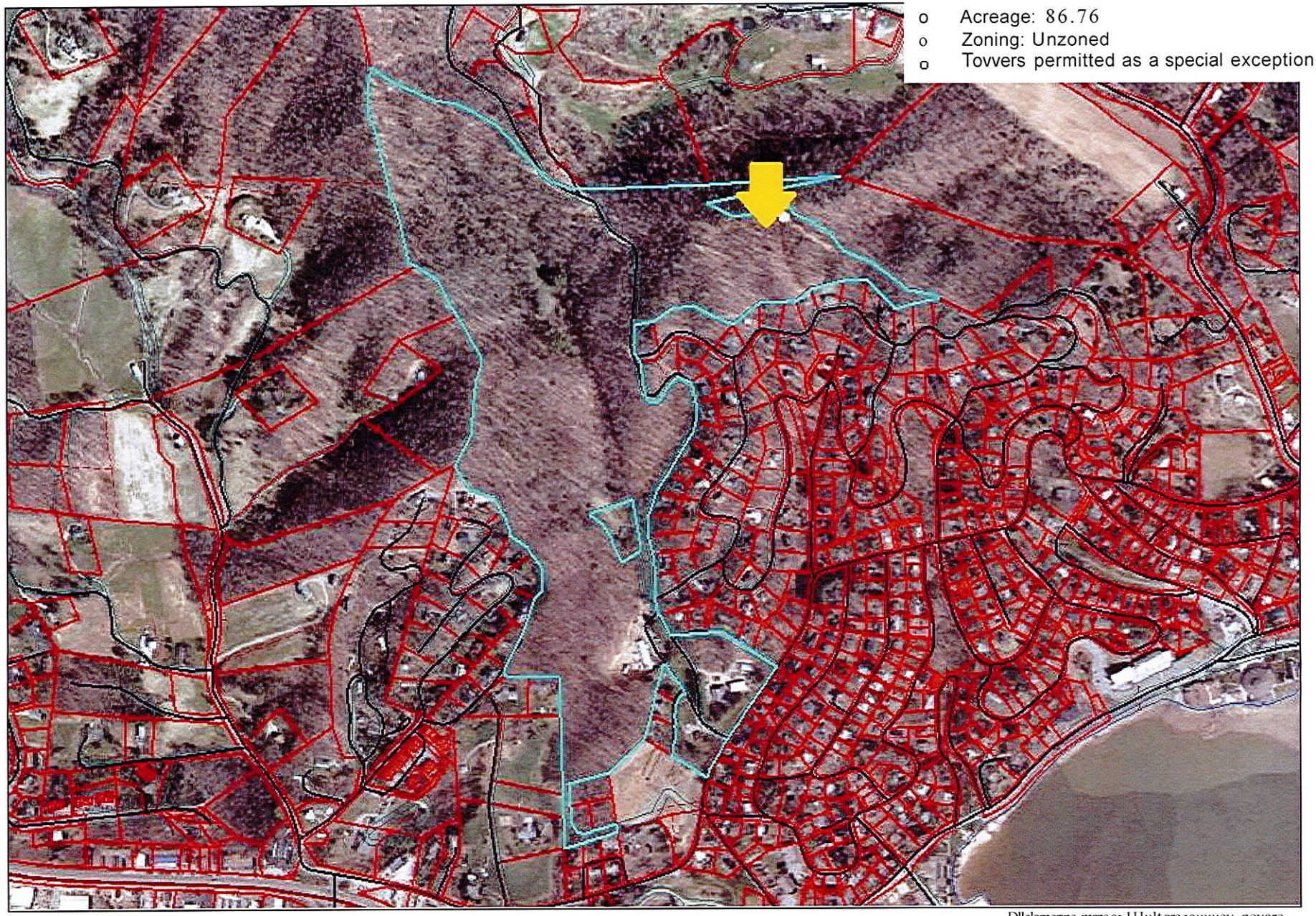
- ***Proposed new wireless telecommunications facility cannot feasibly be collocated***
  - There are no existing or approved towers, buildings or alternative structures more than 30' feet in height within ¼ mile radius of the proposed tower [115.43]
  - There are no electric transmission towers located above or no less than 25' feet below the ground elevation of and within ¼ mile radius of the proposed telecommunications tower site [115.42]
- ***New telecommunications tower required***
- ***Proposed facility, with telecommunications tower, cannot be located on public property***
  - There are no properties owned by Haywood County, or by instrumentalities thereof located within the search area [115.25]

