

A G E N D A

JAMES CITY COUNTY BOARD OF SUPERVISORS

County Government Center Board Room

January 12, 2010

7:00 P.M.

A. ROLL CALL

B. MOMENT OF SILENCE

C. PLEDGE OF ALLEGIANCE – Emily Crawford, a fourth-grade student at Rawls Byrd Elementary School

D. PUBLIC COMMENT

E. CONSENT CALENDAR

1. Minutes – December 8, 2009, Regular Meeting
2. Grant Award – Citizens Corps Program - \$24,000
Supports County's Strategic Pathway 1.d - develop and promote revenue alternatives to property taxes
3. Grant Award – Local Emergency Management Performance Grant (LEMPG) - \$34,692
Supports County's Strategic Pathway 1.d - develop and promote revenue alternatives to property taxes
4. Grant Award – Radiological Emergency Preparedness Funds - \$50,000
Supports County's Strategic Pathway 1.d - develop and promote revenue alternatives to property taxes
5. Grant Appropriations – Clerk of the Circuit Court – \$131,109
Supports County's Strategic Pathway 1.d - develop and promote revenue alternatives to property taxes

F PUBLIC HEARINGS

1. Pre-Budget Public Hearing
2. Case No. SUP-0024-2009. Hospice House WCF Tower
3. Case No. SO-0001-2009. Subdivision Ordinance Amendment

G. PUBLIC COMMENT

H. REPORTS OF THE COUNTY ADMINISTRATOR

I. BOARD REQUESTS AND DIRECTIVES

-CONTINUED-

J. CLOSED SESSION

1. Consideration of a personnel matter, the appointment of individuals to County boards and/or commissions pursuant to Section 2.2-3711(A)(1) of the Code of Virginia
 - a. Historical Commission
 - b. Planning Commission

K. RECESS to 8 a.m. on January 23, 2010

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AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 8TH DAY OF DECEMBER 2009, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

James G. Kennedy, Chairman, Stonehouse District
Mary Jones, Vice Chair, Berkeley District
Bruce C. Goodson, Roberts District
James O. Icenhour, Jr., Powhatan District
John J. McGlennon, Jamestown District

Sanford B. Wanner, County Administrator
Leo P. Rogers, County Attorney

B. MOMENT OF SILENCE

C. PLEDGE OF ALLEGIANCE – Emily Boyle, a third-grade student at D.J. Montague Elementary School, led the Board and citizens in the Pledge of Allegiance.

D. RECOGNITION

1. Chairman's Awards

a. Citizen

Mr. Kennedy recognized Mr. Jack Fraley and Ms. Julie Leverenz on behalf of the Steering Committee and Mr. Vaughn Poller on behalf of the Community Participation Team. He recognized the extensive work the volunteers put forth over 26 months to complete the 2009 Comprehensive Plan, *Historic Past, Sustainable Future*.

b. Employee

Mr. Kennedy recognized Ms. Edythe Stewart and Ms. Loren Scott on behalf of the employees of James City County and the James City Service Authority (JCSA) for persevering and continuing to provide services to County citizens in spite of budget reductions in 2009.

E. HIGHWAY MATTERS

Mr. Todd Halacy, Virginia Department of Transportation (VDOT) Williamsburg Residency Administrator, stated that he would be happy to answer questions of the Board.

Ms. Jones extended appreciation for quickly clearing an area on Legacy Drive of brush.

Mr. Icenhour thanked Mr. Halacy for repairing the potholes on News Road.

F. PRESENTATION

1. Annual Financial Report – Goodman and Company L.L.P.

Ms. Sue Mellen, Financial and Management Services Assistant Manager, introduced Mr. C. Frederick Westphal from Goodman and Company L.L.P. to present the annual financial report.

Mr. Westphal presented the results of the 2009 audit for James City County and JCSA. He recognized the Financial and Management Services staff, including Mr. John McDonald, Ms. Sue Mellen, and Ms. Tara Woodruff for their input and effort during the audit process. He commented on the Report of the Independent Auditor, which indicated that the County has been rendered a clean opinion. He recommended that the Board review the Management's Discussion and Analysis. He reviewed the government-wide financial statements and noted the cost of pension and other post-employment benefits (OPEB) for employees during the actual term of employment included in the statement, which was a new element for 2009. He highlighted the general fund activity statements and the fund balance.

G. PUBLIC COMMENT

1. Mr. Ed Oyer, 139 Indian Circle, commented on the recent shooting at Fort Hood, thanked Mr. Doug Powell for assisting him with clearing an area on Indian Circle, and wished the Board a happy holiday.

2. Mr. Howard Smith, 101 Dogwood Drive, asked that the Board reconsider the wireless communication facility (WCF) Special Use Permit (SUP) for Treasure Island Road and the County's WCF policy. He reviewed the policy and recommended these points be reconsidered in relation to the WCF proposed at Treasure Island Road.

H. CONSENT CALENDAR

Mr. McGlennon made a motion to adopt the items on the Consent Calendar as amended.

On a roll call vote, the vote was AYE: Goodson, Jones, McGlennon, Icenhour, Kennedy (5). NAY: (0).

1. Minutes –
 - a. November 10, 2009, Special Work Session Meeting
 - b. November 10, 2009, Regular Meeting
 - c. November 24, 2009, Work Session
 - d. November 24, 2009, Regular Meeting

2. Rescind Declaration of Local Emergency

RESOLUTION

DECLARATION OF A LOCAL EMERGENCY RESCINDED

WHEREAS, the Board of Supervisors of James City County, Virginia, does hereby find that due to the predicted effects of the 2009-11 Rain Event, the County faced dangerous conditions of sufficient severity and magnitude to warrant coordinated local government action to mitigate the damage, loss, hardship, or suffering threatened or caused thereby; and

WHEREAS, a condition of extreme peril of life and property necessitated the declaration of the existence of an emergency; and

WHEREAS, the effects of the 2009-11 Rain Event have been mitigated by James City County.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, pursuant to Section 44-146.21 of the Code of Virginia, 1950, as amended, that the Declaration of a Local Emergency dated November 12, 2009, by Sanford B. Wanner, Director of Emergency Management for James City County, is rescinded.

3. Chesapeake Bay Preservation Ordinance Violation – Civil Charge – Scott and Brandi Brand, 3657 Bridgewater Drive, Mill Creek Landing

RESOLUTION

CHESAPEAKE BAY PRESERVATION ORDINANCE VIOLATIONS – CIVIL CHARGE –

SCOTT AND BRANDI BRAND, 3657 BRIDGEWATER DRIVE, MILL CREEK LANDING

WHEREAS, Scott and Brandi Brand of 3657 Bridgewater Drive, Settlers Mill, are the owners of a certain parcel of land commonly known as 3657 Bridgewater Drive, Williamsburg, Virginia, designated as Parcel No. 3841760010, within James City County's Real Estate system, herein referred to as the ("Property"); and

WHEREAS, on or about June 22, 2009, Scott and Brandi Brand caused the removal of vegetation from within a Chesapeake Bay Preservation Area (CBPA) on the Property; and

WHEREAS, Scott and Brandi Brand have executed a Chesapeake Bay Restoration Agreement with the County agreeing to install native canopy trees, native understory trees and native shrubs within Resource Protection Area (RPA) on the Property in order to remedy a violation of the County's Chesapeake Bay Preservation Ordinance and have posted sufficient surety guaranteeing the installation of the aforementioned improvements and the restoration of the RPA on the Property; and

WHEREAS, Scott and Brandi Brand have agreed to pay a total of \$1,000 to the County as a civil charge under the County's Chesapeake Bay Preservation Ordinance; and

WHEREAS, the James City County Board of Supervisors is willing to accept the restoration of the impacted area and the civil charge in full settlement of the Chesapeake Bay Preservation Ordinance violation, in accordance with Section 23-18 of the Code of the County of James City.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes and directs the County Administrator to accept the \$1,000 civil charge from Scott and Brandi Brand, as full settlement of the Chesapeake Bay Preservation Ordinance Violations at the Property.

4. Contract Award – James City County/Williamsburg Community Center Parking Lot Asphalt Repairs – \$118,786

RESOLUTION

CONTRACT AWARD – JAMES CITY COUNTY/WILLIAMSBURG COMMUNITY CENTER

PARKING LOT ASPHALT REPAIRS – \$118,786

WHEREAS, bids were advertised for the repair of the asphalt parking lot at the James City County/Williamsburg Community Center; and

WHEREAS, five bids were considered for award and E. W. Muller Contractor, Inc. was the lowest responsive and responsible bidder with a bid of \$118,786; and

WHEREAS, funds are available in the current Capital Improvements Program (CIP) budget for this project.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the County Administrator to execute a contract in the amount of \$118,786 with E. W. Muller Contractor, Inc., for the repair of the asphalt parking lot at the James City County/Williamsburg Community Center.

5. Contract Award – Two Rigid Hull Inflatable Boats and Trailers – Police Department

RESOLUTION

CONTRACT AWARD – TWO RIGID HULL INFLATABLE BOATS AND TRAILERS –

POLICE DEPARTMENT

WHEREAS, bids were advertised for two Rigid Hull Inflatable Boats and Trailers for Police Department use; and

WHEREAS, five bids were considered for award and Ribcraft was the lowest responsive and responsible bidder with a bid of \$109,892; and

WHEREAS, funds are available through the Port Security Grant Program of the Virginia Department of Emergency Management for this award.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the County Administrator to execute a contract in the amount of \$109,892 with Ribcraft for two Rigid Hull Inflatable Boats and Trailers.

6. Williamsburg-James City County Schools “Safe Routes to School” Grant Application

RESOLUTION

WILLIAMSBURG-JAMES CITY COUNTY (WJCC) SCHOOLS “SAFE ROUTES TO SCHOOL” GRANT APPLICATION

WHEREAS, the James City County Board of Supervisors recognizes that there is a significant need for pedestrian safety improvements, especially concerning school children; and

WHEREAS, the James City County Board of Supervisors supports pedestrian safety programs and infrastructure improvements; and

WHEREAS, the Williamsburg-James City County (WJCC) Schools has proposed the undertaking of a variety of projects designed to increase the number of children who walk and bike safely to and from school.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby supports the WJCC Schools submission of the School Travel Plan and subsequent grant application to the Virginia Department of Transportation (VDOT) and will provide support during the execution of proposed infrastructure projects.

7. Eastern State Hospital Downsizing

RESOLUTION

EASTERN STATE HOSPITAL DOWNSIZING

WHEREAS, the Colonial Services Board (CSB) has been created by the counties of James City and York, and by the cities of Poquoson and Williamsburg as a Community Services Board under the authority provided to each by Chapters 10 and 11 of the Code of Virginia; and

WHEREAS, Chapter 37 of the Code of Virginia defines the responsibility for designating facilities to provide safety net services in the civil commitment process to the Commissioner of the Department of Behavioral Health and Developmental Services (DBHDS); and

WHEREAS, Eastern State Hospital has long served as the primary safety net for consumers through provision of acute and long-term psychiatric inpatient for individuals with mental disabilities; and

WHEREAS, Eastern State Hospital is building a new Adult Mental Health Facility that will reduce current non-geriatric adult inpatient bed capacity from in excess of 200 to 145 prior to August 2010 and civil admission capacity at Eastern State Hospital will virtually be eliminated as a result of this process; and

WHEREAS, the CSB requested in 2008 that a moratorium be placed on Eastern State Hospital downsizing until a reasonable process that included adequate and sustainable State-administered funding, and a reasonable time frame for building community service capacity to meet the needs of persons previously institutionalized; and

WHEREAS, the 2008 request has not been honored by the Commonwealth of Virginia, despite the requirements for a community consensus and planning team as defined under §37.1-48.2 of the Code of Virginia; and

WHEREAS, adequate community mental health capacity or funding does not exist today, nor can it now be developed by August 2010; and

WHEREAS, State-administered funds for Community Services Boards are being reduced at the same time these additional responsibilities are being imposed upon them; and

WHEREAS, the Code-defined safety net function of the DBHDS Commissioner is being administratively altered in a manner that will create unnecessary risk for individuals, families, agencies, and communities.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby opposes this unfunded and inadequately-planned downsizing of Eastern State Hospital.

BE IT FURTHER RESOLVED that the Board of Supervisors calls upon the Governor-Elect and General Assembly members representing Hampton Roads to convene discussions immediately to develop a responsible plan for Eastern State Hospital downsizing that focuses on the development of sufficiently-funded community-based services, including practical time frames for development of these services.

- 8. American Reinvestment and Recovery Act Project (ARRA) Overlay/Resurfacing Various Routes County Wide – \$518,394

RESOLUTION

AMERICAN REINVESTMENT AND RECOVERY ACT PROJECT (ARRA)

OVERLAY/RESURFACING VARIOUS ROUTES COUNTY WIDE (UPC # 95044) - \$518,394

WHEREAS, on October 27, 2009, the County/State Project Administration Agreement for Federal Aid Projects was adopted to authorize the County Administrator to execute the Project Administration Agreement for the Overlay/Resurfacing contract (UPC # 95044); and

WHEREAS, the appropriation of these funds will allow the award of contract for the UPC # 95044 project.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby amends the FY 2010 Special Projects/Grant Fund for the purpose indicated:

Overlay/Resurfacing (UPC # 95044)	\$518,394
Route 60 East Improvements	(\$518,394)

Mr. Kennedy recognized Planning Commissioners Mr. Joe Poole and Mr. Chris Henderson in attendance.

I. PUBLIC HEARINGS

- 1. Case No. SUP-0022-2009. King of Glory Lutheran Church SUP Amendment

Mr. Jose Ribiero, Senior Planner, stated Mr. Matthew Connolly has applied for an SUP to amend the adopted SUP conditions for King of Glory Lutheran Church (SUP-0019-2007) to allow the placement of two modular buildings and expand the church’s accessory uses onto recently acquired 4881 Longhill Road, previously the site for Crossroads Youth Home. This site will be incorporated into the existing church property and allow the church to utilize the existing buildings for office use, group meetings space, and Sunday school activities. Houses of Worship are a specially permitted use in the R-2 district. An SUP is required since the changes in use represent an expansion to a specially permitted use.

Staff found the proposed additions consistent with the surrounding zoning and development and consistent with the Comprehensive Plan.

At its meeting on November 4, 2009, the Planning Commission recommended approval of this SUP amendment request by a vote of 5-0 (Mr. George Billups and Mr. Reese Peck - absent).

Staff recommended approval of the resolution as amended.

Mr. Kennedy opened the Public Hearing.

As no one wished to speak to this matter, Mr. Kennedy closed the Public Hearing.

Mr. Goodson made a motion to adopt the resolution as amended.

On a roll call vote, the vote was AYE: Goodson, Jones, McGlennon, Icenhour, Kennedy (5). NAY: (0).

RESOLUTION

CASE NO. SUP-0022-2009. KING OF GLORY LUTHERAN CHURCH SUP AMENDMENT

WHEREAS, the Board of Supervisors of James City County has adopted by ordinance specific land uses that shall be subjected to a Special Use Permit (SUP) process; and

WHEREAS, Mr. Matthew Connolly has requested an SUP amendment to allow the placement of two modular buildings and accessory uses at parcels located at 4881 and 4897 Longhill Road, zoned R-2, General Residential, and further identified as James City County (JCC) Real Estate Tax Map Parcel Nos. 3240100032 and 3240100033; and

WHEREAS, the proposed development is shown on a plan prepared by LandTech Resources, Inc, dated September 23, 2009, revised on October 27, 2009 (the "Master Plan"), and entitled "Master Plan of Property Situated at 4881 and 4897 Longhill Road JCC-SUP-0022-2009 King of Glory Lutheran Church SUP Amendment"; and

WHEREAS, a public hearing was advertised, adjoining property owners notified, and a hearing held on Case No. SUP-0022-2009; and

WHEREAS, the Planning Commission, following its public hearing on November 4, 2009, voted 5-0 to recommend approval of this application; and

WHEREAS, the Board of Supervisors of James City County, Virginia, finds this use to be consistent with the 2003 and 2009 Comprehensive Plan Use Map designation for this site.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of Special Use Permit No. 0022-2009 as described herein with the following conditions:

1. Master Plan: This SUP amends the adopted SUP conditions for JCC Case No. SUP-0019-2007 and allow the placement of two modular units and accessory uses on properties located on JCC Real Estate Tax Parcel Nos. 3240100032 and 3240100033, more commonly known as 4881 and 4897 Longhill Road (the "Properties"). Development of the Properties shall be generally in accordance with the Master Plan entitled "Master Plan of Property Situated at 4881 and 4897 Longhill Road JCC-SUP-0022-2009 King of Glory Lutheran Church SUP Amendment," prepared by Land Tech Resources, Inc., dated September 23, 2009, and revised on October 27, 2009 (the "Master Plan"), with such minor changes as the Development Review Committee determines does not change the basic concept or character of the development.

2. Boundary Line Extinguishment (BLE): Prior to final site plan approval, a plat showing the extinguishment of the common property line between parcels located at 4881 and 4897 Longhill Road must be submitted and approved by the County.
3. Water Conservation: The Owner shall be responsible for developing and enforcing water conservation standards to be submitted to and approved by the James City Service Authority (JCSA) prior to final site plan approval. The standards may include, but shall not be limited to, such water conservation measures as limitations on the installation and use of irrigation systems and irrigation wells, the use of approved landscaping materials including the use of water-conserving fixtures and appliances to promote water conservation and minimize the use of public water resources.
4. Irrigation: In the design phase, the developer and designing engineer shall include the design of stormwater systems that can be used to collect stormwater for outdoor water use for the entire development. In no circumstances shall well water or water supplied by the JCSA be used for irrigation, except as otherwise provided in the 2007 Water Conservation Guidelines approved by the Board of Supervisors.
5. Conceptual Stormwater Plan: Prior to submission of a site plan for the Property, a conceptual stormwater plan depicting how stormwater will be treated in the entire site (i.e., parcels located at 4881 and 4897 Longhill Road) shall be submitted to the Environmental Division for review and approval.
6. Entrance Plan: Prior to final site plan approval, an entrance plan addressing limited vehicular ingress and egress at the entrance to 4881 Longhill Road shall be submitted to the County for review and approval of the Planning Director and Virginia Department of Transportation (VDOT). The plan shall address signage and physical measures that will be installed to restrict access to and from the property and Longhill Road.
7. Landscaping: A landscaping plan shall be submitted and approved by the Planning Director or his designee prior to final site plan approval. The landscaping plan shall, at a minimum, address the requirements found in Zoning Ordinance Section 24-95, *Landscape Areas Adjacent to Buildings*.
8. Lighting: All new exterior light fixtures, including building lighting, on the Property, shall have recessed fixtures with no lens, bulb, or globe extending below the casing. In addition, a lighting plan shall be submitted to and approved by the Planning Director or his designee, which indicates no glare outside the property lines. All light poles shall not exceed 20 feet in height unless otherwise approved by the Planning Director prior to final site plan approval. "Glare" shall be defined as more than 0.1 footcandle at the boundary of the Property or any direct view of the lighting source from the adjoining properties.
9. Dumpsters/HVAC Units: All dumpsters and heating and cooling units visible from any public street or adjoining property shall be screened from view with landscaping or fencing approved by the Planning Director, or his designee, prior to final site plan approval.

10. Commencement of Construction: Construction on this project shall commence within 36 months from the date of approval of this SUP or this permit shall be void. Construction shall be defined as obtaining all the permits necessary to allow for occupancy of any of the existing buildings “A” through “H” as shown on the master plan (the “Master Plan”) or obtaining all the permits necessary for the construction of the modular units and the placement of the modular units on a foundation.
11. Severance Clause: This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

2. Vacation of a Portion of the Subdivision Plat for Fenwick Hills, Section Two, Right-of-Way for Colony Mill Road

Mr. Adam Kinsman, Deputy County Attorney, stated Fenwick Hills, LLC has applied to vacate a portion of right-of-way. It has been discovered that the recently updated County Resource Protection Area (RPA) buffer was encroaching into the previously approved layout for Section Four. Adjustments were made to keep the RPA buffer outside of proposed lots and the originally planned extension of Colony Mill Road had to be eliminated. Vacation of this portion of right-of-way is required prior to recording the subdivision plat for Section Four which is currently under review by the Planning Department. County staff has reviewed the request and has no objection to the vacation. There is no functional use of the right-of-way for streets or utilities. Staff recommended adoption of the attached vacation.

Mr. Kennedy opened the Public Hearing.

As no one wished to speak to this matter, Mr. Kennedy closed the Public Hearing.

Mr. McGlennon made a motion to adopt the ordinance amendment.

On a roll call vote, the vote was AYE: Goodson, Jones, McGlennon, Icenhour, Kennedy (5). NAY: (0).

J. PUBLIC COMMENT

1. Mr. Nicholas Klimenko, former Program Director and Instructor for the Center for Emergency Medical Services, commented that the facility was the only location permitted to administer courses for EMS professionals. He stated that the organization’s accreditation was suspended and there were many personnel and volunteers enrolled in the program who would now have to go elsewhere to take the courses at an additional cost. He stated that he has been working with the Virginia Department of Health to resume the classes. He stated that the State Code has been changed to require any variance from rules and regulations of the Virginia Department of Health be approved by the local governing body. He stated the Board has been given a resolution to allow for the classes to resume. He requested approval of the resolution.

Mr. Wanner stated that the Board has been provided a copy of Delegate Pogge’s letter related to this issue and a resolution has been provided if the Board wished to take action.

Mr. Goodson asked if the County Attorney staff has reviewed the document and if there was any notice required.

Mr. Rogers stated that staff had reviewed the document and advance notice was not required.

Mr. Kennedy asked Mr. Klimenko to remain in the Board room until the matter was considered in order to answer any questions.

2. Mr. Howard Smith, 101 Dogwood Drive, continued his comments related to the WCF policy. He commented that the proposed cellular tower imposed on the community character of the historic farm on Treasure Island Road.

K. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Wanner stated that he had been conducting citizen outreach efforts related to the upcoming budget process. He noted that on December 9, 2009, a citizen budget forum would be held in the Powhatan District at Warhill High School at 7 p.m. and the final forum would be held on December 10, 2009, in the Berkeley District at 7 p.m. at Jamestown High School. He noted that County offices would be closed on December 24 and 25, 2009, and January 1, 2010.