PREVIOUS APPLICATION

- ***Special Use Permit application for the proposed Lake Junaluska wireless telecommunications facility submitted in 2009***
- ***Variance application also submitted***
  - Required tower fall zone setback encroached on adjacent property to the North by 25'4"
- ***Haywood County Board of Commissioners approved both applications in 2009***
- ***Lake Junaluska facility was not constructed***
- ***Special Use Permit expired, making it necessary to reapply***
- ***New Variance required***
  - Tower location moved 12'6" to the South 12'3" to the West from initially proposed location
  - Resulting required tower fall zone setback encroachment is reduced to 16'5"

The Site

LAKE JUNALUKSA



0

1 inch - 667 feet
July 5, 2015

Haywood County

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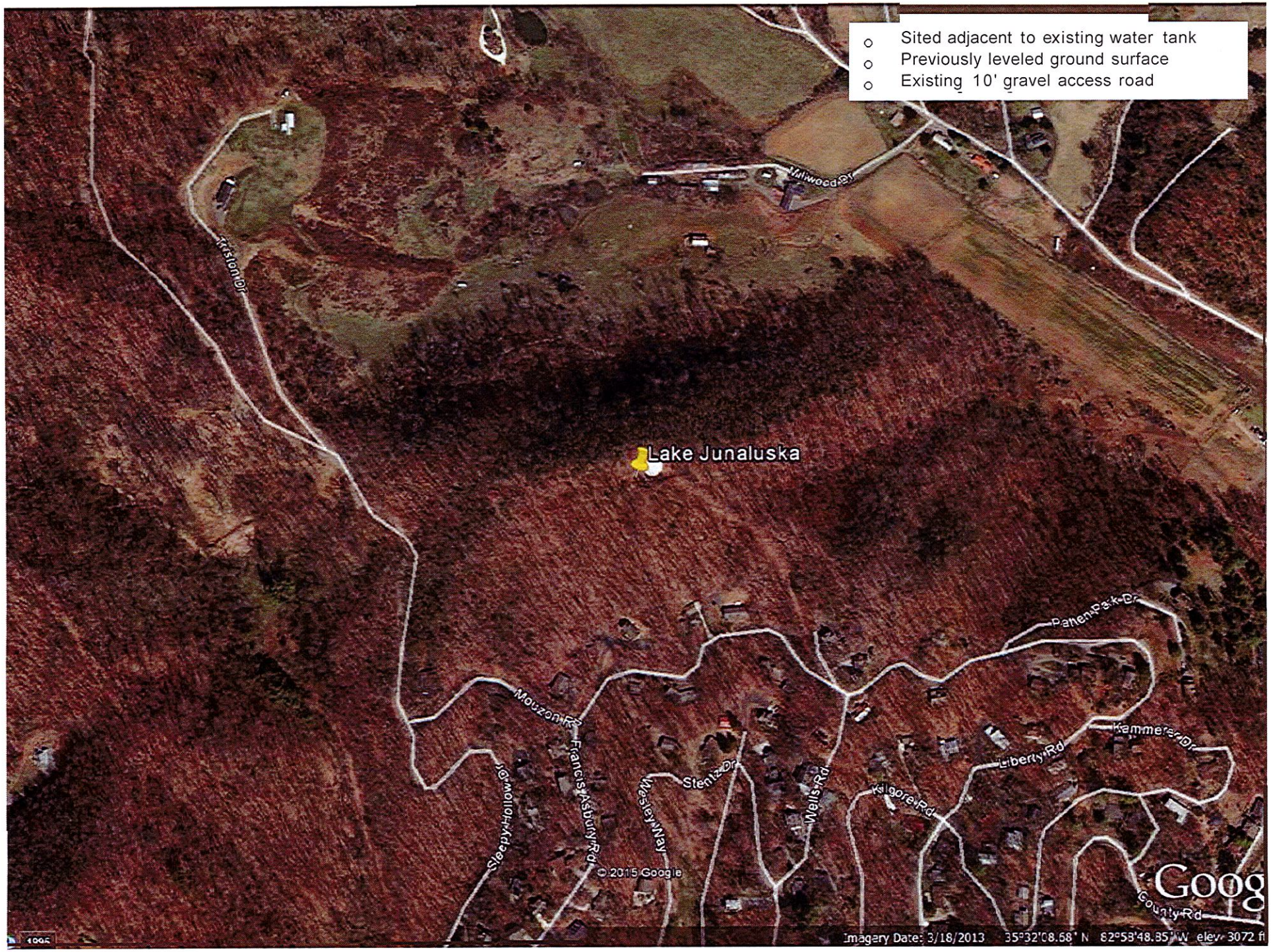
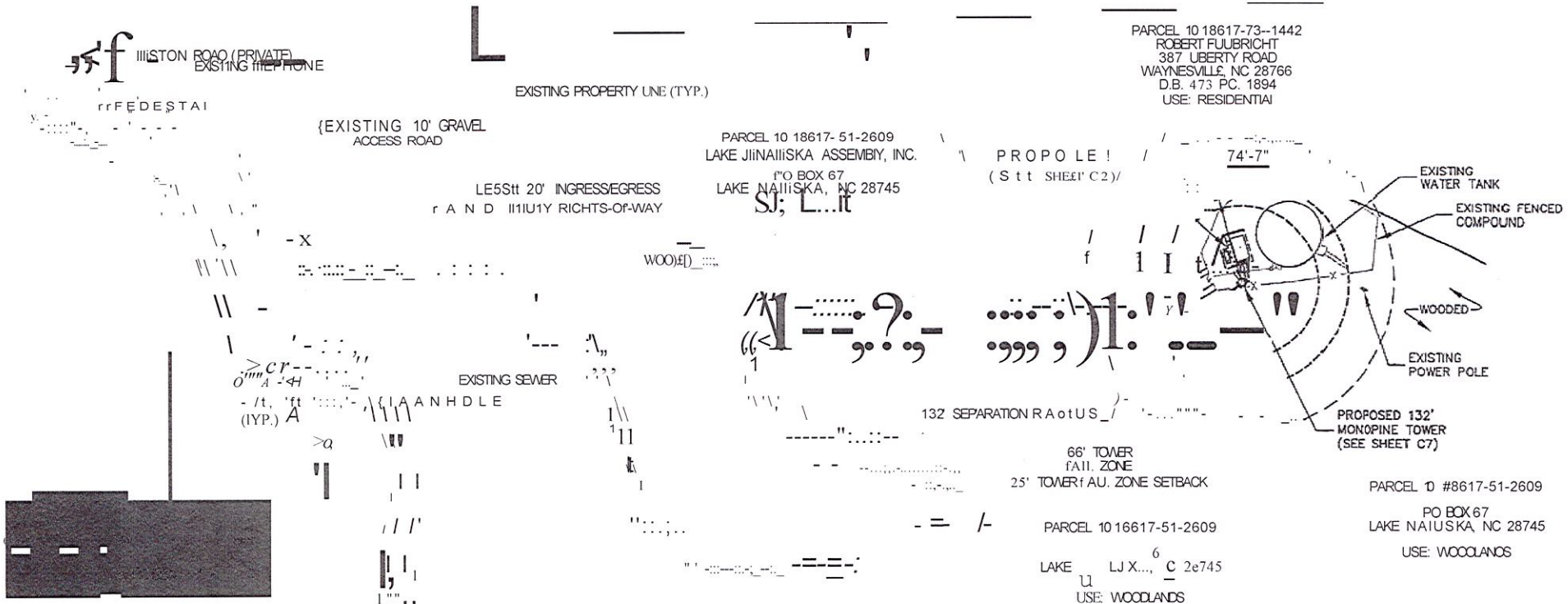
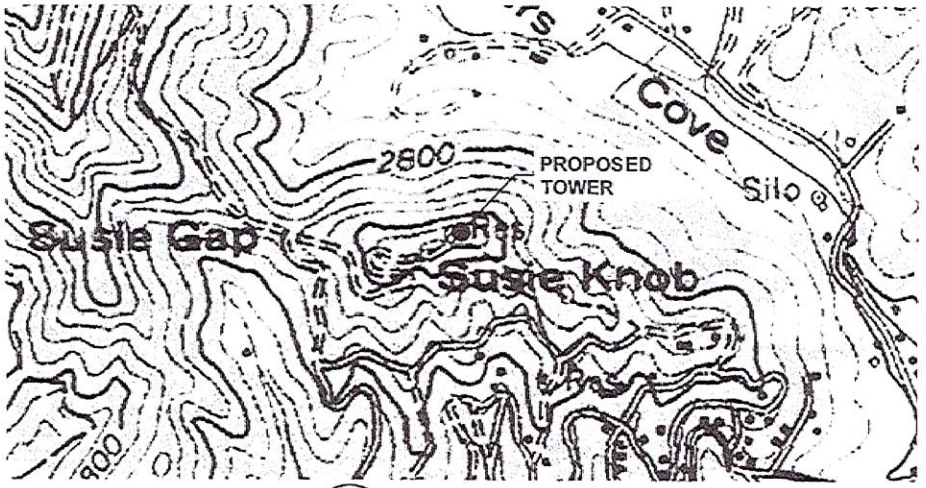