Mr. Wanner stated that the Board completed its Board Requests and Directives, and it should hold a Closed Session pursuant to Section 2.2-3711(A)(3) of the Code of Virginia for the consideration of acquisition of a parcel of property for public use. He recommended that the Board recess for a meeting of the JCSA Board of Directors prior to the Closed Session.

L. BOARD REQUESTS AND DIRECTIVES

Mr. Icenhour commented on citizen feedback from Black Friday. He stated that the citizens in the neighborhoods near Prime Outlets thanked Mr. Doug Powell and the Police Department for their efforts to minimize the impact of shoppers on the nearby communities. He stated the only recommended improvement the citizens suggested was to have them more involved in the planning process. He noted that he attended the James City County Citizens Coalition (J4C) informational forum on sea-level rise on December 1, 2009.

Ms. Jones thanked Mr. Powell for his efforts to prepare for Black Friday.

Mr. Kennedy thanked the Board for allowing him to serve as Chairman in 2009 and wished the Board and citizens a happy holiday.

Mr. McGlennon asked for more information on the resolution related to the variance. He asked for clarification that the instructor was teaching the courses and the facility lost its accreditation.

Mr. Klimenko stated that was correct. He stated it was related to the Board of Directors of the organization.

Mr. McGlennon asked if the variance was for Mr. Nicholas Klimenko or Nicholas Klimenko and Associates.

Mr. Wanner stated that he understood the variance was for Mr. Klimenko as an individual to continue teaching.

Mr. McGlennon stated that he would like to amend the resolution to remove the word “provide” from the third statement.

Mr. Klimenko stated that he hoped to have national accreditation in place before the next series of classes in the summer.

Mr. McGlennon asked if there was discussion with Thomas Nelson Community College (TNCC).

Mr. Wanner stated that this item came in late this afternoon and he had spoken directly with Delegate Pogge. He stated that he was confident that TNCC was in support of the resolution.

Mr. McGlennon asked that there would be a follow-up discussion with TNCC.

Mr. Kennedy noted that he had also spoken with Delegate Pogge and asked her to provide more information. He stated that he believed that follow-up should be done on this item.

Mr. Goodson stated that he would make a motion to adopt the resolution with the condition that if any irregularities were found, the action could be revisited at the next meeting.

On a roll call vote, the vote was AYE: Goodson, Jones, McGlennon, Icenhour, Kennedy (5). NAY: (0).

RESOLUTION

VARIANCE FOR CENTER OF EMERGENCY HEALTH SERVICES (CEHS) COURSES

WHEREAS, Nicholas Klimenko, former Program Director and Instructor with the Center of Emergency Health Services (CEHS) must be accredited in order to teach EMT Intermediate and Paramedic courses in the Commonwealth; and

WHEREAS, CEHS was the holder of the Program Accreditation for teaching the above named courses; and

WHEREAS, Nicholas Klimenko has the requisite training, certifications, and knowledge as a former accredited program to teach the Intermediate and Paramedic programs; and

WHEREAS, Nicholas Klimenko will apply to the Office of Emergency Medical Services for accreditation at the Intermediate level and apply to the Committee on Accreditation of Educational Programs for the Emergency Medical Services Professions (CoAEMSP) for accreditation at the Paramedic level; and

WHEREAS, the Instructor and the Office of Emergency Medical Services desire to cooperate to ensure that EMS courses which were suspended in September 2009 are allowed to continue in the best interest of the EMS personnel enrolled; and

WHEREAS, Nicholas Klimenko, has a desire to conduct EMS training programs which require program site accreditation without possessing State accreditation; and

WHEREAS, it is in the general interest of the Office of Emergency Medical Services to promote the education of EMS personnel in the Commonwealth in order that they become qualified or better qualified EMS health care personnel; and

WHEREAS, to allow Nicholas Klimenko to teach these courses he must obtain a variance to Virginia Emergency Medical Services Regulations 12VAC5-31; and

WHEREAS, Section 32.1-111.9 of the *Code of Virginia* requires that an application for a variance from any regulations promulgated pursuant to this chapter shall be reviewed by the governing body of the jurisdiction in which the principal office or legal residence of the agency, entity, or provider licensed or certified by the Office of Emergency Medical Services is located.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, approves the variance for Nicholas Klimenko to continue the suspended EMS courses

At 7:47 p.m., Mr. Kennedy recessed the Board for a meeting of the JCSA Board of Directors.

At 7:49 p.m., Mr. Kennedy reconvened the Board.

Mr. Wanner noted that when the Board completed its business, it should adjourn to 4 p.m. on January 4, 2010, for its annual organizational meeting.

M. CLOSED SESSION

Mr. McGlennon made a motion to go into Closed Session pursuant to Section 2.2-3711(A)(3) of the Code of Virginia for the consideration of acquisition of parcels of property for public use.

On a roll call vote, the vote was AYE: Goodson, Jones, McGlennon, Icenhour, Kennedy (5). NAY: (0).

At 7:49 p.m. Mr. Kennedy recessed the Board into Closed Session.

At 8:32 p.m. Mr. Kennedy reconvened the Board.

Mr. McGlennon made a motion to adopt the Closed Session resolution.

On a roll call vote, the vote was AYE: Goodson, Jones, McGlennon, Icenhour, Kennedy (5). NAY: (0).

RESOLUTION

CERTIFICATION OF CLOSED MEETING

WHEREAS, the Board of Supervisors of James City County, Virginia, (Board) has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby certifies that, to the best of each member's knowledge: i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies; and ii) only such public business matters were heard, discussed, or considered by the Board as were identified in the motion, Section 2.2-3711(A)(3) of the Code of Virginia, to consider the acquisition of parcel(s) of property for public use.

N. **ADJOURNMENT** to 4 p.m. on January 4, 2010.

Mr. Goodson made a motion to adjourn.

On a roll call vote, the vote was AYE: Goodson, Jones, McGlennon, Icenhour, Kennedy (5). NAY: (0).

At 8:33 p.m., Mr. Kennedy adjourned the Board until 4 p.m. on January 4, 2010.

Sanford B. Wanner
Clerk to the Board

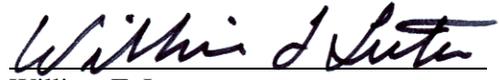
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MEMORANDUM

DATE: January 12, 2010
TO: The Board of Supervisors
FROM: William T. Luton, Fire Chief
SUBJECT: Grant Award – Citizens Corps Program – \$24,000

The James City County Fire Department's Division of Emergency Management has been awarded a Citizens Corps Program grant in the amount of \$24,000 from the Virginia Department of Emergency Management. These are pass-through funds from the Department of Homeland Security. The funds are to be used in the delivery of preparedness education and training to County citizens by members of the James City County Citizens Corps Program. The grant requires no match.

Staff recommends adoption of the attached resolution to appropriate funds.


William T. Luton

CONCUR:


Sanford B. Wanner

WTL/nb
GA_CitznsCrp_mem

Attachment

RESOLUTION

GRANT AWARD – CITIZENS CORPS PROGRAM – \$24,000

WHEREAS, the James City County Fire Department’s Division of Emergency Management has been awarded a Citizens Corps Program grant in the amount of \$24,000 from the Virginia Department of Emergency Management; and

WHEREAS, the grant requires no match; and

WHEREAS, the funds are to be used in the delivery of preparedness education and training to County citizens by members of the James City County Citizens Corps Program.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of James City County, Virginia, hereby authorizes the acceptance of this grant and the following appropriation amendment to the Special Projects/Grants fund:

Revenue:

Citizens Corps FY 10	<u>\$24,000</u>
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Expenditure:

Citizens Corps FY 10	<u>\$24,000</u>
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James G. Kennedy
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of January, 2010.

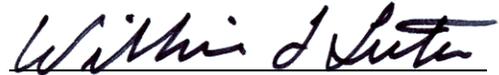
GA_CitznCrp_res

MEMORANDUM

DATE: January 12, 2010
TO: The Board of Supervisors
FROM: William T. Luton, Fire Chief
SUBJECT: Grant Award – Local Emergency Management Performance Grant (LEMPG) – \$34,692

James City County received a Local Emergency Management Performance Grant (LEMPG) in the amount of \$34,692 from the Virginia Department of Emergency Management (VDEM). These funds are to be used to enhance the capability of the James City County Division of Emergency Management to develop and maintain a comprehensive emergency management program. This grant requires a 100 percent in-kind match, which is met through the Division's normal annual budget.

Staff recommends adoption of the attached resolution to appropriate funds.


William T. Luton

CONCUR:


Sanford B. Wanner

WTL/nb
GA_LEMPG_mem

Attachment

RESOLUTION

GRANT AWARD – LOCAL EMERGENCY MANAGEMENT PERFORMANCE

GRANT (LEMPG) – \$34,692

WHEREAS, the Virginia Department of Emergency Management (VDEM) has awarded James City County Fire Department a Local Emergency Management Performance Grant (LEMPG) in the amount of \$34,692; and

WHEREAS, the funds are to be used for enhancing the capability of the James City County Division of Emergency Management to develop and maintain a comprehensive emergency management program; and

WHEREAS, the grant requires a 100 percent in-kind match, which is met through the Division’s normal annual budget.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the acceptance of this grant and authorizes the following budget appropriation to the Special Projects/Grants fund:

Revenue:

VDEM – LEMPG – FY 10	<u>\$34,692</u>
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Expenditure:

VDEM – LEMPG – FY 10	<u>\$34,692</u>
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James G. Kennedy
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of January, 2010.

MEMORANDUM

DATE: January 12, 2010
TO: The Board of Supervisors
FROM: William T. Luton, Fire Chief
SUBJECT: Grant Award – Radiological Emergency Preparedness Funds – \$50,000

James City County receives pass-down funds from the Virginia Department of Emergency Management (VDEM) due to the County's proximity to the Surry Nuclear Power Plant. These funds are to be used to enhance emergency preparedness to respond to and recover from potential radiological incidents. The County recently received pass-down funds for FY 2009 and FY 2010 in the amount of \$25,000 per year. The grant requires no match.

Staff recommends adoption of the attached resolution to appropriate funds.


William T. Luton

CONCUR:


Sanford B. Wanner

WTL/nb
GA_RadlogEmer_mem

Attachment

RESOLUTION

GRANT AWARD – RADIOLOGICAL EMERGENCY PREPAREDNESS FUNDS – \$50,000

WHEREAS, the Virginia Department of Emergency Management (VDEM) has awarded James City County pass-down funds for Radiological Emergency Preparedness in the amount of \$50,000; and

WHEREAS, the funds are to be used for planning and response for public protective actions related to the Surry Nuclear Power Plant; and

WHEREAS, the grant requires no match.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the acceptance of this grant and authorizes the following budget appropriation to the Special Projects/Grants fund:

Revenue:

Radiological Emergency Preparedness Funds – FY 10	<u>\$50,000</u>
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Expenditure:

Radiological Emergency Preparedness Funds – FY 10	<u>\$50,000</u>
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James G. Kennedy
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of January, 2010.

GA_RadlogEmer_res

MEMORANDUM

DATE: January 12, 2010
TO: The Board of Supervisors
FROM: Suzanne R. Mellen, Assistant Manager of Financial and Management Services
SUBJECT: Grant Appropriations – Clerk of the Circuit Court – \$131,109

The Clerk of the Circuit Court has been awarded three grants totaling \$125,024. The first grant is from the State Compensation Board's Technology Trust Fund equaling \$113,967. This grant requires no local match and will be used for the replacement of computer equipment and its maintenance and converting records to digital format. These funds may not supplant local operations.

The second grant is from the Library of Virginia for \$4,972. This grant requires no local match and is for restoration of index books.

The third grant is from the Library of Virginia for \$6,085. In July of this fiscal year, a need for an additional high-density filing system was identified. The Clerk worked to secure outside funding to minimize the County's cost for this system. The Library of Virginia agreed to fund one half of the cost of this system. Funds are available in the County's Grant Match account for the remaining cost of \$6,085.

Staff recommends approval of the attached resolution authorizing a budget appropriation of \$131,109 to the Special Projects/Grants fund.

Suzanne R. Mellen

SRM/gb
GAs-CirCrt_mem

Attachment

RESOLUTION

GRANT APPROPRIATIONS – CLERK OF THE CIRCUIT COURT – \$131,109

WHEREAS, the State Compensation Board and the Library of Virginia (LVA) have awarded the Clerk of the Circuit Court grants totaling \$125,024; and

WHEREAS, there is a local match required for the grants to purchase a high-density filing system for \$6,085.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the following appropriation to the Special Projects/Grants fund:

Revenues:

Revenues from the Commonwealth	\$125,024
County Grant Match Account	<u>6,085</u>

Total: \$131,109

Expenditure:

Clerk of The Circuit Court	<u>\$131,109</u>
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James G. Kennedy
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of January, 2010.

GAs_CirCrt_res

MEMORANDUM

DATE: January 12, 2010
TO: The Board of Supervisors
FROM: Suzanne R. Mellen, Assistant Manager of Financial and Management Services
SUBJECT: Pre-Budget Public Hearing - FY 2011-2012 Budget

The purpose of this public hearing is to invite comments and suggestions from citizens for the upcoming two-year County Budget. The comments and suggestions made at this pre-budget Public Hearing will help guide staff in preparing a budget proposal for the Board's review in April. No Board action is requested at this time.

Suzanne R. Mellen

SRM/gb
Pubhear11-12Bud.mem

SPECIAL USE PERMIT-0024-2009. Hospice House and Support Care of Williamsburg Wireless Communication Facility Tower
Staff Report for the January 12, 2010, Board of Supervisors Public Hearing

This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

PUBLIC HEARINGS

Building F Board Room; County Government Complex

Planning Commission:
Board of Supervisors:

December 2, 2009, 7:00 p.m.
January 12, 2010, 7:00 p.m.

SUMMARY FACTS

Applicant: Gloria Freye, McGuire Woods

Land Owner: Hospice House and Support Care of Williamsburg

Proposal: To allow for the construction of a 124-foot-tall (120-foot tower with 4-foot lightning rod) monopole wireless communications facility (WCF)’ on the subject property. Wireless communications facilities are specially permitted uses in the R-8, Rural Residential, zoning district.

Location: 4445 Powhatan Parkway

Tax Map/Parcel No.: 3830100001a

Parcel Size: .48 acres out of 11.182 acres

Zoning: R-8, Rural Residential

Comprehensive Plan: Low Density Residential and Conservation Area

Primary Service Area: Inside

STAFF RECOMMENDATION

While the applicant has researched a number of potential sites in this part of the County and has demonstrated a need for additional coverage, the proposed tower will have a visual impact on the surrounding area. The applicant is offering to provide additional buffers to screen the access drive and has proposed to preserve the berm in front of the Hospice House. However, because of the proposed height of the tower, the onsite topography, and the lack of mature trees taller than 70 feet, the proposed tower will be visible to many of the houses in the adjacent residential neighborhood. Because of this, the application is not in compliance with the Comprehensive Plan and does not meet the Board of Supervisors adopted Performance Standards for Wireless Communications Facilities. Staff recommends that the Board of Supervisors deny this Special Use Permit (SUP) application.

Staff Contact: Jason Purse, Senior Planner Phone: 253-6685

PLANNING COMMISSION RECOMMENDATION

On December 2, 2009, the Planning Commission voted 6-0, with one abstention, to recommend denial of this application.

Proposed Changes Made Since Planning Commission Meeting

None.

PROJECT DESCRIPTION

Ms. Gloria Freye has applied for an SUP to allow for the construction of a 124-foot wireless communications facility (120-foot tower with a 4-foot lightning rod) located at 4445 Powhatan Parkway. The parcel is zoned R-8, Rural Residential, and has a Comprehensive Plan designation of Low Density Residential and Conservation Area.

The proposed tower would be located on the same parcel as the Hospice House of Williamsburg, which is located internal to the Powhatan Secondary subdivision. The tower will use the same entry drive as the Hospice House, but will then split off on a separate access drive running back to the tower complex. The applicant is proposing a 100-foot buffer around the tower site that will remain undisturbed, except for the tower and associated equipment and the access drive.

PUBLIC IMPACTS

Environmental

Watershed: Powhatan Creek

Staff Comments: The Environmental Division has no comments on the SUP application at this time. Any site development issues will be dealt with at the site plan level.

Public Utilities and Transportation

The new WCF would not generate additional needs for the use of public utilities or significant additional vehicular trips in the area.

VISUAL IMPACTS

A publicly advertised balloon test took place on November 9, 2009, and the applicant has provided photo simulations of the proposed tower location from a number of different locations around the vicinity of the site, which have been provided for your reference. A meeting with the Powhatan Secondary neighborhood also took place on November 12, 2009.

The proposed site of the tower will be located in a low-lying area next to the Hospice House near the Resource Protection Area (RPA). The applicant is proposing a 100-foot buffer around the tower site that will remain undisturbed, except for the tower site and the access road. The trees surrounding the site are in the 60- to 70-foot range. The proposed tower is approximately 200 feet from the Hospice House and approximately 490 feet from the closest home in the Powhatan Secondary subdivision. The closest home in Ford's Colony appears to be approximately 550 feet away to the north. The combination of topography, tree cover, and the distance from the site to the neighborhood makes the proposed tower visible from a number of locations in Powhatan Secondary.

The proposed tower will be visible along Powhatan Parkway, West Providence Road, East Providence Road, Cold Spring Road, Old Regency Road, Powhatan Secondary, Stylers Mill Crossing, and parts of Pleasant View Drive. The balloon was not visible from any of the streets in Ford's Colony, but the applicant was informed by at least two property owners that it was visible from their backyards. The balloon was not apparently visible from any of the other roads or locations in the vicinity. While the balloon was not visible from Jester's Lane or WindsorMeade Marketplace, should the parcel adjacent to the Hospice House ever be developed some additional locations may be exposed to the tower.

The proposed access drive runs along the base of the berm between Powhatan Secondary residences and the Hospice House. The drive turns north and becomes visible from the existing pathway and dam between two sections of Powhatan Secondary. The applicant has offered to plant additional trees to screen the drive from the path and residences across the bridge. The applicant has also proposed to keep the access drive out of the existing berm area and will replant any landscaping removed due to clearing for the drive.

Federal Aviation Administration (FAA) Requirements

Per Federal requirements, all structures greater than 200 feet above ground level (AGL) must be marked and/or lighted. Owners/developers of all structures greater than 200 feet AGL are required to provide notice to the FAA, which will then conduct an aeronautical study for the specific project. Structure marking may consist of alternating bands of orange and with paint (for daytime visibility) and red obstruction lights (for night visibility). As an alternative to this combination, the FAA may allow a dual lighting system featuring red lighting at night and medium-intensity white strobe lighting during the day. Because this extension would be less than 200 feet, a marking system would not be required by the FAA.

COMPREHENSIVE PLAN

Land Use Map

<p>Designation</p>	<p><i>Low Density Residential and Conservation Area (Page 153 and 158):</i> Recommended uses for Low Density Residential land include very limited commercial establishments, churches, single family homes, duplexes, and cluster housing with a recommended gross density of one unit per acre up to four units per acre in developments that offer particular public benefits, while lands designated Conservation Area are intended to remain in their natural state.</p> <p>Staff Comment: The inclusion of a WCF on the site is a secondary use. The limited development associated with the WCF will not have an adverse impact on the ability of the Hospice House to continue to meet the goals of the land use designation. The tower is being constructed outside of the RPA onsite, and therefore is also located outside of the area designated as Conservation Area on the plan.</p>
<p>Residential Development Standards</p>	<p><i>4. Use and Character Compatibility (a)-Page 153:</i> Permit new development only where such developments are compatible with the character of adjoining uses and where the impacts of such new developments can be adequately addressed. Particular attention should be given to addressing such impacts as incompatible development intensity and design, building height and scale, land uses, smoke, noise, dust, odor, vibration, light, and traffic.</p> <p>Staff Comment: The proposed tower location will not impact the use of the land, but the scale of the tower will make it visible to the adjacent neighborhood. Since the mature trees in the area will only partially obstruct the bottom half, the top half of the tower will be visible to homes directly adjacent to the site, including most of those in the Berkeley section of Powhatan Secondary, as well as most of the homes between Powhatan Secondary Road and Stylers Mill Crossing (see balloon test visibility map Attachment No. 6).</p> <p>The 100-foot undisturbed buffer around the tower site will help to ensure that no additional trees will be cleared in the general area of the tower. Furthermore, the onsite RPA to the northwest of the site will ensure that no development takes place between the tower site and Ford’s Colony. However, the existing trees only partially obstruct view of the 120-foot tower. Up to half of the tower will be visible at all times to many nearby homes.</p> <p>The applicant has worked with adjacent property owners to ensure that the tower is as minimally intrusive as possible. They are offering to provide additional buffers to screen the access drive and have proposed to preserve the berm in front of the Hospice House.</p>

Community Character

General	<p><i>Wireless Communications Facilities-Page 96:</i> In 1998, the increasing need for new wireless communication facilities prompted the County to establish Performance Standards for Wireless Communication Facilities and a new division in the Zoning Ordinance to address them. Through the use of the performance standards and the ordinance, the County has sought to accomplish the following:</p> <ul style="list-style-type: none">◆ Keep the number of wireless communication facility sites to a minimum;◆ Minimize the impacts of newly approved wireless communication facilities; and◆ Expedite the approval process for new wireless communication facility applications. <p>The policy and ordinance strive to effectively camouflage new wireless communication facilities in many areas of the County in order to reduce their incompatibility with and impact on adjacent development. Many new towers have been either constructed below the surrounding tree line or built as a camouflaged structure to blend in with the surrounding natural and man-made environment.</p> <p>Staff Comment: Co-location options are encouraged in order to mitigate impacts created by clustered, single-use towers. This WCF will provide co-location opportunities for two other servers, to accommodate a total of three wireless carriers. The tower is being requested at the 120 foot height to allow for all three carriers to provide service to this area. The carriers have indicated that the service radius of this tower will be approximately one mile.</p> <p>The applicant has provided information demonstrating the need for additional coverage in this area of the County and has also shown that many other sites in the area have been evaluated but to this point the Hospice House has provided the only opportunity.</p> <p>This proposed tower will not be below the surrounding tree line or built as a camouflaged structure to blend in with the surrounding natural man-made environment.</p>
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Comprehensive Plan

This application, as proposed, is not in compliance with the Comprehensive Plan. Given the proposed height of the tower, the onsite topography, and the lack of mature trees taller than 70 feet, there is no way to provide additional screening for the neighborhood adjacent to the proposed site. While the applicant has done extensive research of potential sites in the area, and the tower will provide a much greater coverage area for three carriers, the tower will have a prominent visual impact on the surrounding area. Areas of visual impact include homes along Powhatan Parkway, West Providence Road, East Providence Road, Cold Spring Road, Old Regency Road, Powhatan Secondary, Stylers Mill Crossing, and parts of Pleasant View Drive. Given the developed nature of the area, including Ford's Colony, Monticello Marketplace, and Powhatan Secondary, there are limited areas available for carriers to provide additional needed coverage. The applicant is offering to provide additional buffers to screen the access drive and has proposed to preserve the berm in front of the Hospice House.