Sited adjacent to existing water tank
Previously leveled ground surface
Existing 10' gravel access road
Lake Junaluska
Milwood Dr
Kristen Dr
Patten Park Dr
Mouzon Rd
Francis Asbury Rd
Sleepy Hollow Dr
Stentz Dr
Wesley Way
Wells Rd
Kilgore Rd
Liberty Rd
Kammerer Dr
County Rd
© 2015 Google
Imagery Date: 3/18/2013 35°32'08.68" N 82°53'48.85" W elev 3072 ft



SURVEY NOTE:
1. VERIZON \\RELEss STAff SHALL COORDINAlt MTH THE PROPERTY OWNER AND/OR TOWER OWNER TO OBTAIN THE PROTER EASEMENT AGREEIAENTS TO CONSIRUCT AND IAAINTAIH EQUIPMENT IN AND AROUND THE TOWER COoPOUNO.
2. PROPOSED COoPOOND LAYOUT BASED ON SURVEY PROVIDED BY EDWARD L. KILLOUGH DATED 2/24/09 AND SITE VISIT ON 12/.I/08.

1 C1 OVERALL SITE PLAN
SCALE : 1" = 100'



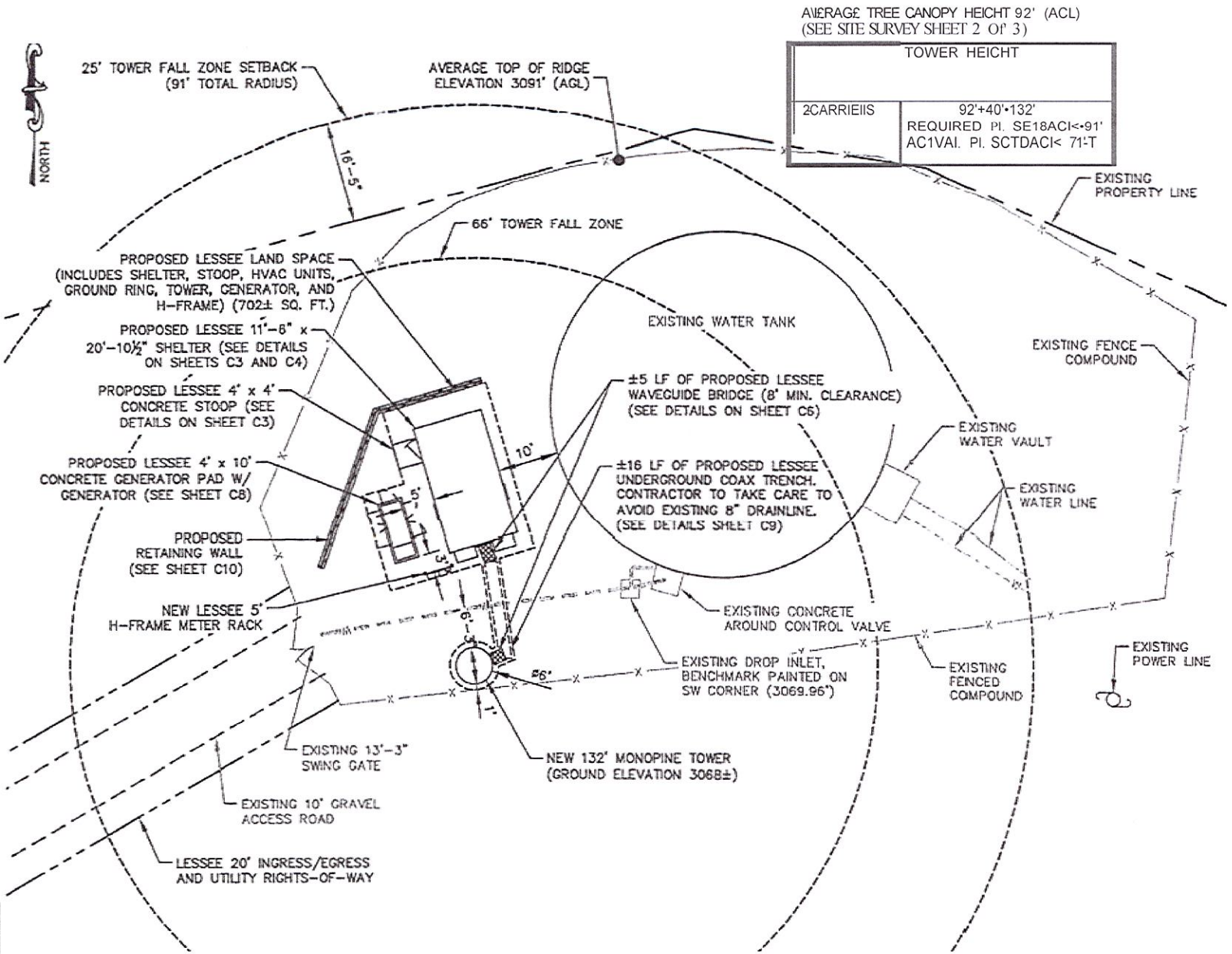
2 C1 USGS MAP
SCALE : NTS

LAIIIUDE: 35' 32' 8.6' N
LONGI11UDE 82' 58' 4&8" W
GROUND ELEVA1ION: J069.J' (NAVD8B)

•NO STREAMS IN FALL ZONE
...ROPOSEO IAONOP NE TOWER IS LOCATED ON PROTECTED IAOUNTA N RIDGE SURROUNDED BY DENSE WOODS/ VEGETATIVE CANOPY (SEE ATTACHED AERI PHOTOGRAPH)

The Facility

LAKE JUNALUSKA



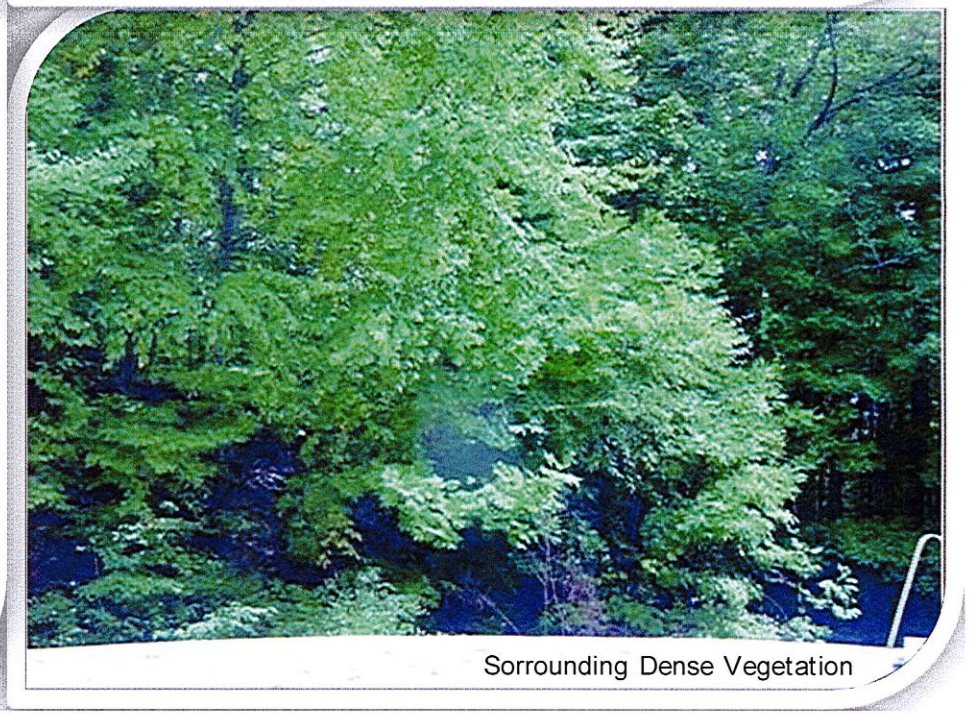
1/C2 SITE PLAN

SCALE : 1" =20'