PERFORMANCE STANDARDS

On May 26, 1998, the James City County Board of Supervisors adopted several performance criteria for WCFs (see Attachment No. 1).

Section 24-124 of the Zoning Ordinance states that "In considering an application for an SUP for a WCF, the planning director shall prepare a report identifying the extent to which the application takes into account the 'Performance Standards for Wireless Communications Facilities'. In general, it is expected that all facilities should substantially meet the provisions of these performance standards."

These performance criteria note that tower-mounted WCFs should be located and designated in a manner that minimizes their impacts to the maximum extent possible and minimizes their presence in areas where they would depart from existing and future patterns of development. While all standards support the goals outlined

in the Comprehensive Plan, some may be more critical to the County's ability to achieve these goals on a case-by-case basis. Therefore, some standards may be weighed more heavily in any recommendation or decision on an SUP and a case that meets a majority of the standards may or may not be recommended for approval. To date, towers granted the required SUP have substantially met these standards, including those pertaining to visibility.

A. Co-location and Alternative Analysis

Standard A1 encourages co-location. Since this new tower has the ability to accommodate three service providers, this standard has been met.

Standard A2 pertains to the demonstration of a need for the proposal and the examination of alternatives, including increases in transmission power and other options. With regard to demonstrating the necessity for the tower, the applicant submitted propagation maps showing coverage of the area as unreliable. The applicant has explored alternative locations but claims this site is the most viable option.

Standard A3 recommends that the site be able to contain at least two towers onsite to minimize the need for additional towers elsewhere. The applicant is proposing a tower which can accommodate three servers. Locating a second tower on the site would make the WCF more noticeable to adjacent property owners.

Standard A4 regarding allowance of future service providers to co-locate on the tower extension is addressed at the site plan stage through requirements in Section 24-128(3) of the Zoning Ordinance.

B. Location and Design

Performance Standard B1 states that towers and tower sites should be consistent with existing and future surrounding development and the Comprehensive Plan. More specifically, towers should be compatible with the use, scale, height, size, design, and character of surrounding existing and future uses. The proposed tower is visible from a majority of houses in the Berkeley section of Powhatan Secondary as well as most of the homes between Powhatan Secondary Road and Sytlers Mill Crossing (see balloon test visibility map Attachment No. 6) in the Powhatan Secondary development and it therefore does not meet this performance standard. Because of the topographical changes between different phases, some of the homes are at a grade near the tops of the trees on the Hospice House property and will therefore be looking directly at the tower. The applicant has worked with property owners to provide additional landscaping along the access drive to help screen that from public view. The applicant is also committed to retaining the existing berm in front of the Hospice House.

Performance Standard B2(a) states that towers should be located in a manner that use a camouflaged design or have minimal intrusion onto residential areas, historic and scenic resources areas or roads in such areas, or scenic resource corridors. The proposed tower is not a camouflaged tower, as it is visible above the tree line from off-site properties. The tower has an impact on adjacent residential areas and therefore does not meet this performance standard.

Performance Standard B3 states that towers should be less than 200 feet to avoid lighting. This application meets this standard.

Performance Standard B4 states that towers should be freestanding and not supported by guy wires. This application meets this standard.

C. Buffering

The Performance Standards state that towers should be placed on a site in a manner that maximizes buffering from existing trees, including a recommended 100-foot-wide wooded buffer around the base of the tower, and that the access drive should be designed in a manner that provides no off-site view of the tower base or related facilities.

The proposed location of the tower is within a 100-foot-wide tree preservation buffer which has been included as condition for this SUP. Furthermore, the applicant has worked with adjacent property owners to ensure that the access drive will be adequately screened by additional landscape plantings.

RECOMMENDATION

While the applicant has researched a number of potential sites in this part of the County and has demonstrated a need for additional coverage, the proposed tower will have a visual impact on the surrounding area. The applicant is offering to provide additional buffers to screen the access drive and have proposed to preserve the berm in front of the Hospice House. However, because of the proposed height of the tower, the onsite topography, and the lack of mature trees taller than 70 feet, the proposed tower will be visible to many of the houses in the adjacent residential neighborhood. Because of this, the application is not in compliance with the Comprehensive Plan and does not meet the Board of Supervisors adopted Performance Standards for Wireless Communications Facilities. Staff recommends that the Board of Supervisors deny this SUP application. Should the Board wish to approve this application, staff has attached a resolution that contains the following conditions.

CONDITIONS

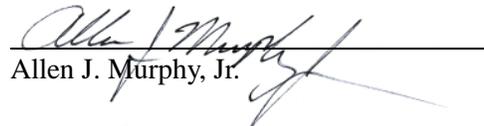
1. A maximum of one tower shall be permitted at this site. The tower and supporting equipment shall be located and designed as generally shown on the overall site layout plan, prepared by Johnson, Mirmiran and Thompson, titled "Telecommunications Facility Hospice Care of Williamsburg" dated November 23 2009 ("Master Plan").
2. The tower shall be located at 4445 Powhatan Parkway, further identified as James City County Real Estate Tax Map/Parcel No. 3830100001a ("Property") in a manner that maximizes the buffering effects of trees. Tree clearing shall be limited to the minimum necessary to accommodate the tower and related facilities. The access drive shall be designed and constructed in a manner that protects the existing berm in front of the Hospice House. Supplemental planting shall be installed when landscaping is removed, and additional evergreen landscaping shall be installed near the existing meditation garden at the end of the berm. A screening and landscaping plan shall be provided for approval by the Director of Planning or his designee prior to final site plan approval.
3. The tower shall be a gray galvanized finish unless approved otherwise by Director of Planning, or his designee, prior to final site plan approval.
4. The maximum height of the tower, including the lightning rod, shall not exceed 124 feet from existing grade.
5. Within 30 days of the issuance of a final Certificate of Occupancy by the County Code Compliance Division, certification by the manufacturer, or an engineering report by a structural engineer licensed to practice in the Commonwealth of Virginia, shall be filed by the applicant indicating the tower height, design, structure, installation and total anticipated capacity of the tower, including the total number and type of antennas which may be accommodated inside the tower, demonstrating to the satisfaction of the County Building Official that all structural requirements and other safety

considerations set forth in the 2000 International Building Code, or any amendment thereof, have been met.

6. No advertising material or signs shall be placed on the tower.
7. The tower shall be designed and constructed for at least three users and shall be certified to that effect by an engineering report prior to the site plan approval.
8. A final Certificate of Occupancy shall be obtained from the James City County Code Compliance Division within two years of approval of this SUP, or the permit shall become void.
9. The tower shall be freestanding and shall not use guy wires for support.
10. The fencing used to enclose the area shall be vinyl-coated and shall be dark green or black in color, or shall be another fencing material of similar or superior aesthetic quality as approved by the Director of Planning. Any fencing shall be reviewed and approved by the Director of Planning prior to final site plan approval.
11. A minimum buffer of 100 feet in width of existing mature trees shall be maintained around the tower. This buffer shall remain undisturbed except for the access drive and necessary utilities for the tower as depicted on Sheet C-1 of the Master Plan.
12. This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

Jason Purse

CONCUR:



Allen J. Murphy, Jr.

JP/nb
SUP0024_09.doc

ATTACHMENTS:

1. Unapproved minutes from December 2, 2009, Planning Commission meeting
2. Performance Standards for WCFs Policy
3. Preliminary site plan
4. Propagation map showing existing area coverage
5. Photo simulations
6. Location map
7. Balloon test visibility map
8. Citizen comments (emails and a petition)

RESOLUTION

CASE NO. SUP-0024-2009. HOSPICE HOUSE AND SUPPORT CARE OF WILLIAMSBURG

WIRELESS COMMUNICATION FACILITY TOWER

WHEREAS, the Board of Supervisors of James City County has adopted by Ordinance specific land uses that shall be subjected to a Special Use Permit (SUP) process; and

WHEREAS, Ms. Gloria Freye of McGuire Woods has applied for an SUP to allow for a 124-foot wireless communications facility; and

WHEREAS, the proposed tower is shown on a preliminary site plan, entitled “Telecommunications Facility Hospice Care of Williamsburg” dated November 23, 2009; and

WHEREAS, the property is located at 4445 Powhatan Parkway on land zoned R-8, Rural Residential, and can be further identified as James City County Real Estate Tax Map/Parcel No. 3830100001a; and

WHEREAS, the Planning Commission of James City County, following its public hearing on December 2, 2009, recommended denial of this application by a vote of 6-0 with one abstention; and

WHEREAS, the Board of Supervisors of James City County, Virginia, finds this use to be consistent with the 2009 Comprehensive Plan Land Use Map designation for this site.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, after a public hearing does hereby approve the issuance of SUP No. 0024-2009 as described herein with the following conditions:

1. A maximum of one tower shall be permitted at this site. The tower and supporting equipment shall be located and designed as generally shown on the overall site layout plan, prepared by Johnson, Mirmiran and Thompson, titled “Telecommunications Facility Hospice Care of Williamsburg,” and dated November 23, 2009 (“Master Plan”).
2. The tower shall be located at 4445 Powhatan Parkway, further identified as James City County Real Estate Tax Map/Parcel No. 3830100001a (“Property”) in a manner that maximizes the buffering effects of trees. Tree clearing shall be limited to the minimum necessary to accommodate the tower and related facilities. The access drive shall be designed and constructed in a manner that protects the existing berm in front of the Hospice House. Supplemental planting shall be installed when landscaping is removed, and additional evergreen landscaping shall be installed near the existing meditation garden at the end of the berm. A screening and landscaping plan shall be provided for approval by the Director of Planning or his designee prior to final site plan approval.

3. The tower shall be a gray galvanized finish unless approved otherwise by Director of Planning or his designee prior to final site plan approval.
4. The maximum height of the tower, including the lightning rod, shall not exceed 124 feet from existing grade.
5. Within 30 days of the issuance of a final Certificate of Occupancy by the County Code Compliance Division, certification by the manufacturer, or an engineering report by a structural engineer licensed to practice in the Commonwealth of Virginia, shall be filed by the applicant indicating the tower height, design, structure, installation, and total anticipated capacity of the tower, including the total number and type of antennas which may be accommodated inside the tower, demonstrating to the satisfaction of the County Building Official that all structural requirements and other safety considerations set forth in the 2000 International Building Code, or any amendment thereof, have been met.
6. No advertising material or signs shall be placed on the tower.
7. The tower shall be designed and constructed for at least three users and shall be certified to that effect by an engineering report prior to the site plan approval.
8. A final Certificate of Occupancy shall be obtained from the James City County Code Compliance Division within two years of approval of this SUP, or the permit shall become void.
9. The tower shall be freestanding and shall not use guy wires for support.
10. The fencing used to enclose the area shall be vinyl-coated and shall be dark green or black in color, or shall be another fencing material of similar or superior aesthetic quality as approved by the Director of Planning. Any fencing shall be reviewed and approved by the Director of Planning prior to final site plan approval.
11. A minimum buffer of 100 feet in width of existing mature trees shall be maintained around the tower. This buffer shall remain undisturbed except for the access drive and necessary utilities for the tower as depicted on Sheet C-1 of the Master Plan.
12. This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

James G. Kennedy
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of
January, 2010.

SUP0024_09_res

UNAPPROVED MINUTES FROM THE DECEMBER 2, 2009
PLANNING COMMISSION MEETING

SUP-0024-2009 Hospice House Wireless Communications Facility Tower

Mr. Poole stated that due to his affiliation as a member of the Board of Directors for Hospice House, he will be abstaining from voting on this proposal.

Mr. Purse stated that Ms. Gloria Freye has applied for a Special Use Permit to allow for the construction of a 124 foot wireless communications facility located at 4445 Powhatan Parkway. The parcel is zoned R8, Rural Residential, and has a Comprehensive Plan designation of Low Density Residential and Conservation Area. The proposed tower would be located on the same parcel as the Hospice House of Williamsburg, which is located internal to the Powhatan Secondary subdivision. The proposed site of the tower will be located in a low-lying area near the Resource Protection Area (RPA). The applicant is proposing a 100 foot buffer around the tower site that will remain undisturbed, except for the tower site and the access road. The applicant is offering to provide additional buffers to screen the access drive and has proposed to preserve the berm in front of the Hospice House. The trees surrounding the site are between 60 and 70 feet in height. The proposed tower is approximately 200 feet from the Hospice House and approximately 490 feet from the closest home in the Powhatan Secondary Subdivision. The closest home in Ford's Colony appears to be approximately 550 feet away to the north.

The combination of topography, tree cover, and the distance from the site to the neighborhood makes the proposed tower visible from a number of locations in Powhatan Secondary, including Powhatan Parkway, West Providence Road, East Providence Road, Cold Spring Road, Old Regency Road, Powhatan Secondary, Settlers Mill Crossing, and parts of Pleasant View Drive. The tower is not anticipated to be visible from any of the streets in Ford's Colony, but the applicant was informed by at least two property owners that it was visible from their backyards.

Performance Standards indicate that towers should be compatible with the use, scale, height, size, design, and character of surrounding existing and future uses. Because of the topographical changes between different phases, some of the homes are at a grade near the tops of the trees on the Hospice House property and will therefore be looking directly at the tower.

While the applicant has researched a number of potential sites in this part of the County and has demonstrated a need for additional coverage, the proposed tower will have a visual impact on the surrounding area. Because of this, the application is not in compliance with the Comprehensive Plan and does not meet the Board of Supervisors adopted Performance Standards for Wireless Communications Facilities. Staff recommends that the Planning Commission recommend denial of this application to the Board of Supervisors. Mr. Purse stated that should the Planning Commission wish to recommend approval of this application, staff recommends including the conditions attached to the staff report.

Mr. Krapf opened the public hearing

Ms. Gloria Freye of McGuire Woods gave a presentation on behalf of the applicant,

Ntelos. Representatives from Ntelos were also present for questions. Ms. Freye showed pictures of the tower, which is a slick stick design. She showed diagrams of the areas that are currently covered by Ntelos and the area where the proposed tower would cover. She stated that additional coverage is needed due to the fact that there are more cell phone-only users than land line-only users. Individuals use their cell phones for wireless services, internet connections and wireless data. Ms. Freye stated that residents in Powhatan Secondary and Ford's Colony expressed their concerns about getting more reliable wireless coverage. She stated that AT&T and Sprint will be co-locating at this proposed tower and have the same issues regarding gaps in coverage. She stated that research has been done as to what would be the best site with the most coverage and it was determined that the Hospice site was the best location. Ms. Freye noted that there are difficulties in finding a site that is close enough to neighborhoods for service and on a site that is non-residential in use and has adequate buffers. She stated that this site comes the closest to substantially meeting the County's wireless communications goals, guidelines, and standards.

The Hospice House property is approximately eleven acres, heavily wooded, and is separated from the residential neighborhood by RPA and a common stormwater area, neither of which can be developed. This site meets the coverage needs of three providers. The pole would also be located in the woods and the wires would all be self-contained. Ms. Freye stated that the residents who have a view of the pole are in the minority compared to the residents who have no view and are being served by the wireless carriers. The pole will be a stealth design. She stated that Ntelos met with and gave demonstrations to the residents of Powhatan Secondary and Ford's Colony. She also stated that all of the revenues generated by the tower would be going to Hospice House. Ms. Freye requested that the Planning Commission recommend approval of the application to the Board of Supervisors with the attached conditions that staff has provided.

Mr. Fraley expressed his appreciation for the public meetings that the applicant had held. He stated that when discussing towers he felt it was important to discuss service and the level of service as opposed to coverage. He felt it would be helpful to know the service and the level of service that will be provided by the proposed tower. He felt it was important to display the simulations with the leaves off of the trees. Mr. Fraley asked if there were any considerations given to alternative distribution systems that might be less obtrusive.

Ms. Freye answered that those systems such as Distribution Antenna System (DAS), are not designed to take the place of a main facility. They are designed for areas where there may be tall buildings or utility poles where antennas and cells can be attached. These types of systems will not work for Powhatan Secondary or Ford's Colony because there are no poles or structures to which to affix the antennas.

Mr. Fraley suggested a system where the poles would be much smaller and connected through fiber optics.

Ms. Freye stated that it was her understanding that the utilities in Powhatan Secondary and Ford's Colony were underground, and that a system such as this would introduce many poles above ground, as opposed to one pole that is proposed in this application.

Mr. Fraley stated that he believed that Ford's Colony could probably be served by three or four smaller poles that would fit in the tree line and would be less noticeable.

Mr. Henderson stated that he believed that the homeowners' association (HOA) at Ford's Colony had adopted a wireless policy that had identified some sites for antenna locations. He asked whether any of these locations were suggested by Ford's Colony, the HOA, or Realtec.

Ms. Freye stated that all the carriers involved were in discussion with Ford's Colony, but could not come to an agreement for a site that would work.

Ms. Kratter stated that the HOA had looked at some sites, but there were none that were determined as suitable.

Ms. Freye stated that this process has taken four years, but stated that due to topography, the site at the Hospice House was determined to be the best suitable. All three carriers were involved in this process. She further stated that this site meets all of the County's standards.

Mr. Henderson mentioned a prior application that was at the Windsor Meade Marketplace, which was withdrawn. He asked if there was any knowledge of the application since it was to serve the same general area that this proposal is attempting to serve.

Ms. Freye answered that she was aware of that proposal and that a representative from AT&T was present and will speak to that previous application.

Ms. Lisa Murphy spoke on behalf of AT&T. She stated that the proposal at Windsor Meade Marketplace was withdrawn because the original developer placed a restrictive covenant that would have required the developer's approval of anything over a certain height. In this case, the developer was not willing to grant the waiver.

Mr. Henderson noted that it would be helpful to have some of the sites that were investigated as being potential candidates for the cell tower, and the comparisons why the current proposed site was more suitable.

Ms. Freye mentioned the sites that were also reviewed as being potential locations. These included the radio tower site on Monticello Avenue, James City Service Authority water tank on Longhill Road, property on Windsor Meade Way, existing towers at 1118 Ironbound Road, Eastern State Hospital property at 4601 Ironbound Road, Virginia United Methodist Homes on Windsor Meade Way, Ford's Colony sites, Powhatan Enterprises at Powhatan Parkway, Granger property on Centerville Road, property at New Town, property at AIG Baker, property on Casey Boulevard, News Company on Monticello Avenue, James City County Mid-County Park, Monticello Marketplace Associates, property located at 4409 Powhatan Parkway, and property at the Hospice House.

Ms. Lisa Murphy spoke on behalf of AT&T. She displayed maps of existing sites for AT&T. She also displayed maps on coverage areas and how this proposed tower would service AT&T and fill a gap in coverage. She stated that with co-locating on this tower, there was a

large area that would now have “in-building” service. Ms. Murphy showed what the tower would look like as a slick stick. She stated that the feedback that AT&T has received from citizens is that the slick stick design is more preferred over other designs.

Ms. Connie B Reitz, 4048 Powhatan Secondary, stated that her home is one of the ones that will have the most impact should this application be approved. She stated that she prefers the slick stick design if it is approved. She would like to know how many customers this tower will serve if this application is approved.

Mr. John Reitz, 4048 Powhatan Secondary, stated that the Hospice House is a wonderful organization. From his residence, they will be looking directly at the top of the tower. He hopes that the Planning Commission considers the concerns of the residents in the area when making their decision.

Mr. Aaron Small, 108 Ewell Place, stated that he represented the Board of the Powhatan Community Services Association. He stated that approximately 10% of the 850 homeowners would be able to view the tower. He stated that some of the homeowners have concerns regarding the height of the tower, the area around the tower that will be disturbed, potential health concerns relating to a tower, and the ability to view the access road to the tower. He also stated that a petition against the tower has been signed by over 200 residents. He showed pictures of the tower that would be visible from some of the homes. Mr. Small stated that the Board of Directors for the Powhatan Community Services Association unanimously voted in opposition to this proposal.

Ms. Beth Emerson, 4052 Powhatan Secondary, stated that the proposed tower will be visible from every room in the back of their home. She was disappointed that the meeting scheduled between the applicant and the homeowners was scheduled during a storm and most residents were not able to attend, nor was it rescheduled. She expressed her concerns of the destruction of trees, disturbance of wildlife, and the destruction of the view shed.

Mr. Lawrence Beamer, 110 Powhatan Overlook, stated he did not feel that property values would be affected by this cell tower. He suggested that the Hospice House site would be a good site for the tower. He believes that the tower will be visible but that the design lends itself not to be so obtrusive. He would like to see this proposal approved.

Mr. Jim Easton, the Chairman of the Board of Directors for Hospice House, spoke on behalf of this application. He explained the level of consideration, preparation, and research that went into this proposal. He stated that the revenue that would be generated would greatly help their operations. He stated that due to limited resources, revenue such as this would take on a higher level of importance.

Ms. Cathy Chambers, a realtor in the James City County area, stated she is a resident of 4063 Powhatan Secondary. This tower will be visible from her home. She would not purchase a home knowing that a cell tower would be nearby.

Mr. Krapf closed the public hearing.

Mr. Fraley stated his concerns about dealing with cell towers on an individual basis. He expressed the need for a master plan for cell towers for the County. He stated that in the updated Comprehensive Plan there is an action item that states the need for a master plan. Mr. Fraley would like to explore the options of other types of services, which may be more costly. He stated that there are ways to obtain coverage with unobtrusive towers. He expressed the need to explore other wireless communications needs such as medical and emergency services. He agrees that the slick stick design is less obtrusive than other designs. Mr. Fraley stated that with this particular proposal, he does find that the proposed tower will be intrusive to the surrounding communities. He felt that this proposal is not compatible with the surrounding areas. He expressed his concerns over the disturbance of the land. Mr. Fraley agrees with staff's recommendation for denial.

Mr. Krapf felt that this proposal is not in compliance with the Comprehensive Plan nor does it follow the standards for wireless communication facilities as adopted by the Board of Supervisors. He felt it was intrusive on the viewshed of a number of citizens near the site. He agreed for the need for a master plan for communication towers. He also supports staff's recommendation.

Mr. Billups stated he found this application to be incomplete. He expressed his concerns over the fact that what is proposed might not be what will actually be at the site. He stated he cannot support this application at this time.

Ms. Kratter stated she could support a delay until more concrete standards are established for evaluating these structures. She was concerned that specifically pointing out the tower makes it more noticeable than if it were not highlighted at all. She stated that on the other hand, there were many people who were directly affected by this tower. Ms. Kratter expressed her concerns over consistency in the decisions being made regarding towers.

Mr. Henderson expressed his concern over specific guidelines when reviewing proposals for cell towers. He felt that while there were some negatives to this proposal, there are some positives in providing service to an area that needs coverage. He felt it might be beneficial to provide acceptable sites so that applicants are aware of the options. Mr. Henderson expressed his concerns that a master plan is needed for towers also.

Mr. Reese Peck stated that staff has said that this proposal is not consistent with the Comprehensive Plan and does not meet the performance standards established. It is important to take into consideration the impact to the homeowners in the area. He does agree with the need for a more comprehensive approach to wireless communication facilities.

Mr. Fraley moved to approve staff's recommendation for denial of the application, with a second from Mr. Billups.

In a roll call vote, the Planning Commission approved staff's recommendation for denial. (6-0, AYE: Henderson, Billups, Fraley, Kratter, Peck, Krapf, Abstained: Poole)

**PERFORMANCE STANDARDS FOR WIRELESS COMMUNICATIONS FACILITIES
MAY 26,1998**

In order to maintain the integrity of James City County's significant historic, natural, rural and scenic resources, to preserve its existing aesthetic quality and its landscape, to maintain its quality of life and to protect its health, safety, general welfare, and property values, tower mounted wireless communications facilities (WCFs) should be located and designed in a manner that minimizes their impacts to the maximum extent possible and minimizes their presence in areas where they would depart from existing and future patterns of development. To implement these goals, the Planning Commission and the Board of Supervisors have adopted these performance standards for use in evaluating special use permit applications. While all of the standards support these goals, some may be more critical to the County's ability to achieve these goals on a case by case basis. Therefore, some standards may be weighed more heavily in any recommendation or decision on a special use permit, and cases that meet a majority of the standards may or may not be approved. The terms used in these standards shall have the same definition as those same terms in the Zoning Ordinance. In considering an application for a special use permit, the Planning Commission and the Board of Supervisors will consider the extent to which an application meets the following performance standards:

A. Collocation and Alternatives Analysis

1. Applicants should provide verifiable evidence that they have cooperated with others in collocating additional antenna on both existing and proposed structures and replacing existing towers with ones with greater co-location capabilities. It should be demonstrated by verifiable evidence that such co-locations or existing tower replacements are not feasible, and that proposed new sites contribute to the goal of minimizing new tower sites.
2. Applicants should demonstrate the following:
 - a. That all existing towers, and alternative mounting structures and buildings more than 60 feet tall within a three-mile radius of the proposed site for a new WCF cannot provide adequate service coverage or antenna mounting opportunity.
 - b. That adequate service coverage cannot be provided through an increase in transmission power, replacement of an existing WCF within a three mile radius of the site of the proposed WCF, or through the use of a camouflaged WCF, alternative mounting structure, or a building mounted WCF, or a system that uses lower antenna heights than proposed.
 - c. The radii of these study areas may be reduced where the intended coverage of the proposed WCF is less than three miles.
3. Towers should be sited in a manner that allows placement of additional WCF facilities. A minimum of two tower locations, each meeting all of the requirements of the Zoning Ordinance and these standards, should be provided at all newly approved tower sites.
4. All newly permitted towers should be capable of accommodating enough antennas for at least three service providers or two service providers and one government agency. Exceptions may be made where shorter heights are used to achieve minimal intrusion of the tower as described in Section B.2. below.

B. Location and Design

1. Towers and tower sites should be consistent with existing and future surrounding development and the Comprehensive Plan. While the Comprehensive Plan should be

consulted to determine all applicable land use principles, goals, objectives, strategies, development standards, and other policies, certain policies in the Plan will frequently apply. Some of these include the following: (1) Towers should be compatible with the use, scale, height, size, design and character of surrounding existing and future uses, and such uses that are generally located in the land use designation in which the tower would be located; and (2) towers should be located and designed in a manner that protects the character of the County's scenic resource corridors and historic and scenic resource areas and their view sheds.

2. Towers should be located and designed consistent with the following criteria:

Proposed Location of Tower	Impact Criteria
a. Within a residential zone or residential designation in the Comprehensive Plan	Use a camouflaged design or have minimal intrusion on to residential areas, historic and scenic resources areas or roads in such areas, or scenic resource corridors.
b. Within a historic or scenic resource area or within a scenic resource corridor	Use a camouflaged design or have minimal intrusion on to residential areas, historic and scenic resources areas or roads in such areas, or scenic resource corridors.
c. Within a rural lands designation in the Comprehensive Plan	<p>For areas designated rural lands in the Comprehensive Plan that are within 1,500 feet from the tower, use a camouflaged design or have minimal intrusion on to residential areas, historic and scenic resources areas or roads in such areas, or scenic resource corridors.</p> <p>For rural lands more than 1,500 feet from the tower, no more than the upper 25% of the tower should be visible.</p>
d. Within a commercial or in an industrial designation in the Comprehensive Plan	Use a camouflaged design or have minimal intrusion on to residential areas, historic and scenic resources areas or roads in such areas, or scenic resource corridors.

Notes for the above table:

- Exceptions to these criteria may be made on a case by case basis where the impact of the proposed tower is only on the following areas: (1) An area designated residential on the Comprehensive Plan or zoning map which is not a logical extension of a residential subdivision or which is a transitional area between residential and nonresidential uses; (2) a golf course or a golf course and some combination of commercial areas, industrial areas or utility easements, provided the tower is located on the golf course property or the scenic easement.*
- A tower will meet the minimal intrusion criteria if it is invisible off-site above the tree line. Such tower should only be visible off-site when viewed through surrounding trees that have shed their leaves.*
- Camouflaged towers having the design of a tree should be compatible in scale and species with surrounding natural trees or trees native to Eastern Virginia.*

3. Towers should be less than 200 feet in height in order to avoid the need for lighting. Taller heights may be acceptable where views of the tower from residential areas and public roads are very limited. At a minimum, towers 200 feet or more in height should exceed the location standards listed above.

4. Towers should be freestanding and not supported with guy wires.

C. Buffering

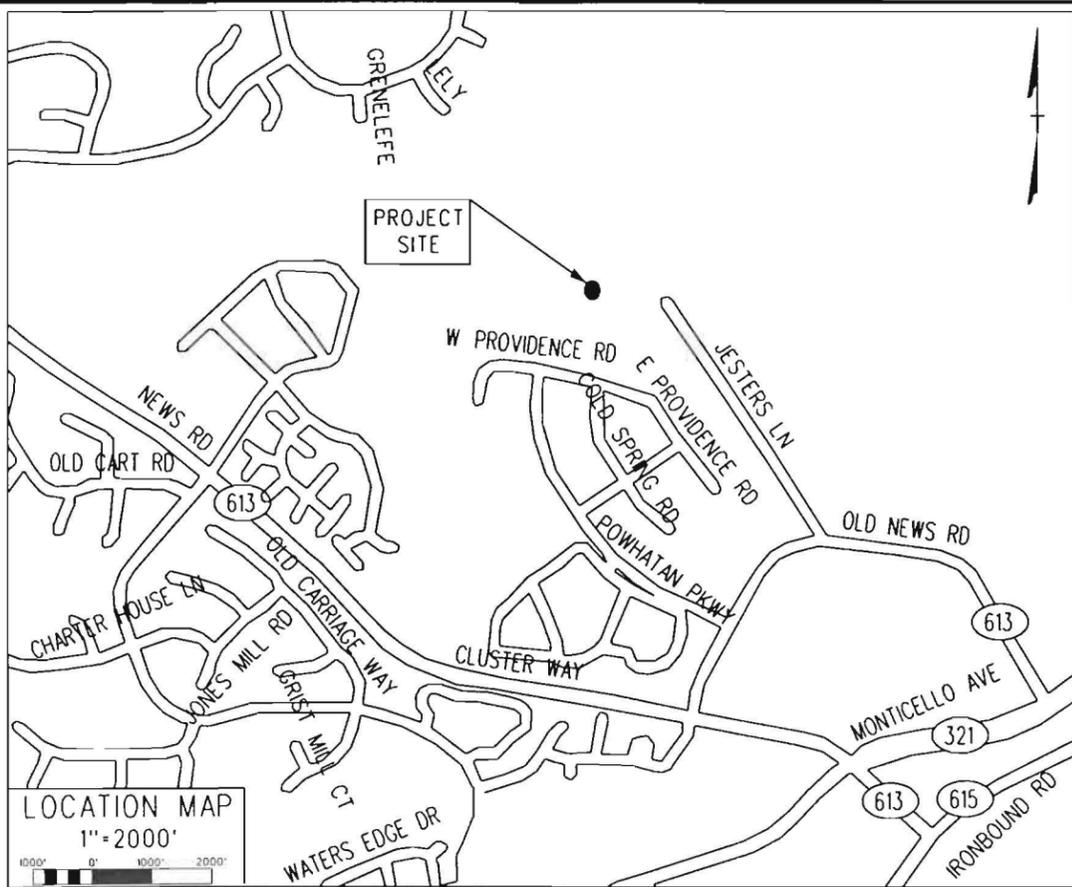
1. Towers should be placed on a site in a manner that takes maximum advantage of existing trees, vegetation and structures so as to screen as much of the entire WCF as possible from view from adjacent properties and public roads. Access drives should be designed in a manner that provides no view of the tower base or related facilities.
2. Towers should be buffered from adjacent land uses and public roads as much as possible. The following buffer widths and standards should be met:
 - a. In or adjacent to residential or agricultural zoning districts, areas designated residential or rural lands on the Comprehensive Plan, historic or scenic resource areas, or scenic resource corridors, an undisturbed, completely wooded buffer consisting of existing mature trees at least 100 feet wide should be provided around the WCF.
 - b. In or adjacent to all other areas, at least a 50 foot wide vegetative buffer consisting of a mix of deciduous and evergreen trees native to Eastern Virginia should be provided.

SUP 0024-2009

JMT JOB NO. 2070681

GENERAL NOTES

1. PROPERTY OWNER: HOSPICE SUPPORT CARE OF WILLIAMSBURG
4445 POWHATAN PKWY
WILLIAMSBURG VA 23188
- SITE ADDRESS: 4445 POWHATAN PARKWAY
WILLIAMSBURG VA 23188
- SITE NAME: Hospice care of Williamsburg
2. NTELOS SITE NO.: NR-6422 (HOSPICE CARE OF WILLIAMSBURG)
3. CONSULTING ENGINEER: JOHNSON, MIRMIRAN & THOMPSON
9201 ARBORETUM PARKWAY
SUITE 140
RICHMOND, VA 23236
(804) 323-9900
4. APPLICANT: NTELOS
9011 ARBORETUM PARKWAY, SUITE 295
RICHMOND VA 23236
CONTACT PERSON: ANDREW WALLACE
(804) 247-3898
5. LEASE AREA: 40'x40' (1600 SQ. FT.)
6. CURRENT ZONING: R8
GPIN: 383D100001A
7. THE CONTRACTOR SHALL SECURE ALL NECESSARY PERMITS FOR THIS PROJECT FROM ALL APPLICABLE GOVERNMENT AGENCIES.
8. ANY PERMITS WHICH MUST BE OBTAINED SHALL BE THE CONTRACTOR'S RESPONSIBILITY AND AT HIS EXPENSE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ABIDING BY ALL CONDITIONS AND REQUIREMENTS OF THE PERMITS.
9. THIS SITE COMPLIES WITH FEDERAL COMMUNICATIONS COMMISSION STANDARDS FOR NON-IONIZING ELECTROMAGNETIC EMISSIONS.
10. LOCATION OF EXISTING SEWER, WATER OR GAS LINES, CONDUITS OR OTHER STRUCTURES ACROSS, UNDERNEATH, OR OTHERWISE ALONG THE LINE OF PROPOSED WORK ARE NOT NECESSARILY SHOWN ON THE PLANS, AND IF SHOWN ARE ONLY APPROXIMATELY CORRECT. CONTRACTOR SHALL VERIFY LOCATION AND ELEVATION OF ALL UNDERGROUND UTILITIES (INCLUDING TEST PITS BY HAND IF NECESSARY) IN AREAS OF CONSTRUCTION PRIOR TO STARTING WORK. CONTACT ENGINEER IMMEDIATELY IF LOCATION OR ELEVATION IS DIFFERENT FROM THAT SHOWN ON PLANS. IF THERE APPEARS TO BE A CONFLICT, OR UPON THE DISCOVERY OF ANY UTILITY NOT SHOWN ON THE PLANS, FOR ASSISTANCE CALL "MISS UTILITY" 1-800-552-7001.
11. EXISTING PAVEMENT AND OTHER SURFACES DISTURBED BY THE CONTRACTOR (WHICH ARE NOT TO BE REMOVED) SHALL BE REPAIRED TO LIKE-NEW CONDITION.
12. THE CONTRACTOR IS REQUIRED TO MAINTAIN ALL DITCHES, PIPES, AND OTHER DRAINAGE STRUCTURES FREE FROM OBSTRUCTION UNTIL WORK IS ACCEPTED BY THE OWNER. THE CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGES CAUSED BY FAILURE TO MAINTAIN DRAINAGE STRUCTURES IN OPERABLE CONDITION.
13. THE CONTRACTOR SHALL COORDINATE WITH NTELOS THE REQUIREMENTS FOR AND LIMITS OF OVERHEAD AND/OR UNDERGROUND ELECTRICAL SERVICE.
14. ALL MATERIALS AND WORKMANSHIP SHALL BE WARRANTED FOR ONE (1) FULL YEAR FROM THE DATE OF ACCEPTANCE.
15. THE OWNER SHALL HAVE A SET OF APPROVED PLANS AVAILABLE AT THE SITE AT ALL TIMES WHEN WORK IS BEING PERFORMED. A DESIGNATED RESPONSIBLE EMPLOYEE SHALL BE AVAILABLE FOR CONTACT BY COUNTY INSPECTORS.
17. ALL WORK PRESENTED ON THESE DRAWINGS MUST BE COMPLETED BY THE CONTRACTOR UNLESS NOTED OTHERWISE. THE CONTRACTOR MUST HAVE CONSIDERABLE EXPERIENCE IN PERFORMANCE OF WORK SIMILAR TO THAT DESCRIBED HEREIN. BY ACCEPTANCE OF THIS ASSIGNMENT, THE CONTRACTOR IS ATTESTING THAT HE DOES HAVE SUFFICIENT EXPERIENCE AND ABILITY, THAT HE IS KNOWLEDGEABLE OF THE WORK TO BE PERFORMED AND THAT HE IS PROPERLY LICENSED AND PROPERLY REGISTERED TO DO THIS WORK IN THE STATE AND COUNTY IN WHICH IT IS TO BE PERFORMED.
18. UNLESS SHOWN OR NOTED OTHERWISE ON THE CONTRACT DRAWINGS, OR IN THE SPECIFICATIONS, THE FOLLOWING NOTES SHALL APPLY TO THE MATERIALS LISTED HEREIN, AND TO THE PROCEDURES TO BE USED ON THIS PROJECT.
19. ALL HARDWARE ASSEMBLY MANUFACTURER'S INSTRUCTIONS SHALL BE FOLLOWED EXACTLY AND SHALL SUPERCEDE ANY CONFLICTING NOTES ENCLOSED HEREIN.



T-1	TITLE SHEET AND GENERAL NOTES	1
C-1	SITE PLAN	2
C-2	CONDUIT LAYOUT PLAN	3
C-3	COMPOUND PLAN AND TOWER ELEVATION	4
C-4	LANDSCAPING PLAN	5
C-5	EROSION AND SEDIMENT CONTROL PLAN	6
C-6	EROSION & SEDIMENTATION CONTROL NOTES	7
C-7	EROSION & SEDIMENT CONTROL DETAILS	8
C-8	BLACK VINYL FENCE NOTES AND DETAILS	9
C-9	ACCESS ROAD DETAILS	10
C-10	EQUIPMENT PLATFORM AND ICE BRIDGE DETAILS	11
E-1	ELECTRICAL AND GROUNDING DETAIL SHEET	12
E-2	ELECTRICAL PLAN, GROUNDING DETAIL AND NOTES	13



**TELECOMMUNICATIONS FACILITY
HOSPICE CARE OF
WILLIAMSBURG (NR-6422)
4445 POWHATAN PARKWAY
WILLIAMSBURG VA 23188
POWHATAN DISTRICT**

20. IT IS THE CONTRACTOR'S SOLE RESPONSIBILITY TO DETERMINE ERECTION PROCEDURE AND SEQUENCE TO INSURE THE SAFETY OF THE STRUCTURE AND ITS COMPONENT PARTS DURING ERECTION AND/OR FIELD MODIFICATIONS. THIS INCLUDES, BUT IS NOT LIMITED TO, THE ADDITION OF WHATEVER TEMPORARY BRACING, GUYS OR TIE DOWNS THAT MAY BE NECESSARY. SUCH MATERIAL SHALL BE REMOVED AND SHALL REMAIN THE PROPERTY OF THE CONTRACTOR AFTER THE COMPLETION OF THE PROJECT.
21. ALL DIMENSIONS, ELEVATIONS, AND EXISTING CONDITIONS SHOWN ON THE DRAWINGS SHALL BE FIELD VERIFIED BY THE CONTRACTOR PRIOR TO BEGINNING ANY MATERIALS ORDERING, FABRICATION OR CONSTRUCTION WORK ON THIS PROJECT. ANY DISCREPANCIES SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION OF THE OWNER AND THE OWNERS ENGINEER. THE DISCREPANCIES MUST BE RESOLVED BEFORE THE CONTRACTOR IS TO PROCEED WITH THE WORK. THE CONTRACT DOCUMENTS DO NOT INDICATE THE METHOD OF CONSTRUCTION. THE CONTRACTOR SHALL SUPERVISE AND DIRECT THE WORK AND SHALL BE SOLELY RESPONSIBLE FOR ALL CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES, AND PROCEDURES. OBSERVATION VISITS TO THE SITE BY THE OWNER AND/OR THE ENGINEER SHALL NOT INCLUDE INSPECTION OF THE PROTECTIVE MEASURES OR THE CONSTRUCTION PROCEDURES.
22. ALL MATERIALS AND EQUIPMENT FURNISHED SHALL BE NEW AND OF GOOD WORKING QUALITY, FREE FROM FAULTS AND DEFECTS AND IN CONFORMANCE WITH THE CONTRACT DOCUMENTS. ANY AND ALL SUBSTITUTIONS MUST BE PROPERLY APPROVED AND AUTHORIZED IN WRITING BY THE OWNER AND THE ENGINEER PRIOR TO INSTALLATION. THE CONTRACTOR SHALL FURNISH SATISFACTORY EVIDENCE AS TO THE KIND AND QUALITY OF THE MATERIALS AND EQUIPMENT BEING SUBSTITUTED.
23. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING, AND SUPERVISING ALL SAFETY PRECAUTIONS AND PROGRAMS IN CONNECTION WITH THE WORK. THE CONTRACTOR IS RESPONSIBLE FOR INSURING THAT THIS PROJECT AND RELATED WORK COMPLIES WITH ALL APPLICABLE LOCAL, STATE, AND FEDERAL SAFETY CODES AND REGULATIONS GOVERNING THIS WORK.
24. ALL WORK SHALL BE COMPLETED IN ACCORDANCE WITH THE LATEST EDITION OF THE LOCAL BUILDING CODE.
25. ACCESS TO THE PROPOSED WORK SITE MAY BE RESTRICTED. THE CONTRACTOR SHALL COORDINATE INTENDED CONSTRUCTION ACTIVITY, INCLUDING WORK SCHEDULE AND MATERIALS ACCESS, WITH THE PROPERTY OWNER FOR APPROVAL.
26. ALL WORK SHALL BE ACCOMPLISHED IN ACCORDANCE WITH ALL LOCAL, STATE AND FEDERAL CODES OR ORDINANCES. THE MOST STRINGENT CODE WILL APPLY IN THE CASE OF DISCREPANCIES OR DIFFERENCES IN THE CODE REQUIREMENTS.
27. ANY DAMAGE TO ADJACENT PROPERTIES WILL BE CORRECTED AT THE CONTRACTORS EXPENSE.
28. CONTRACTOR SHALL VERIFY LOCATION OF ALL EXISTING UTILITIES WITHIN CONSTRUCTION LIMITS PRIOR TO CONSTRUCTION.
29. RECORD DRAWINGS: MAINTAIN A RECORD OF ALL CHANGES, SUBSTITUTIONS BETWEEN WORK AS SPECIFIED AND INSTALLED. RECORD CHANGES ON A CLEAN SET OF CONTRACT DRAWINGS WHICH SHALL BE TURNED OVER TO THE CONSTRUCTION MANAGER UPON COMPLETION OF PROJECT.
30. COORDINATE THE CONSTRUCTION STAGING AREA WITH THE PROPERTY OWNER AND THE PROPERTY MANAGER WELL IN ADVANCE OF THE CONSTRUCTION START DATE.
31. CONTRACTOR IS TO FIELD VERIFY ALL EXISTING CONDITIONS AND PLAN DIMENSIONS, AND NOTIFY THE ARCHITECT AND ENGINEER IMMEDIATELY OF ANY DISCREPANCIES.
32. THE CONTRACTOR SHALL REMOVE ALL TRASH AND DEBRIS FROM THE WORK SITE ON A DAILY BASIS.
33. PROPOSED ANTENNAS AND ASSOCIATED GROUND EQUIPMENT WILL BE OF A NEUTRAL, NON-REFLECTIVE COLOR CONSISTENT WITH THE WIRELESS COMMUNICATIONS FACILITY (CFW) AND NATURAL SURROUNDINGS, AND THE CFW WILL CARRY NO LOGOS.
34. ALL UTILITIES BETWEEN THE EQUIPMENT STRUCTURES AND TOWERS WILL BE PLACED BENEATH THE SURFACE OF THE GROUND.
35. THE PROPOSED CO-LOCATION SHALL NOT INCLUDE FACILITIES FOR BROADCASTING OR RECEIVING COMMERCIAL OR PUBLIC RADIO OR TELEVISION PROGRAMMING; OR FACILITIES FOR TRANSMITTING OR RECEIVING SIGNALS BY GOVERNMENTAL AGENCIES OR AMATEUR RADIO, CITIZENS BAND, OR SIMILAR USES.