Access

Existing Water Tank and Fence

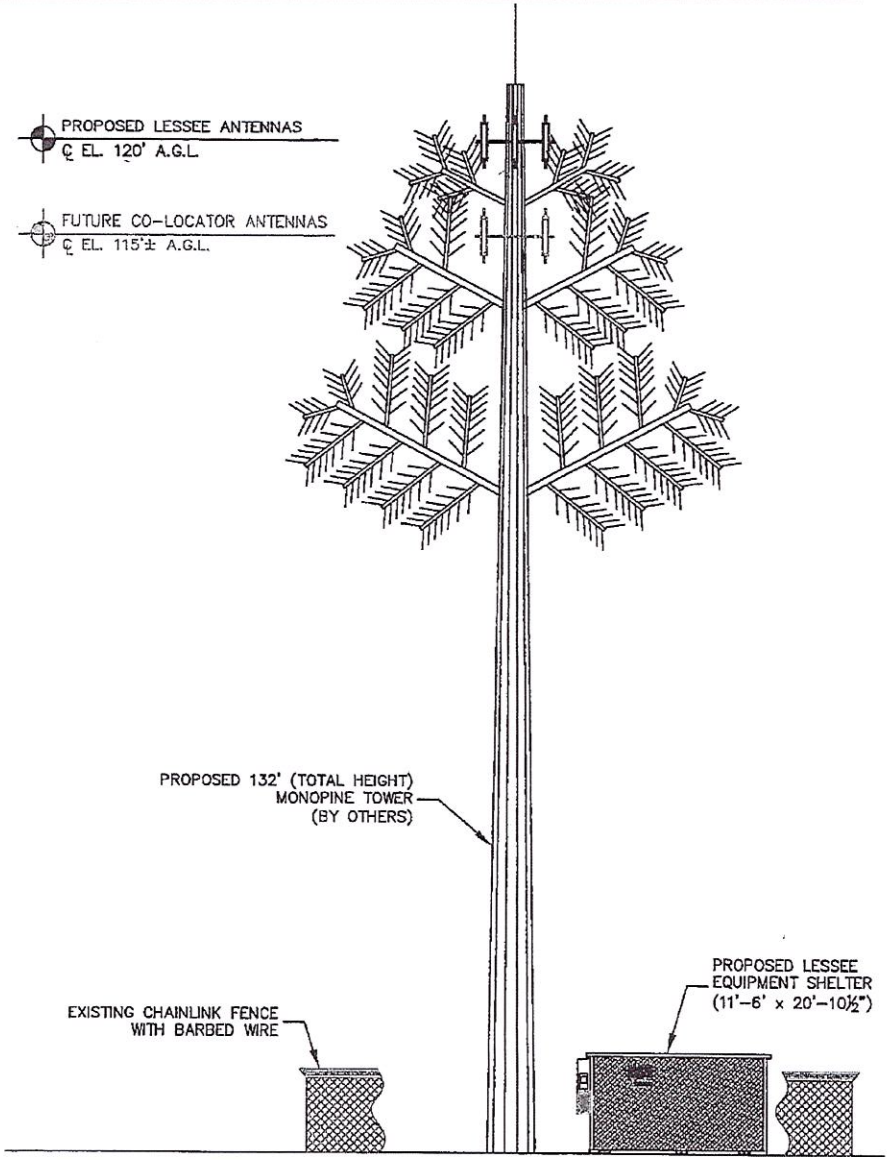
Existing Fense

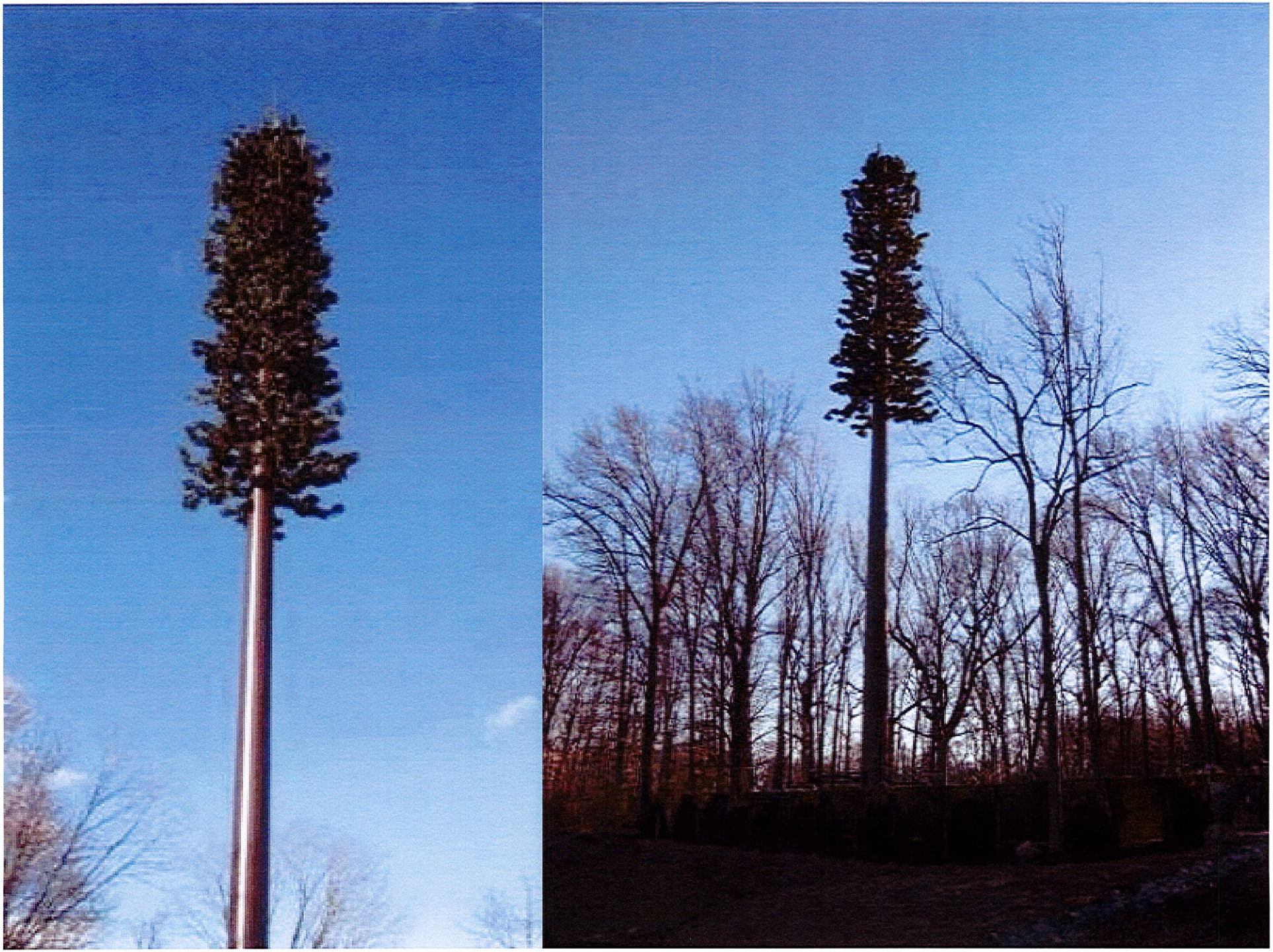


Sorrounding Dense Vegetation

THE TOWER

- ***"Monopine"-type tower***
  - Towers and antennas shall be designed to blend into the surrounding environment [115.47(A)]
- ***132' in overall height***
  - Tower - 128'
  - Lightning rod - Up to 4'
- ***Will <u>not</u> be lighted***
- ***Designed to accommodate one (1) future co-locator***
- ***Designed according to ANSI/TIA-222-G-2005 standards***





VARIANCE

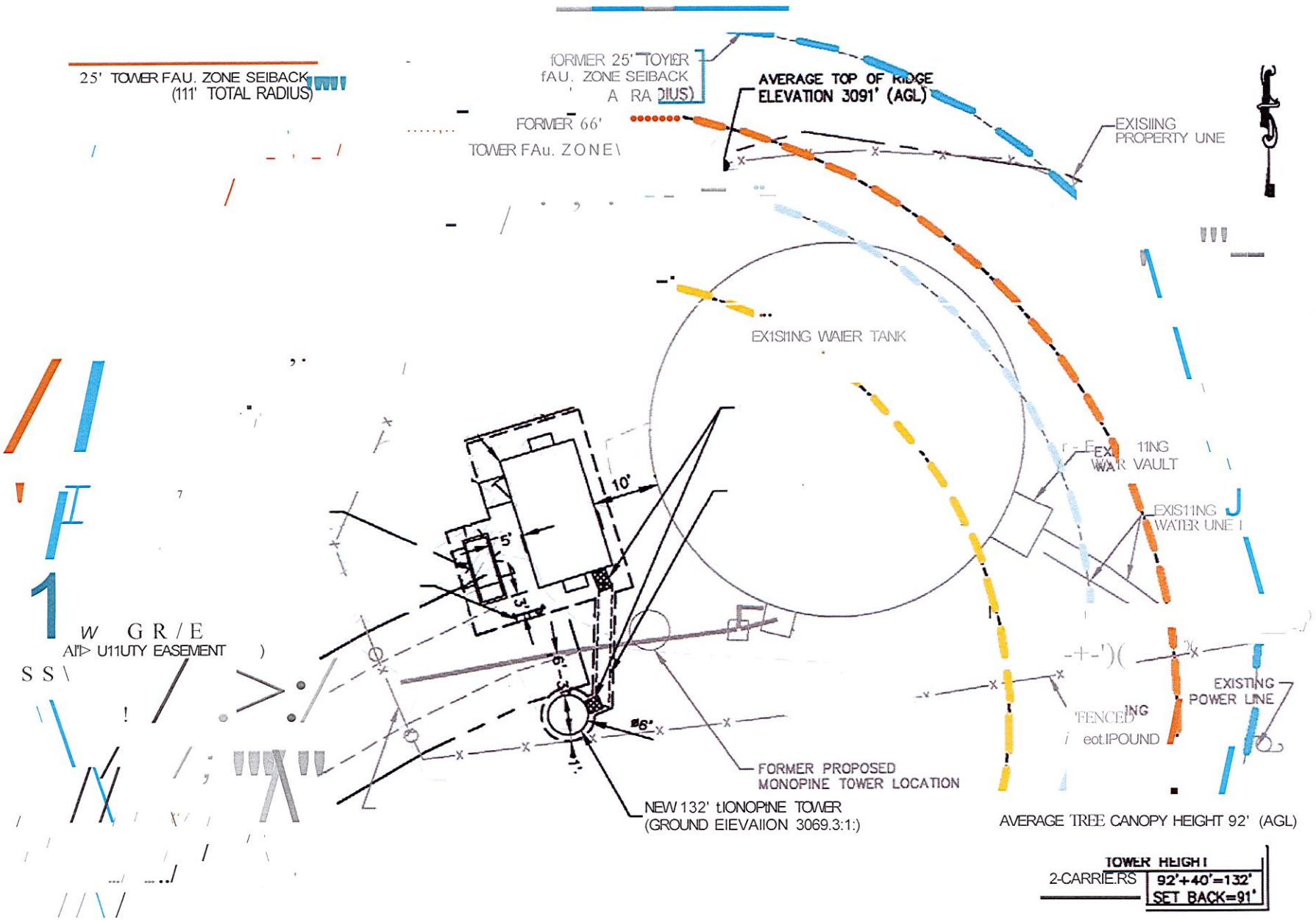
LAKE JUNALUSKA

FALL ZONE AND SETBACK

- ***Required tower setback = ½ tower height + 25'***
  - A fall zone clear of any buildings on the parcel containing the tower site (other than equipment enclosures associated with the wireless telecommunication facility) equal to ½ of the tower height shall be required [115.48]
  - The fall zone shall have a minimum 25' foot setback from all lot lines [115.48]
- ***Required setback for the proposed tower from all property lines is 91'***
  - Proposed tower height = 132'
  - Required fall zone = 132 / 2 = 66'
  - Required tower setback = 66' + 25' = 91'

VARIANCE REQUIRED

- ***Variance required for the Northern property line tower setback***
  - Tower setback from Northern property line = 74'7"
  - Required tower setback encroaches on the adjacent property to the North by 16'5"
- ***Proposed tower setback encroachment reduced***
  - Previously granted variance for the Lake Junaluska facility was for an encroachment of 25'4"
- ***Owners of the adjacent property to the North - Robert Fulbright and Patricia Fulbright – consent to encroachment and support application for variance***


25' TOWER FAU. ZONE SEIBACK
(111' TOTAL RADIUS)
fORMER 25' TOYER
fAU. ZONE SEIBACK
A RA DIUS)
FORMER 66'
TOWER FAu. ZONE\
AVERAGE TOP OF RIDGE
ELEVATION 3091' (AGL)
EXISIING
PROPERTY UNE
EX1SI1NG WAIER TANK
EX 11NG
WAR VAULT
EXIS11NG
WATER UNE
10'
5'
3'
6'
3'
1'
ø6'
W GR/E
AI'I> U11UTY EASEMENT
S S \
EXISTING
POWER LINE
'FENCED ING
eot.IPOUND
FORMER PROPOSED
MONOPINE TOWER LOCATION
NEW 132' tIONOPtNE TOWER
(GROUND EIEVAIION 3069.3:1:)
AVERAGE TREE CANOPY HEIGHT 92' (AGL)
TOWER HEIGHT
2-CARRIE.RS
92'+40'=132'
SET BACK=91'