JMT
JOHNSON, MIRMIRAN & THOMPSON
Engineering A Better Future
9201 Arboretum Parkway Suite 140
Richmond, Virginia 23236
Phone (804) 323-9900
Fax (804) 323-0596



nTelos
Suite 295
9011 Arboretum Parkway
Richmond, Virginia 23236

APPROVALS

NTELOS	_____
DATE	_____
OWNER	_____
DATE	_____

SUBMITTALS

NO.	DATE	ISSUE
1	11/23/09	REV. ACCESS RD

PROJECT NAME

**TELECOMMUNICATIONS
FACILITY
HOSPICE CARE OF
WILLIAMSBURG
(NR-6422)
4445 POWHATAN PKWY
WILLIAMSBURG
VA 23188**

SHEET TITLE

TITLE SHEET
AND
GENERAL NOTES

T-1



DATE: 11/23/09
SCALE: AS SHOWN
DESIGNED: JC
CHECKED: JC
DRAWN: ANU
SHEET NO: 1 OF 12



APPROVALS

NTELOS _____
DATE _____
OWNER _____
DATE _____

SUBMITTALS

NO.	DATE	ISSUE
1	11/23/09	REV. ACCESS RD

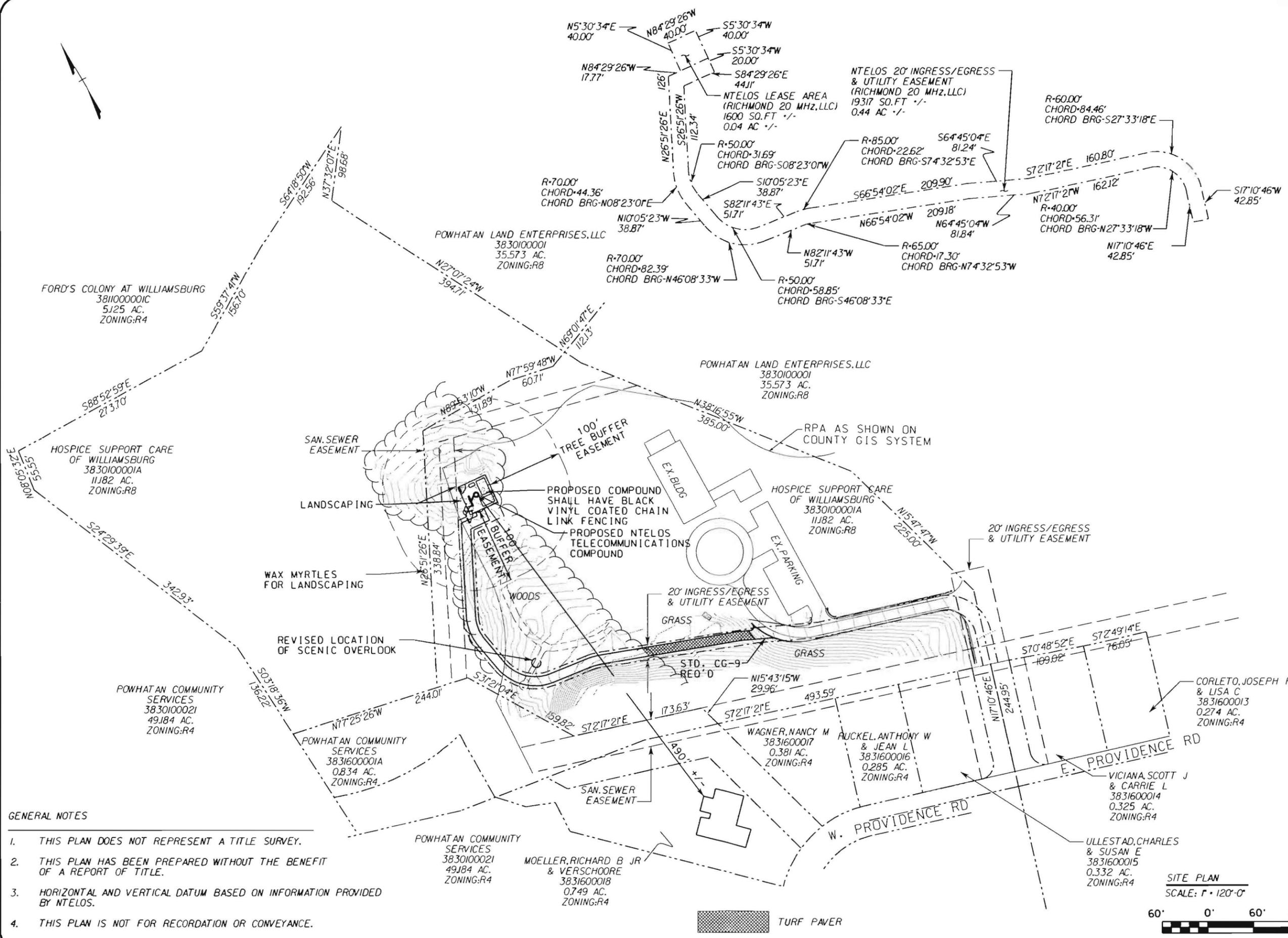
PROJECT NAME

TELECOMMUNICATIONS FACILITY
HOSPICE CARE OF WILLIAMSBURG (NR-6422)
4445 POWHATAN PRKY WILLIAMSBURG VA 23188

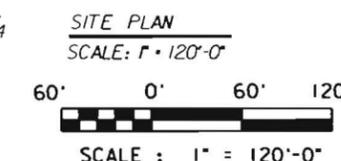
SHEET TITLE

SITE PLAN
CI

DATE: 11/23/09
SCALE: AS SHOWN
DESIGNED: JC
CHECKED: JC
DRAWN: ANU
SHEET NO:
2 OF 12



- GENERAL NOTES
1. THIS PLAN DOES NOT REPRESENT A TITLE SURVEY.
 2. THIS PLAN HAS BEEN PREPARED WITHOUT THE BENEFIT OF A REPORT OF TITLE.
 3. HORIZONTAL AND VERTICAL DATUM BASED ON INFORMATION PROVIDED BY NTELOS.
 4. THIS PLAN IS NOT FOR RECORDATION OR CONVEYANCE.



TURF PAVER

JMT JOB NO. 2070681



JOHNSON, MIRMIRAN & THOMPSON
Engineering A Brighter Future
9201 Arboretum Parkway Suite 140
Richmond, Virginia 23236
Phone (804) 323-9900
Fax (804) 323-0596

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DATE _____

OWNER _____
DATE _____

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NO.	DATE	ISSUE
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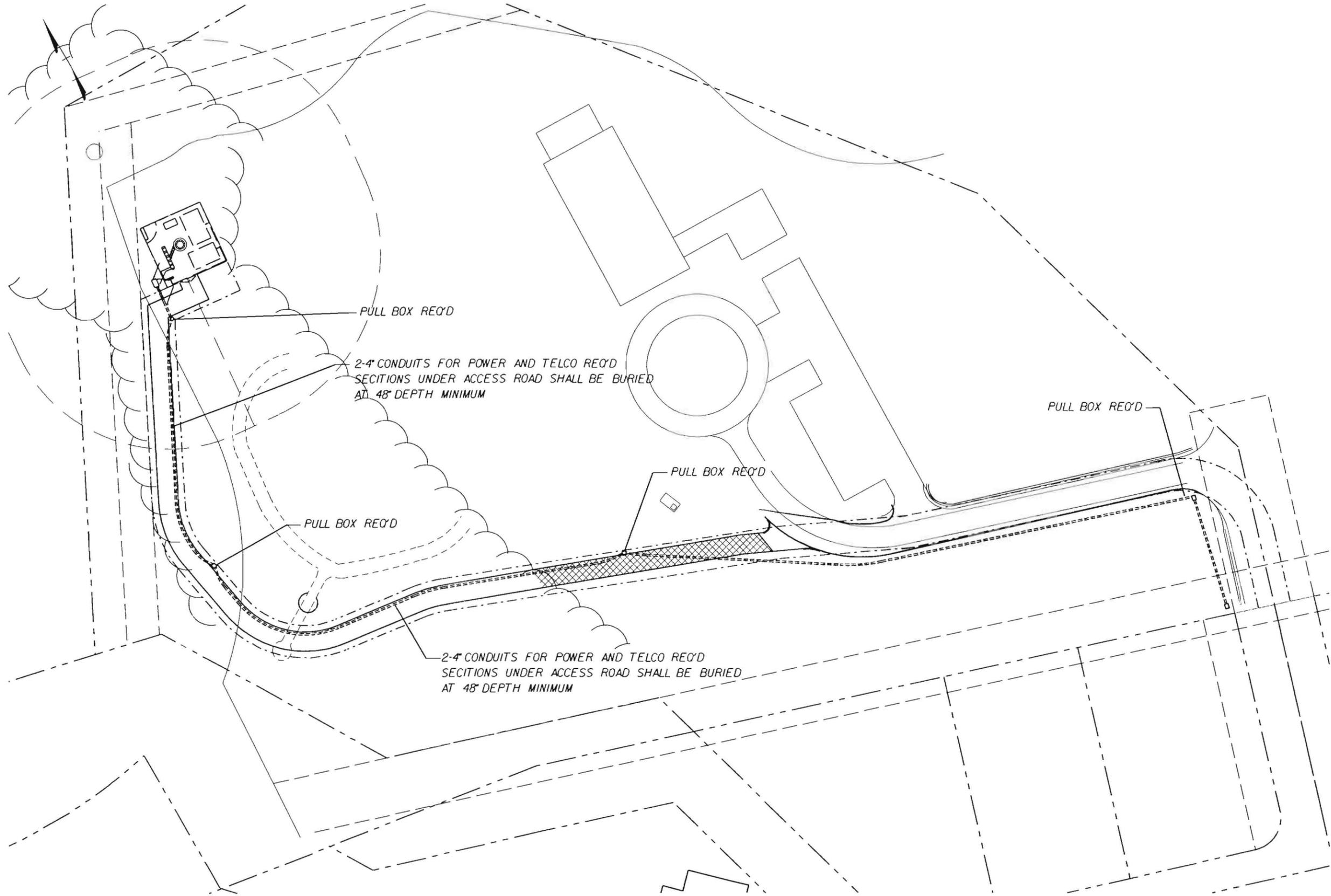
PROJECT NAME

**TELECOMMUNICATIONS
FACILITY
HOSPICE CARE OF
WILLIAMSBURG
(NR-6422)
4445 POWHATAN PKWY
WILLIAMSBURG
VA 23188**

SHEET TITLE

**CONDUIT LAYOUT
PLAN
C2**

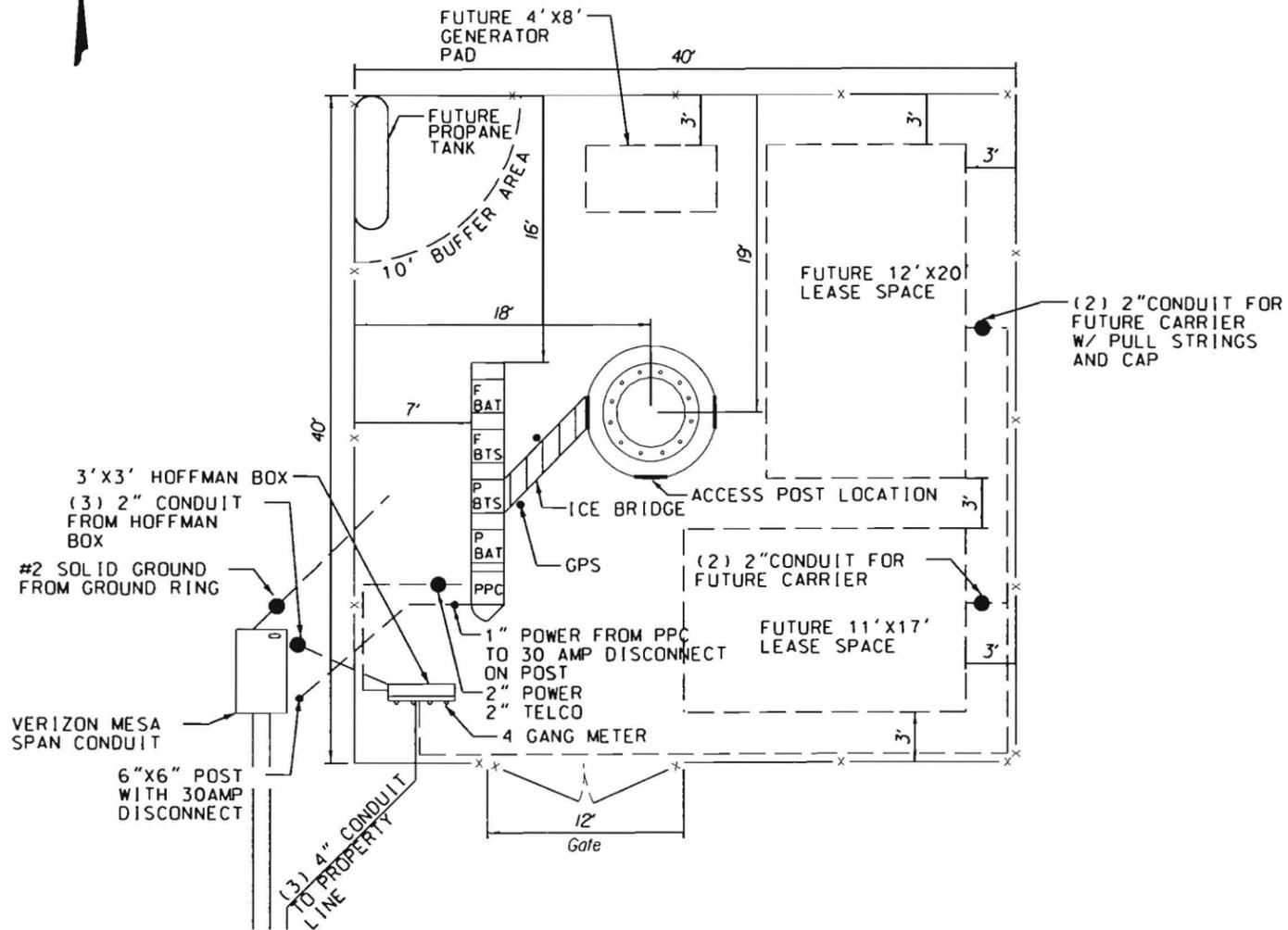
DATE: 11/23/09
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DRAWN: ANU
SHEET NO:
3 OF 12



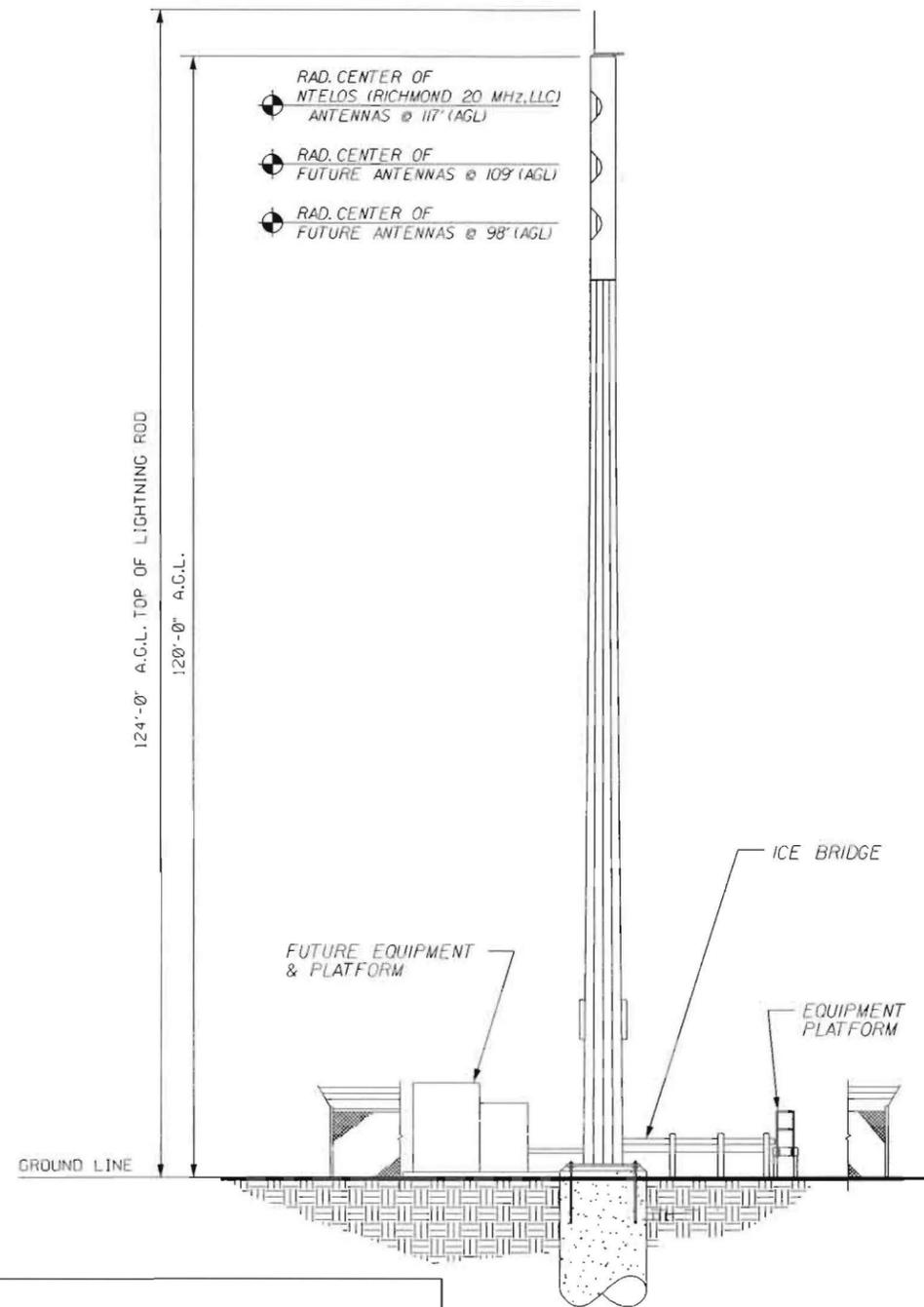
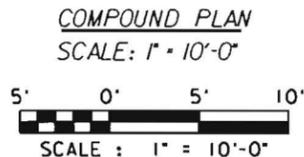
SITE PLAN
SCALE: 1" = 60'-0"



SCALE : 1" = 60'-0"



- GENERAL NOTES**
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 2. THIS PLAN HAS BEEN PREPARED WITHOUT THE BENEFIT OF A REPORT OF TITLE.
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 4. THIS PLAN IS NOT FOR RECORDATION OR CONVEYANCE.



NOTE:
 THE STRUCTURE SHOWN IS SCHEMATIC IN NATURE ONLY THE CONTRACTOR SHALL COORDINATE WITH THE CM FOR ANTENNA MOUNTS AND COAXIAL CABLE SUPPORT MEANS

ELEVATION VIEW
 SCALE: NOT TO SCALE

SITE SPECIFIC INSTRUCTIONS:

1. CONTRACTOR SHALL VISIT THE SITE BEFORE BIDDING ON THE WORK CONTAINED IN THE PACKAGE
2. FOR ADDITIONAL INFORMATION REFER TO THE GENERAL NOTES ON SHEET 1 OF 3.
3. CONTRACTOR SHALL VERIFY THE LOCATION OF ALL KNOWN AND/OR SUSPECTED UTILITIES BURIED UNDERGROUND, PRIOR TO EXCAVATING IN THE VICINITY. CONTRACTOR SHALL EXERCISE CARE DURING EXCAVATION, SO AS TO AVOID DAMAGE TO EXISTING UTILITIES OR UNDERGROUND FACILITIES.
4. CONTRACTOR SHALL FIELD VERIFY DIMENSIONS AND LOCATION OF TOWER AND NEW EQUIPMENT, AND INFORM NTELOS'S REPRESENTATIVE OF ANY CONFLICTS OR DISCREPANSIES BEFORE PROCEEDING WITH CONSTRUCTION.
5. ANTENNAS SHALL BE CONCEALED INSIDE TOWER.

JMT
 JOHNSON, MIRMIRAN & THOMPSON
 Engineering A Brighter Future
 9201 Arboretum Parkway Suite 140
 Richmond, Virginia 23236
 Phone (804) 323-9900
 Fax (804) 323-0596



nTelos
 Suite 296
 9011 Arboretum Parkway
 Richmond, Virginia 23236

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NTELOS _____
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SUBMITTALS

NO.	DATE	ISSUE
1	11/23/09	REV. ACCESS RD

PROJECT NAME

TELECOMMUNICATIONS FACILITY
 HOSPICE CARE OF WILLIAMSBURG
 (NR-6422)
 4445 POWHATAN PRWY
 WILLIAMSBURG
 VA 23188

SHEET TITLE

COMPOUND PLAN AND TOWER ELEVATION C3

DATE: 11/23/09
 SCALE: AS SHOWN
 DESIGNED: JC
 CHECKED: JC
 DRAWN: ANU
SHEET NO:
 4 OF 12

JMT JOB NO. 2070581



JOHNSON, MIRMIRAN & THOMPSON
 Engineering A Brighter Future
 9201 Arboretum Parkway Suite 140
 Richmond, Virginia 23236
 Phone (804) 323-9900
 Fax (804) 323-0596



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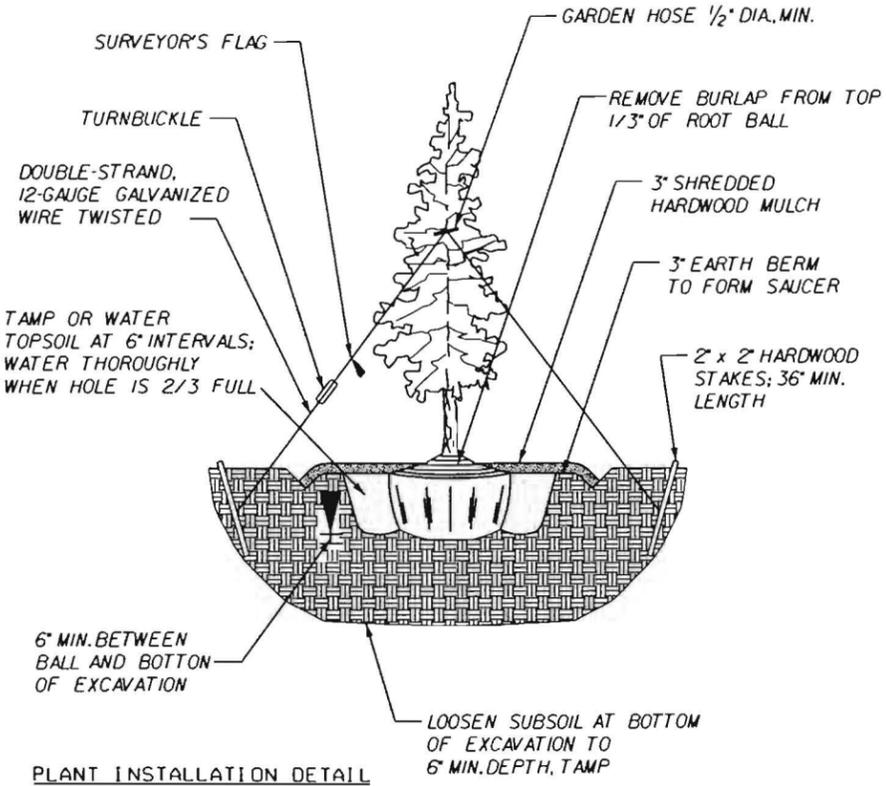
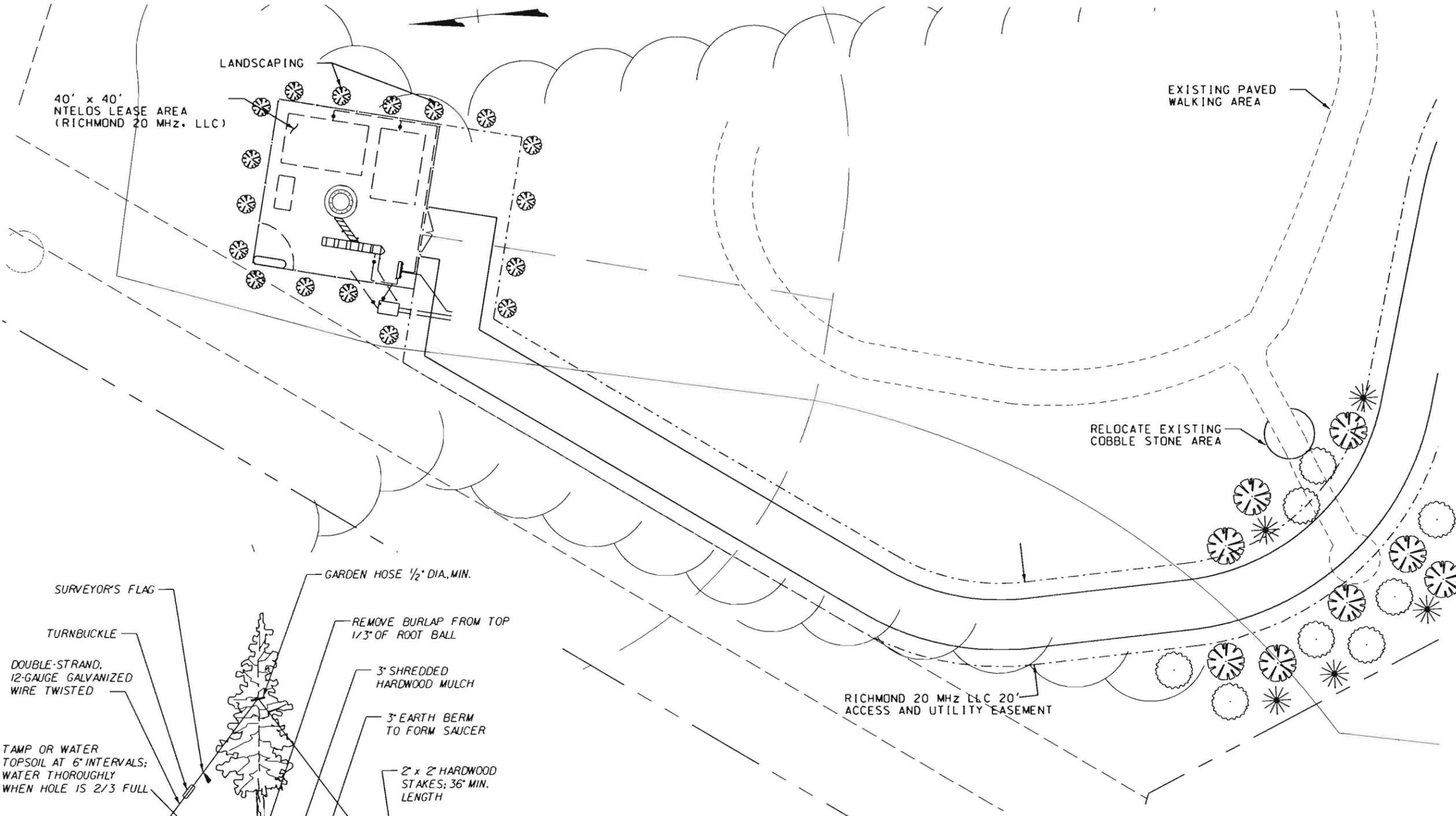
PROJECT NAME

TELECOMMUNICATIONS FACILITY
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 (NR-6422)
 4445 POWHATAN PKWY
 WILLIAMSBURG
 VA 23188

SHEET TITLE

LANDSCAPING PLAN
 C-4

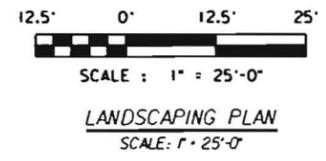
DATE: 11/23/09
 SCALE: AS SHOWN
 DESIGNED: JC
 CHECKED: JC
 DRAWN: ANU
SHEET NO:
 5 OF 12



PLANT INSTALLATION DETAIL
 NOT TO SCALE

PLANT MATERIALS LIST

KEY	QUANTITY	SPECIES		SIZE OF MATERIAL	
		COMMON NAME	BOTANICAL NAME	CALIPER	HEIGHT
	5	AMERICAN HOLLY	ILLEX OPACA AQUIFOLIACEAE	N/A	5'
	8	WAX MYRTLE	MYRICA CERIFERA	N/A	5'
	25	EASTERN RED CEDAR	JUNIPERUS VIRGINIANA	1 3/4"	5'

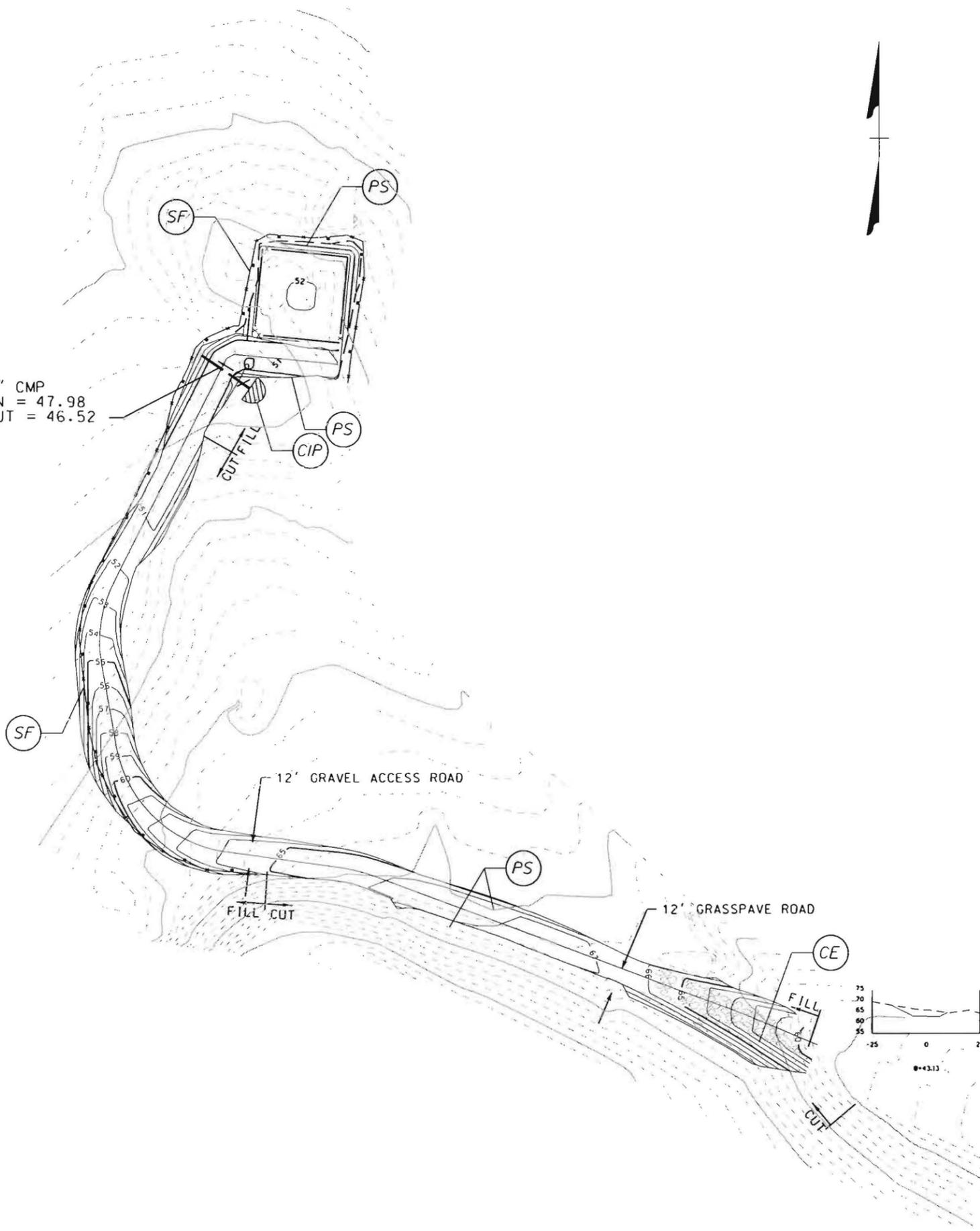


JMT JOB NO 2070681

EROSION AND SEDIMENT CONTROL LEGEND

- (SF) TEMPORARY SEDIMENT FENCE; ST'D & SPEC 3.05 VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK REFER TO DETAIL ON SHEET C-3 OF PLAN SET
- (CE) DENOTES CONSTRUCTION ENTRANCE; ST'D & SPEC 3.02 VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK FOR DETAIL REFER TO SHEET C-3 OF PLAN SET.
- (PS) DENOTES PERMANENT SEEDING; ST'D & SPEC 3.32 VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK. ALL DISTURBED AREAS NOT COVERED IN STONE SHALL RECEIVE PERMANENT SEEDING.
- (CIP) DENOTES CULVERT INLET PROTECTION; ST'D & SPEC 3.08 VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK.

30' - 15" CMP
 INV. IN = 47.98
 INV. OUT = 46.52



SITE PLAN



CONTOUR INTERVAL: 1 FT.

LEGEND

- 95-- EXISTING CONTOUR
- - - - LEASE AREA
- — — — EDGE OF GRAVEL ROAD
- - - - CENTERLINE OF ROAD
- 95 — PROPOSED CONTOURS
- — — — SILT FENCE
- ~~~~~ TREE LINE

JMT
JOHNSON, MIRMIRAN & THOMPSON
 Engineering A Brighter Future
 9201 Arboretum Parkway Suite 140
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APPROVALS

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HOSPICE CARE OF WILLIAMSBURG
 (NR-6422)
 4445 POWHATAN PKWY
 WILLIAMSBURG
 VA 23188

SHEET TITLE

EROSION AND SEDIMENT CONTROL PLAN
C-5

DATE: 11/23/09

SCALE: AS SHOWN

DESIGNED: JC

CHECKED: JC

DRAWN: ANU

SHEET NO:
 6 OF 12

EROSION AND SEDIMENT CONTROL NOTES

1. JAMES CITY COUNTY SHALL BE GIVEN 48 HOURS NOTIFICATION FOR SCHEDULING A PRE-CONSTRUCTION MEETING.
2. PROVIDE JAMES CITY COUNTY DEPARTMENT OF PUBLIC WORKS NOTIFICATION 48 HOURS PRIOR TO THE COMMENCEMENT OF ANY LAND DISTURBING ACTIVITIES.
3. INSTALL WETLAND AND TREE PROTECTION TAPE PRIOR TO PRECONSTRUCTION MEETING.
4. EROSION AND SEDIMENT CONTROL DEVICES SHALL BE INSTALL IN ACCORDANCE WITH THE VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK AND SHALL BE PLACED PRIOR TO OR AS FIRST STEP OF THE LAND DISTURBING ACTIVITIES.
5. WHERE CONSTRUCTION VEHICLE ACCESS ROUTES INTERSECT PAVED PUBLIC ROAD, PROVISIONS SHALL BE MADE TO MINIMIZE THE TRANSPORT OF SEDIMENT BY TRACKING ONTO THE PAVED SURFACE. WHERE SEDIMENT IS TRANSPORTED TO A PUBLIC ROAD SURFACE, THE ROAD SHALL BE CLEANED THOROUGHLY AT THE END OF EACH DAY. SEDIMENT SHALL BE REMOVED FROM THE ROADS BY SHOVELING OR SWEEPING AND TRANSPORTED TO A DISPOSAL AREA.
6. DURING CONSTRUCTION OF THE PROJECT, SOIL STOCKPILES SHALL BE STABILIZED OR PROTECTED WITH SEDIMENT TRAPPING MEASURES.
7. STABILIZATION MEASURES SHALL BE APPLIED TO EARTHEN STRUCTURES SUCH AS DAMS, DIKES, AND DIVERSIONS IMMEDIATELY AFTER INSTALLATION.
8. UNDERGROUND UTILITY LINES SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING STANDARDS IN ADDITION TO OTHER APPLICABLE CRITERIA:
 - A) NO MORE THAN 500 LINEAR FEET OF TRENCH MAY BE OPENED AT ONE TIME.
 - B) EXCAVATED MATERIAL SHALL BE PLACED ON THE UPHILL SIDE OF TRENCHES.
 - C) EFFLUENT FROM DEWATERING OPERATIONS SHALL BE FILTERED OR PASSED THROUGH AN APPROVED SEDIMENT TRAPPING DEVICE, OR BOTH, AND DISCHARGED IN A MANNER THAT DOES NOT ADVERSELY AFFECT FLOWING STREAMS OR OFF-SITE PROPERTY.
 - D) RE-STABILIZATION SHALL BE IN ACCORDANCE WITH THE ABOVE NOTES.
9. PERMANENT OR TEMPORARY SOIL STABILIZATIONS SHALL BE APPLIED TO DENUDED AREAS WITHIN SEVEN (7) DAYS AFTER FINAL GRADE IS REACHED ON ANY PORTION OF THE SITE, EXCEPT IN AREAS TO BE COVERED WITH ASPHALT OR CONCRETE.
10. TEMPORARY SOIL STABILIZATION SHALL BE APPLIED WITHIN SEVEN (7) DAYS TO DENUDED AREAS THAT MAY NOT BE AT FINAL GRADE BUT WILL REMAIN DORMANT FOR LONGER THAN THIRTY (30) DAYS.
11. PERMANENT SEEDING AND MULCHING IS TO BE IN ACCORDANCE WITH SEEDING SCHEDULES PRESCRIBED IN THE CURRENT VERSION OF THE VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK.
12. THE COUNTY ENGINEER MAY REQUIRE ADDITIONAL DRAINAGE AND EROSION CONTROL, IF MEASURES WARRANT.
13. EROSION AND SEDIMENT CONTROL SHALL BE MAINTAINED SO THAT SEDIMENT CARRYING RUNOFF FROM THE SITE WILL NOT ENTER STORM DRAINAGE FACILITIES.
14. THE CONTRACTOR IS REQUIRED TO MAINTAIN ALL DITCHES, PIPES AND OTHER DRAINAGE STRUCTURES FREE FROM OBSTRUCTION UNTIL THE OWNER ACCEPTS WORK. CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE CAUSED BY FAILURE TO MAINTAIN DRAINAGE STRUCTURE IN OPERABLE CONDITION.
15. EROSION AND SEDIMENT CONTROL SHALL BE MAINTAINED UNTIL THE DISTURBED AREA IS STABILIZED. FINAL REMOVAL OF EROSION CONTROL DEVICES SHALL NOT OCCUR UNTIL THE COUNTY ENGINEER DEEMS THE SITE STABILIZED.
16. IT SHALL BE THE OWNERS RESPONSIBILITY TO INSPECT EROSION CONTROL DEVICES PERIODICALLY AND AFTER EVERY ERODIBLE RAINFALL ANY NECESSARY REPAIRS OR CLEAN UP TO MAINTAIN THE EFFECTIVENESS OF THE EROSION CONTROL DEVICES SHALL BE MADE IMMEDIATELY.
17. ALL APPLICABLE FEDERAL, STATE, AND LOCAL REGULATIONS PERTAINING TO WORKING IN OR CROSSING A LIVE WATERCOURSE SHALL BE MET.

GENERAL EROSION AND SEDIMENT CONTROL NOTES:

- ES-1: UNLESS OTHERWISE INDICATED, ALL VEGETATIVE AND STRUCTURAL EROSION AND SEDIMENT CONTROL PRACTICES WILL BE CONSTRUCTED AND MAINTAINED ACCORDING TO MINIMUM STANDARDS AND SPECIFICATIONS OF THE VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK AND VIRGINIA REGULATIONS VR 625-02-DO EROSION AND SEDIMENT CONTROL REGULATIONS.
- ES-2: THE PLAN APPROVING AUTHORITY MUST BE NOTIFIED ONE WEEK PRIOR TO THE PRECONSTRUCTION CONFERENCE, ONE WEEK PRIOR TO THE COMMENCEMENT OF LAND DISTURBING ACTIVITY, AND ONE WEEK PRIOR TO THE FINAL INSPECTION.
- ES-3: ALL EROSION AND SEDIMENT CONTROL MEASURE ARE TO BE PLACED PRIOR TO OR AS THE FIRST STEP IN CLEARING.
- ES-4: A COPY OF THE APPROVED EROSION AND SEDIMENT CONTROL PLAN SHALL BE MAINTAINED ON THE SITE AT ALL TIMES.
- ES-5: PRIOR TO COMMENCING LAND DISTURBING ACTIVITIES IN AREAS OTHER THAN INDICATED ON THESE PLANS (INCLUDING, BUT NOT LIMITED TO, OFF-SITE BORROW OR WASTE AREAS), THE CONTRACTOR SHALL SUBMIT A SUPPLEMENTARY EROSION CONTROL PLAN TO THE OWNER FOR REVIEW AND APPROVAL BY THE PLAN APPROVING AUTHORITY.
- ES-6: THE CONTRACTOR IS RESPONSIBLE FOR INSTALLATION OF ANY ADDITIONAL EROSION CONTROL MEASURES NECESSARY TO PREVENT EROSION AND SEDIMENTATION AS DETERMINED BY THE PLAN APPROVING AUTHORITY.
- ES-7: ALL DISTURBED AREAS ARE TO DRAIN TO APPROVED SEDIMENT CONTROL MEASURES AT ALL TIMES DURING LAND DISTURBING ACTIVITIES AND DURING SITE DEVELOPMENT UNTIL FINAL STABILIZATION IS ACHIEVED.
- ES-8: DURING DEWATERING OPERATIONS, WATER WILL BE PUMPED INTO AN APPROVED FILTERING DEVICE.
- ES-9: THE CONTRACTOR SHALL INSPECT ALL EROSION CONTROL MEASURES PERIODICALLY AND AFTER RUNOFF-PRODUCING RAINFALL EVENT. ANY NECESSARY REPAIRS OR CLEANUP TO MAINTAIN THE EFFECTIVENESS OF THE EROSION CONTROL DEVICES SHALL BE MADE IMMEDIATELY.

SEQUENCE OF CONSTRUCTION

1. INSTALL SILT FENCE PRIOR TO COMMENCING ANY LAND DISTURBING ACTIVITY.
2. BEGIN CLEARING AND GRADING OPERATIONS. MINIMIZE CLEARING OF TREES TO ONLY THOSE AREAS NECESSARY FOR PLACEMENT OF THE ACCESS ROAD AND TOWER SITE.
3. FINE GRADE SITE AND BEGIN GRAVEL PLACEMENT.
4. ONCE THE SITE WORK IS COMPLETED AND SITE IS STABILIZED REMOVE ALL TEMPORARY CONTROL MEASURES.

EROSION AND SEDIMENT MAINTENANCE SCHEDULE

1. GRAVEL CONSTRUCTION ENTRANCE
MAINTAIN A MINIMUM OF 6 INCHES OF AGGREGATE AT ALL TIMES. ALL MATERIALS SPILLED, DROPPED, WASHED, OR TRACKED FROM VEHICLES INTO ROADWAY ARE TO BE REMOVED IMMEDIATELY. AFTER COMPLETION OF PROJECT REMOVE CONSTRUCTION ENTRANCE AND REPLACE WITH PERMANENT ENTRANCE.
2. TEMPORARY SEDIMENT FENCE
INSPECT DAILY AND CLEAN SEDIMENT BUILD-UP DAILY DURING PROLONGED RAINFALL AND AFTER EACH STORM.



APPROVALS

NTELOS _____
 DATE _____
 OWNER _____
 DATE _____

SUBMITTALS

NO.	DATE	ISSUE
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PROJECT NAME

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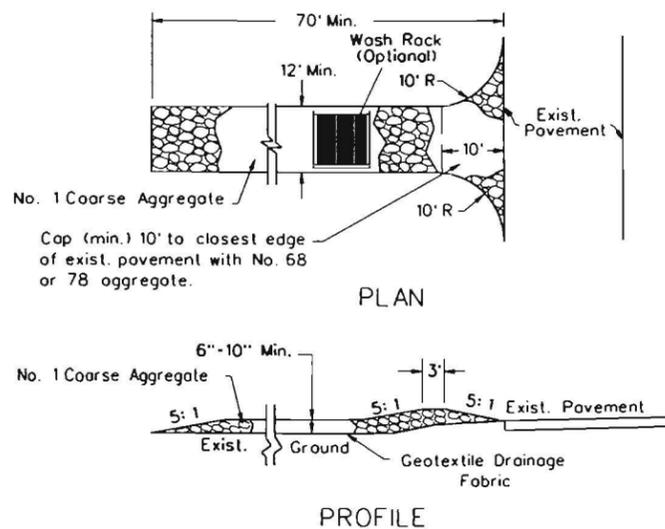
SHEET TITLE

**EROSION &
 SEDIMENTATION
 CONTROL NOTES**
 C-6

DATE: 11/23/09
 SCALE: AS SHOWN
 DESIGNED: JC
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 DRAWN: ANJ
SHEET NO:
 7 OF 12

JMT JOB NO. 2070681

MINIMUM REQUIREMENTS FOR STABILIZED CONSTRUCTION ENTRANCE



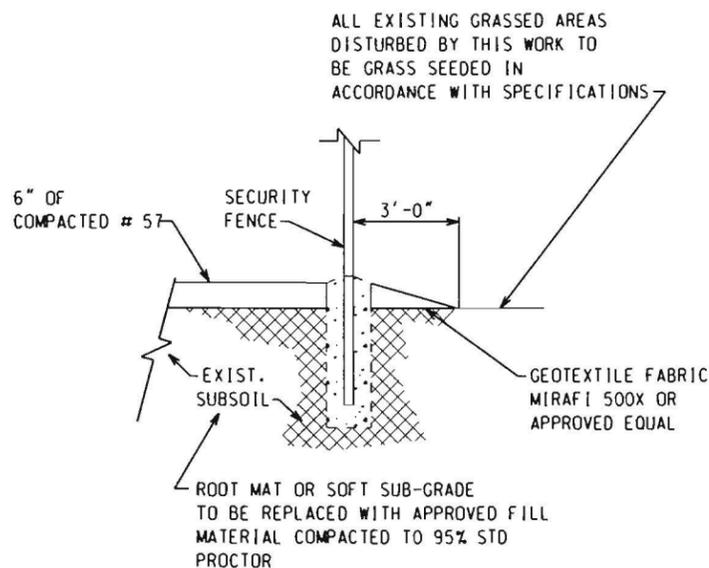
Surface water shall be piped under the construction entrance. If piping is impractical, a mountable berm with 5:1 slopes will be permitted.

The entrance shall be maintained in a condition which will prevent tracking or flowing of sediment onto public rights-of-way. This may require periodic top dressing with additional stone as conditions demand and repair and/or cleanout of any measures used to trap sediment. All sediment spilled, dropped, washed or tracked onto public rights-of-way shall be removed immediately.

Wheels shall be cleaned to remove sediment prior to entrance onto public rights-of-way. When washing is required, it shall be done on an area stabilized with stone and which drains into an approved temporary sediment trap (See Std & sec 3.13 Virginia erosion and Sediment Control Handbook).

Periodic inspection and needed maintenance shall be provided after heavy use and each rain.

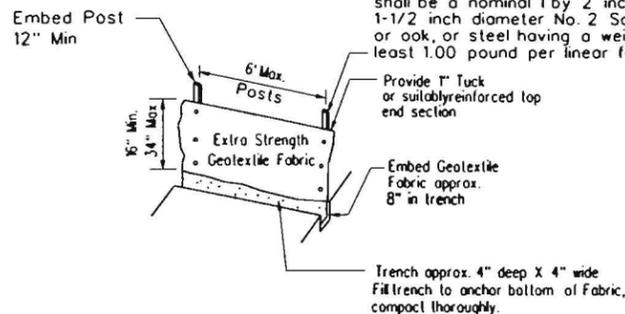
MINIMUM REQUIREMENTS FOR STABILIZED CONSTRUCTION ENTRANCE
NOT TO SCALE



STONE APRON DETAIL
NOT TO SCALE

Posts for temporary silt fences shall be a nominal 2-1/2 by 2-1/2 inch or a 3 inch diameter No. 2 southern pine, a nominal 2 by 2 inch oak, or steel having a weight of at least 1.25 pounds per linear foot and a length of at least 5 feet.

Supports for temporary filter barriers shall be a nominal 1 by 2 inch or 1-1/2 inch diameter No. 2 Southern pine or oak, or steel having a weight of at least 1.00 pound per linear foot.



SILT FENCE
NOT TO SCALE

GENERAL NOTES

1. ALL CONSTRUCTION AND MATERIALS SHALL CONFORM WITH THE LATEST EDITION OF STANDARDS AND SPECIFICATIONS OF THE VIRGINIA DEPARTMENT OF HIGHWAYS AND TRANSPORTATION, EXCEPT WHERE TOWN OF ASHLAND OR HANOVER COUNTY STANDARDS ARE APPLICABLE.

2. THE CONTRACTOR SHALL FOLLOW ALL LOCAL, STATE AND FEDERAL SAFETY REGULATIONS AND PROCEDURES THAT ARE APPLICABLE IN THE CONSTRUCTION OF THE PROPOSED WORK.

3. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY LOCAL, STATE AND FEDERAL PERMITS REQUIRED AT THE CONTRACTOR'S EXPENSE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ABIDING BY ALL CONDITIONS AND REQUIREMENTS OF THE PERMITS.

4. A TOWN OF ASHLAND RIGHT-OF-WAY PERMIT IS REQUIRED PRIOR TO ANY WORK BEING PERFORMED IN WITHIN THE RIGHT-OF-WAY.

5. APPROVAL OF A DETAILED CONSTRUCTION SEQUENCING AND MAINTENANCE OF TRAFFIC NARRATIVE FOR THE WORK ZONE IS A PREREQUISITE FOR ISSUANCE OF A TOWN OF ASHLAND RIGHT-OF-WAY PERMIT ALLOWING ACCESS TO AND CONSTRUCTION WITHIN A TOWN MAINTAINED RIGHT-OF-WAY.

6. THE CONTRACTOR SHALL NOTIFY THE TOWN AT LEAST 48 HOURS PRIOR TO STARTING WORK ON THE PROJECT.

7. THE CONTRACTOR SHALL CALL MISS UTILITY OF CENTRAL VIRGINIA AT (804) 552-7001 PRIOR TO STARTING WORK.

TABLE 133-B
PERMANENT SEEDING MIXTURES FOR COSTAL PLAIN AREA

LAND USE	SPECIES	APPLICATION RATES
MINIMUM CARE LAWN (COMMERCIAL OR RESIDENTIAL)	TALL FESCUE	175-200 LBS
	OR BERMUDAGRASS	75 LBS
HIGH MAINTENANCE LAWNS	TALL FESCUE OR BERMUDAGRASS (SEED)	200-250 LBS
	OR BERMUDAGRASS (BY OTHER VEGETATIVE ESTABLISHMENT METHOD, SEE STD. & SPEC. 3.34)	40 LBS (UNHULLED) 30 LBS (HULLED)
GENERAL SLOPE (3:1 OR LESS)	TALL FESCUE RED TOP GRASS OR CREEPING RED FESCUE SEASONAL NURSE CROP	128 LBS 2 LBS 20 LBS TOTAL: 150 LBS
LOW MAINTENANCE SLOPE (STEEPER THAN 3:1)	TALL FESCUE BERMUDAGRASS RED TOP GRASS OR CREEPING RED FESCUE SEASONAL NURSE CROP SERICEA LESPEDEZA	93-108 LBS 0-15 LBS 2 LBS 20 LBS 20 LBS TOTAL: 150 LBS

1- WHEN SELECTING VARIETIES OF TURF GRASS, USE THE VIRGINIA CROP IMPROVEMENT ASSOCIATION (VCIA) RECOMMENDED TURF GRASS VARIETY LIST. QUALITY SEED WILL BEAR A LABEL INDICATING THAT THEY ARE APPROVED BY VCIA. A CURRENT TURFGRASS VARIETY LIST IS AVAILABLE AT THE LOCAL COUNTY EXTENSION OFFICE OR THROUGH VCIA AT 804-746-4884 OR AT [HTTP://SUDAN.CSES.VT.EDU/HTML/TURF/TURF/PUBLICATIONS/PUBLICATIONS2.HTML](http://sudan.cses.vt.edu/html/turf/turf/publications/publications2.html)

2- USE SEASONAL NURSE CROP IN ACCORDANCE WITH SEEDING DATES AS STATED BELOW:
 FEBRUARY, MARCH - APRIL ANNUAL RYE
 MAY 1ST - AUGUST FOXTAIL MILLET
 SEPTEMBER, OCTOBER - NOVEMBER 15TH ANNUAL RYE
 NOVEMBER 16TH - JANUARY WINTER RYE

3- MAY THROUGH OCTOBER, USE HULLED SEED. ALL OTHER SEEDING PERIODS, USE UN HULLED SEED. IF WEEPING LOVEGRASS IS USED, INCLUDE IN ANY SLOPE OR LOW MAINTENANCE MIXTURE DURING WARMER SEEDING PERIODS, INCREASE TO 30-40 LBS/ACRE.

FERTILIZER & LIME

- APPLY 10-20-10 FERTILIZER AT A RATE OF 500 LBS./ACRE (OR 12 LBS./ 1000 SQ FT)
- APPLY PULVERIZED AGRICULTURAL LIMESTONE AT A RATE OF 2 TONS/ACRE (OR 90 LBS/ 1000 SQ FT)

NOTE:
 -A SOIL TEST IS NECESSARY TO DETERMINE THE ACTUAL AMOUNT OF LIME REQUIRED TO ADJUST THE SOIL PH OF THE SITE
 -INCORPORATE THE LIME AND FERTILIZER INTO THE TOP 4-6 INCHES OF THE SOIL BY DISKING OR OTHER MEANS.

-WHEN APPLY SLOWLY AVAILABLE NITROGEN, USE RATES AVAILABLE IN EROSION & SEDIMENT CONTROL TECHNICAL BULLETIN
 * 2003 NUTRIENT MANAGEMENT FOR DEVELOPMENT SITES AT [HTTP://WWW.DCR.STATE.VA.US/SW/E/S.HTM#PUBS](http://www.dcr.state.va.us/sw/e/s.htm#pubs)

TABLE 131-B
TEMPORARY SEEDING SPECIFICATIONS
QUICK REFERENCE FOR ALL REGIONS

APPLICATION DATES	SPECIES	APPLICATION RATES
SEPT. 1 - FEB. 15	50/50 MIX ANNUAL RYEGRASS (LOLIUM MULTI-FLORUM) & CEREAL (WINTER) RYE (SECALE CEREALE)	50-100 (LBS/ACRE)
FEB. 16 - APR. 30	ANNUAL RYEGRASS (LOLIUM MULTI-FLORUM)	60-100 (LBS/ACRE)
MAY 1 - AUG. 31	GERMAN MILLET	50 (LBS/ACRE)

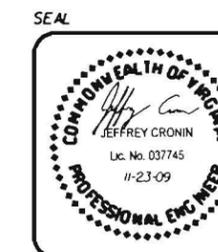
FERTILIZER & LIME

- APPLY 10-10-10 FERTILIZER AT A RATE OF 450 LBS./ACRE (OR 10 LBS./ 1000 SQ FT)
- APPLY PULVERIZED AGRICULTURAL LIMESTONE AT A RATE OF 2 TONS/ACRE (OR 90 LBS/ 1000 SQ FT)

NOTE:
 -A SOIL TEST IS NECESSARY TO DETERMINE THE ACTUAL AMOUNT OF LIME REQUIRED TO ADJUST THE SOIL PH OF THE SITE
 -INCORPORATE THE LIME AND FERTILIZER INTO THE TOP 4-6 INCHES OF THE SOIL BY DISKING OR OTHER MEANS.

-WHEN APPLY SLOWLY AVAILABLE NITROGEN, USE RATES AVAILABLE IN EROSION & SEDIMENT CONTROL TECHNICAL BULLETIN
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JMT
 JOHNSON, MIRMIRAN & THOMPSON
 Engineering A Brighter Future
 9201 Arboretum Parkway Suite 140
 Richmond, Virginia 23236
 Phone (804) 323-9900
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 9011 Arboretum Parkway
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APPROVALS

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 OWNER _____
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SUBMITTALS

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HOSPICE CARE OF WILLIAMSBURG (NR-6422)
4445 POWHATAN PKWY WILLIAMSBURG VA 23188

SHEET TITLE

EROSION & SEDIMENT CONTROL DETAILS
 C-7

DATE: 11/23/09
 SCALE: AS SHOWN
 DESIGNED: JC
 CHECKED: JC
 DRAWN: ANU
SHEET NO:
 8 OF 12



APPROVALS

NTELOS _____
 DATE _____

OWNER _____
 DATE _____

SUBMITTALS

NO.	DATE	ISSUE
1	11/23/09	REV. ACCESS RD

PROJECT NAME

TELECOMMUNICATIONS FACILITY
HOSPICE CARE OF WILLIAMSBURG
(NR-6422)
4445 POWHATAN PKWY
WILLIAMSBURG
VA 23188

SHEET TITLE

BLACK VINYL FENCE NOTES AND DETAILS
 C-8

DATE: 11/23/09

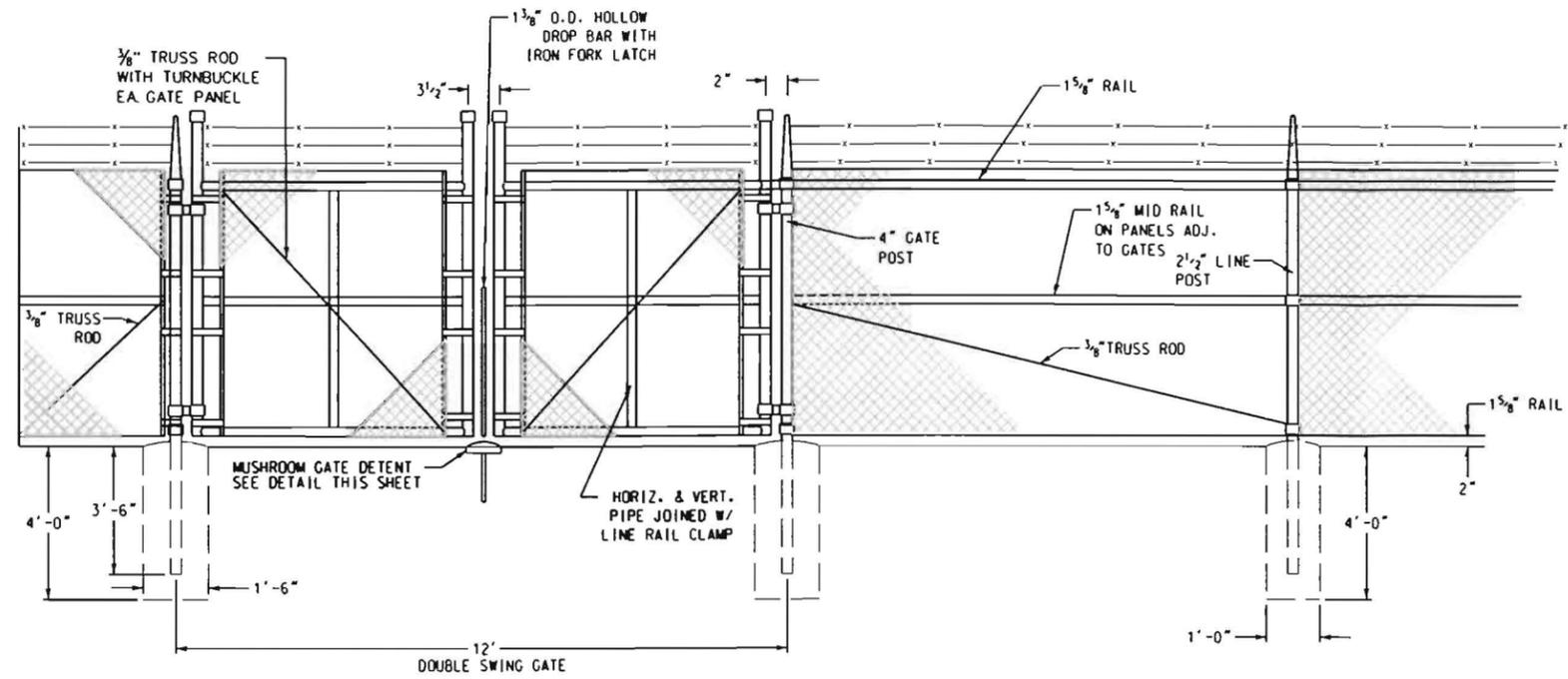
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DESIGNED: JC

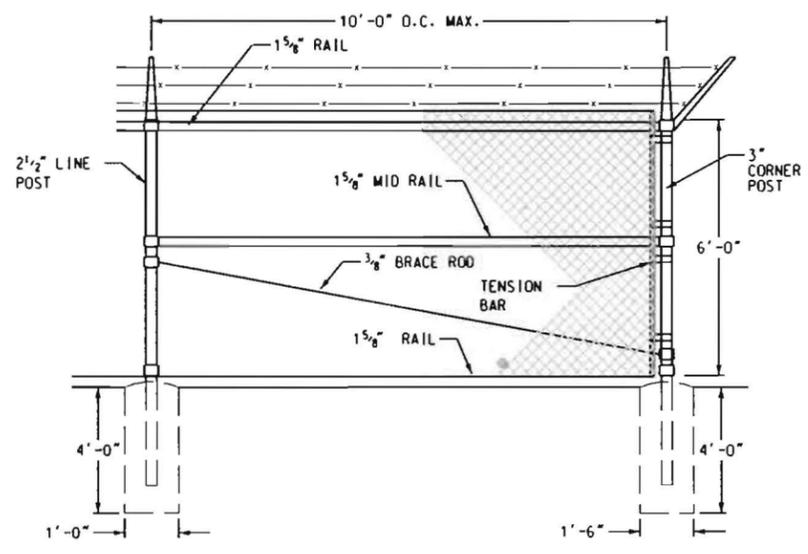
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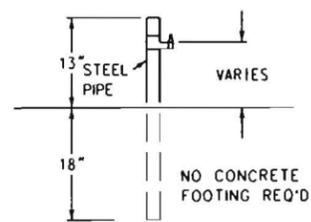
SHEET NO:
 9 OF 12



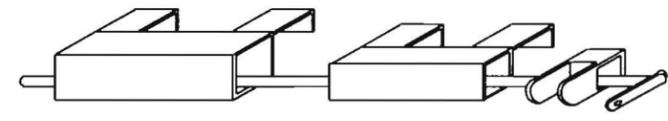
GATES AND ADJACENT PANELS
 NOT TO SCALE



CORNER PANEL
 NOT TO SCALE



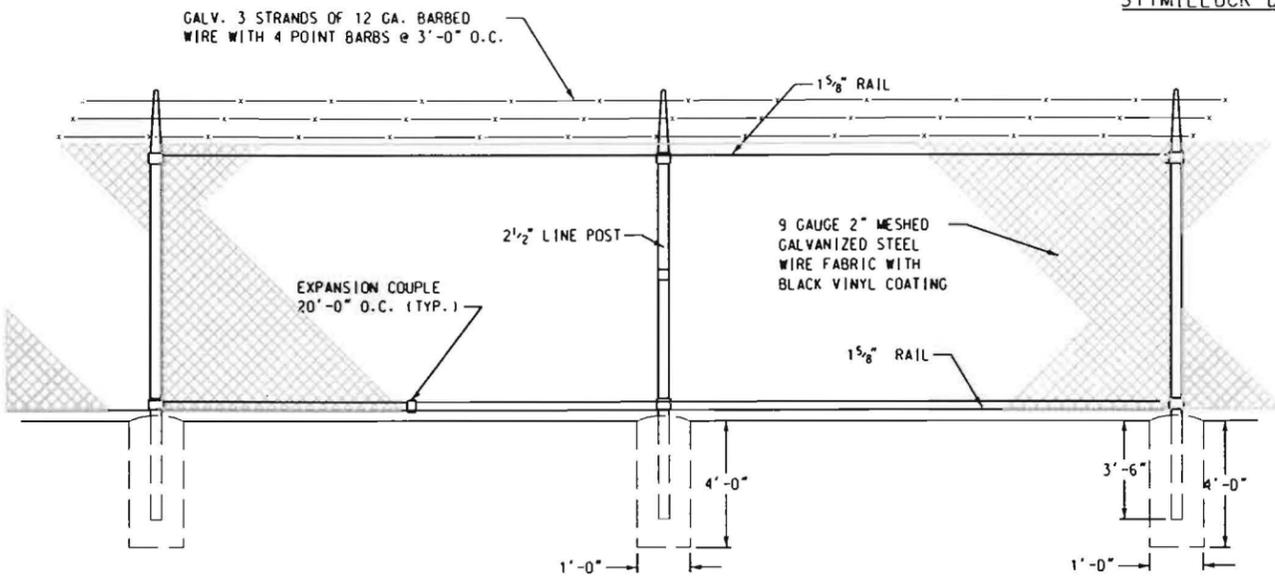
GATE STOP/KEEPER DETAIL
 NOT TO SCALE



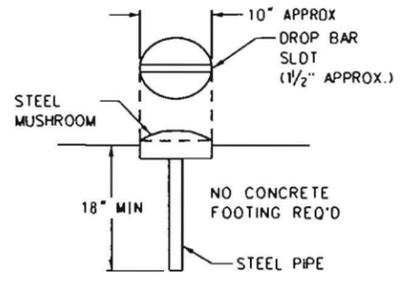
STYMILOCK DETAIL
 OUTSIDE OF COMPOUND

FENCE MATERIALS SCHEDULE

ITEM	GATE PANELS	PANELS ADJACENT TO GATES	CORNER PANELS	LINE PANELS
1 1/2\" SCH. 40 TOP RAIL	X	X	X	X
1 1/2\" SCH. 40 MID RAIL	X	X	X	X
1 1/2\" SCH. 40 BOTTOM RAIL	X	X	X	X
3/8\" TRUSS ROD		X	X	
3/8\" TRUSS ROD WITH TURN BUCKLE	X			
POSTS (OD, SCH 40)		4\"	3\"	2 1/2\"

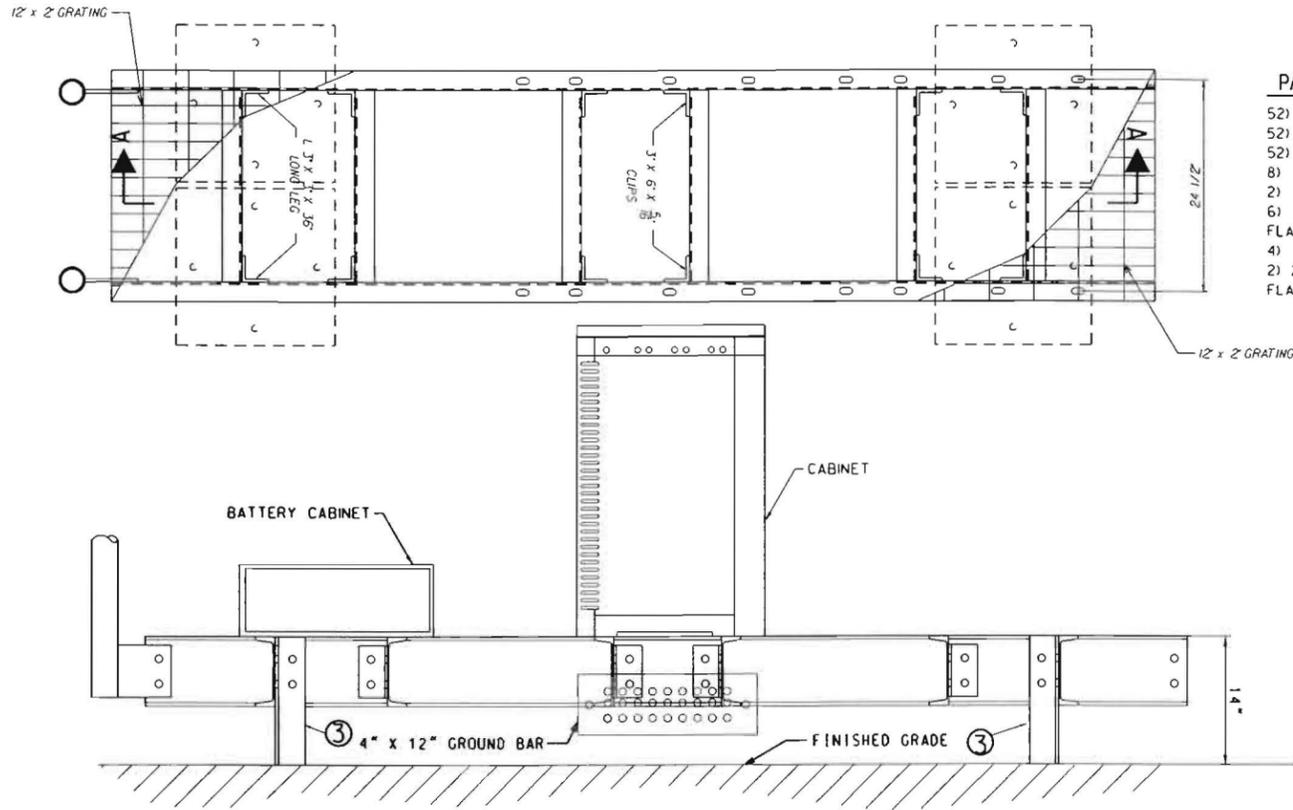


LINE PANELS
 NOT TO SCALE



MUSHROOM TYPE GATE DETENT DETAIL
 NOT TO SCALE

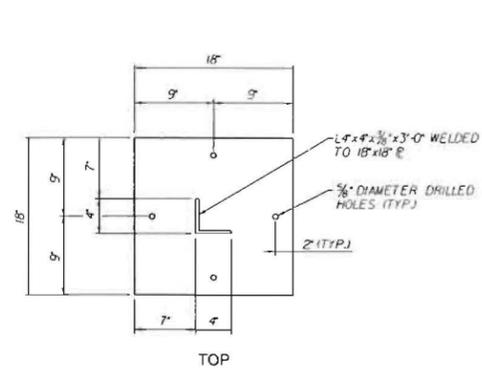
- NOTES:**
- CONTRACTOR TO PROVIDE PROGRAMABLE COMBINATION LOCK (4 TABS). COMBINATION TO BE SET BY STYMIE LOCKING SYSTEM. REFERENCES - FEDERAL SPECIFICATIONS/FSC RR-F-191J (7/22/81)
 - A. ASTM A-120 ZINC COATED STEEL PIPE
 B. ASTM A-392 ZINC COATED STEEL CHAIN LINK FABRIC
 C. ASTM A-780 REPAIR OF HOT DIP GALVANIZED COATINGS
 D. ASTM F-552 STANDARD DEFINITION OF TERMS RELATING TO CHAIN LINK FENCES
 - QUALITY ASSURANCE
 A. ALL STEEL MATERIALS UTILIZED IN CONJUNCTION WITH THE SPECIFICATION SHALL BE HOT DIP GALVANIZED OR STAINLESS STEEL. WEIGHT OF ZINC COATING ON THE FENCE FABRIC SHALL BE NOT LESS THAN 1.2 OUNCES PER SQ.FT. OF MATERIAL COVERED.
 - CONTRACTOR TO SUPPLY CONCRETE FOR POST FOUNDATIONS
 - ALL RAIL PIPE AND POSTS TO BE SCHEDULE 40
 - GATE STOPS: 1 FOR EACH GATE PANEL, NO CONCRETE FOOTINGS REQUIRED.
 - FENCE FABRIC POSTS AND BARB WIRE RAILINGS SHALL HAVE A BLACK VINYL COATING



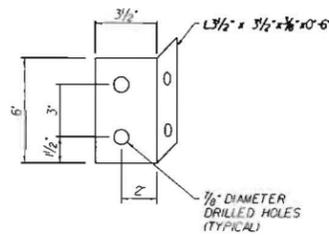
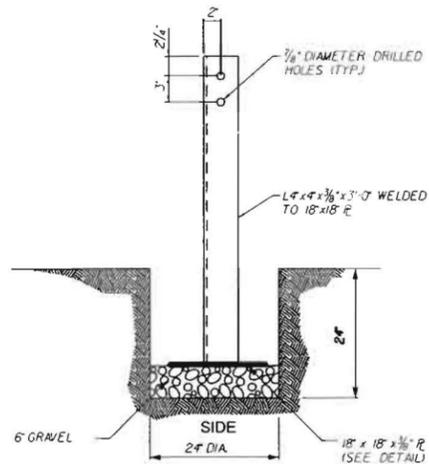
SECTION A-A

PARTS LIST

- 52) 3/4" X 2" BOLTS
- 52) 3/4" FLAT WASHERS
- 52) 3/4" NUTS
- 8) 3" X 6" X 5/16" CLIPS
- 2) C8" X 120"
- 6) C8" X 11.5" X 22" WITH FLANGE
- 4) 3" X 3" X 36" LEGS
- 2) 2 5/8" X 60" PIPE WITH FLANGE WELDED ON

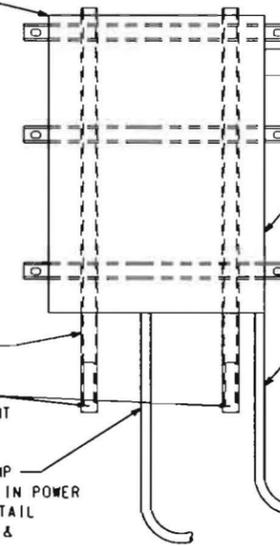


LEG DETAIL



CLIP DETAIL

200 AMP ATLANTIC SCIENTIFIC POWER AND TELCO CABINET (PROVIDED BY NTELOS)



EQUIPMENT PANEL NOT TO SCALE

CONTRACTOR TO INSTALL 50AMP & 15 AMP SQUARE D BREAKER IN POWER CABINET. 3/4" SEAL TIGHT PIGTAIL 15' W/ 3 #6 WIRES L1-L2-G & 3#10 L1-N-G. CONTRACTOR TO INSTALL 3/4" METAL SEAL TIGHT 90° FITTING (WIRE TO EXTEND 5' PAST END OF SEAL TIGHT)

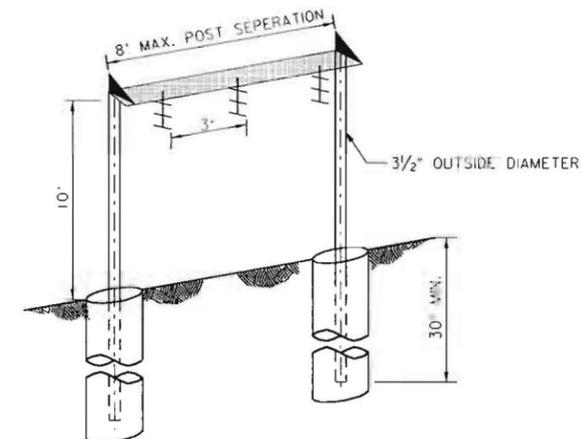
LEAVE A LOOP IN CAT 5 CABLES INSIDE PPC CABINET

3/4" SEAL TIGHT PIGTAIL 15' W/ 9 CAT5 CABLES SEE CAT -5 COLOR CODE CHART THIS SHEET. CONTRACTOR TO INSTALL 3/4" METAL SEAL TIGHT 90° FITTING (CABLE TO EXTEND 10' PAST END OF SEAL TIGHT)

CAT-5 COLOR CODE CHART

- YELLOW
- WHITE
- BLUE
- GREEN
- RED
- YELLOW-BLACK
- WHITE-BLACK
- BLUE-BLACK
- GREEN-BLACK

NOTE: ALL COLORS ARE TO BE CABLE JACKET COLORS AND NOT COLORED TAPE. COLORS WITH BLACK WILL BE THAT COLOR WIRE WITH 1 STRIPE OF BLACK TAPE.



ICE BRIDGE SECTION N.T.S.



JOHNSON, MIRMIRAN & THOMPSON
Engineering A Brighter Future
9201 Arboretum Parkway Suite 140
Richmond, Virginia 23236
Phone (804) 323-9900
Fax (804) 323-0596

SEAL



APPROVALS

NTELOS _____
DATE _____
OWNER _____
DATE _____

SUBMITTALS

NO.	DATE	ISSUE
1	11/23/09	REV. ACCESS RD

PROJECT NAME

TELECOMMUNICATIONS FACILITY
HOSPICE CARE OF WILLIAMSBURG
(NR-6422)
4445 POWHATAN PKWY
WILLIAMSBURG VA 23188

SHEET TITLE

EQUIPMENT PLATFORM AND ICE BRIDGE
DETAIL SHEET
C-10

DATE: 11/23/09

SCALE: AS SHOWN

DESIGNED: JC

CHECKED: JC

DRAWN: ANU

SHEET NO:

11 OF 12

JMT JOB NO. 2070681

JMT
JOHNSON, MIRMIRAN & THOMPSON
Engineering A Brighter Future
 9201 Arboretum Parkway Suite 140
 Richmond, Virginia 23236
 Phone (804) 323-9900
 Fax (804) 323-0596



APPROVALS

nTELDS _____
 DATE _____

OWNER _____
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SUBMITTALS

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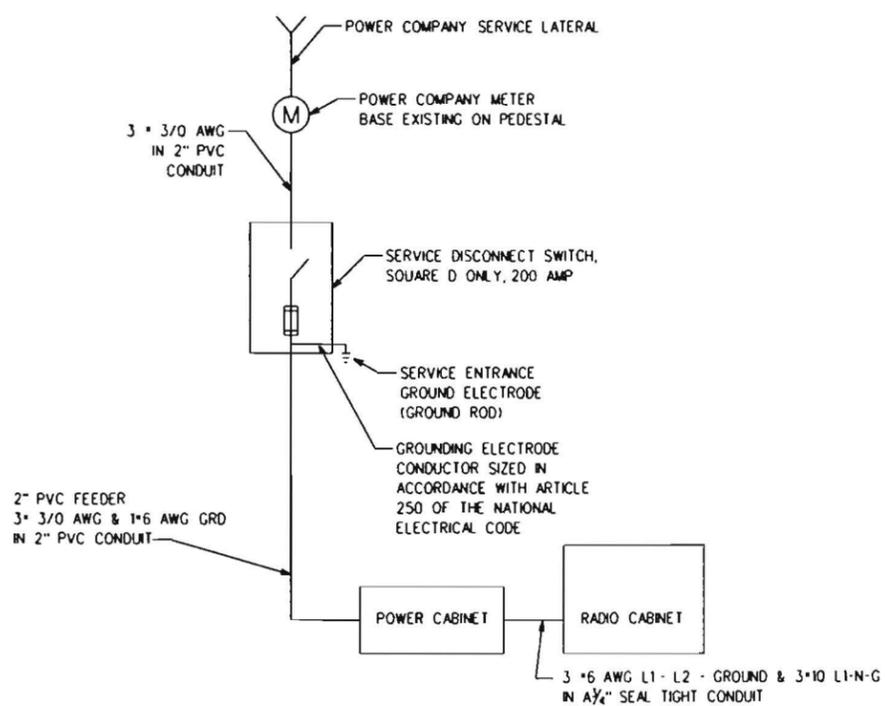
TELECOMMUNICATIONS FACILITY
HOSPICE CARE OF WILLIAMSBURG
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4445 POWHATAN PKWY
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SHEET TITLE

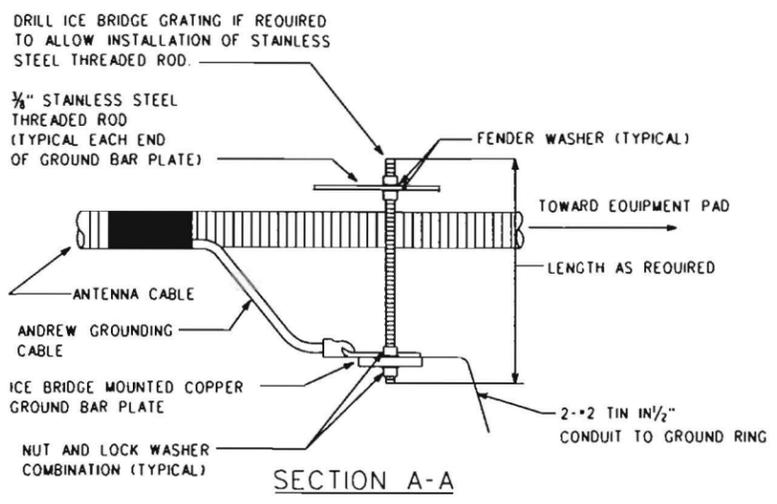
ELECTRICAL AND GROUNDING
DETAIL SHEET

E-1

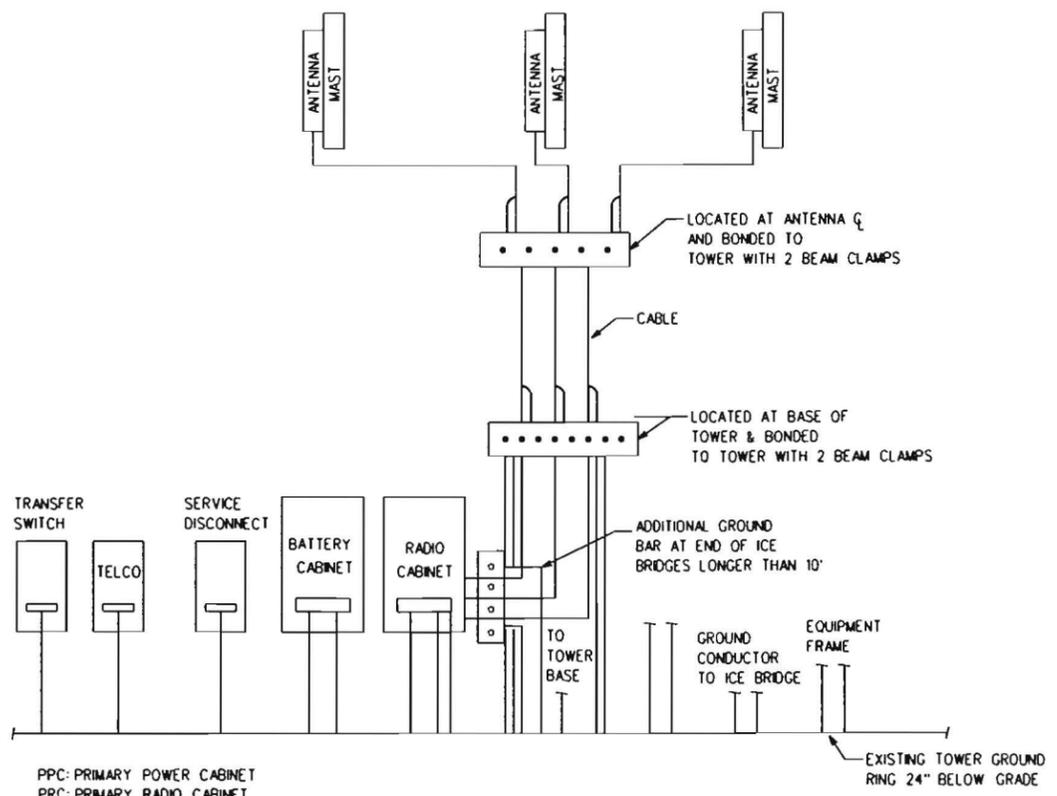
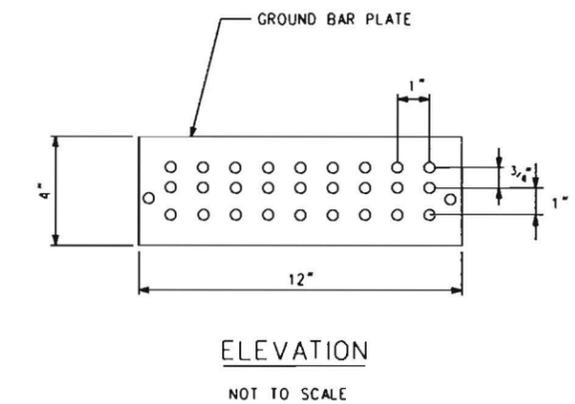
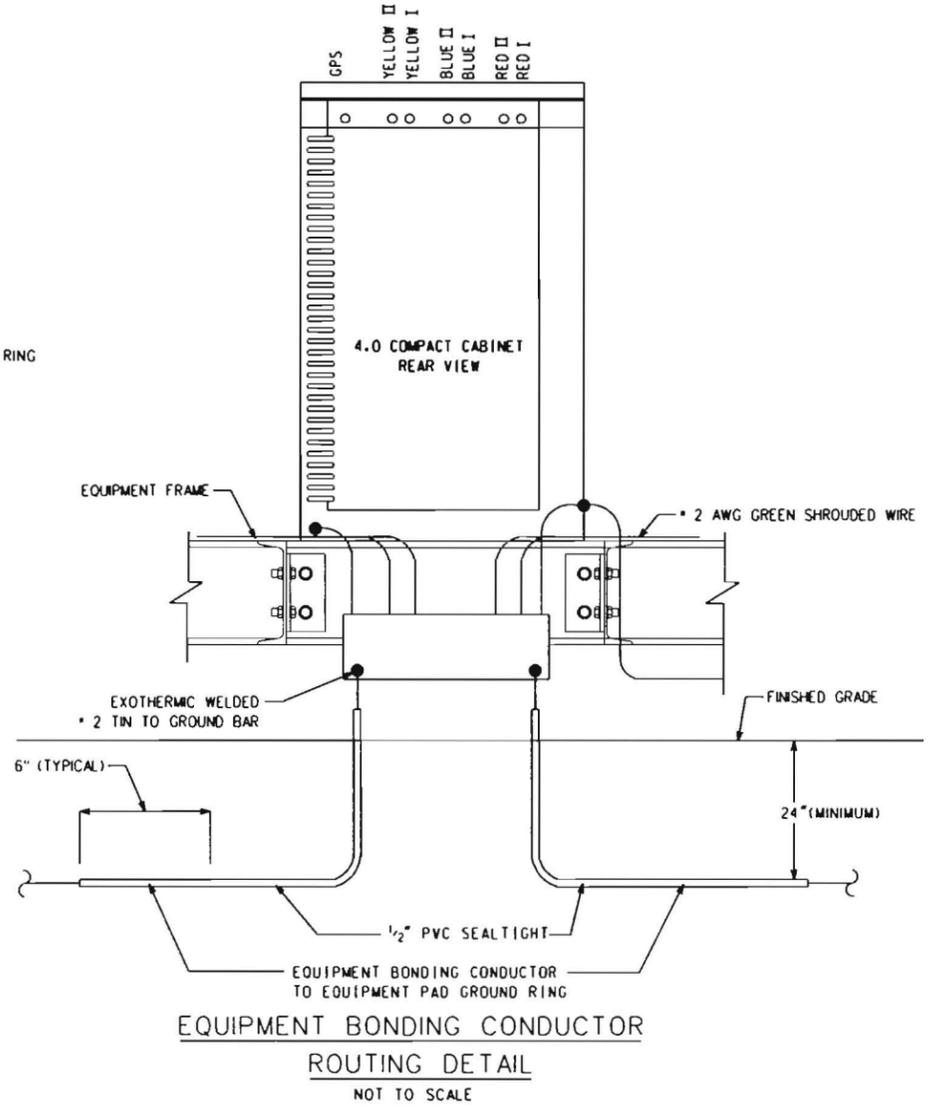
DATE: 11/23/09
 SCALE: AS SHOWN
 DESIGNED: JC
 CHECKED: JC
 DRAWN: ANU
 SHEET NO:
 12 OF 12



ONE-LINE DIAGRAM UNDERGROUND SERVICE TO PEDESTAL
 NOT TO SCALE



ICE BRIDGE MOUNTED GROUND BAR PLATE INSTALLATION DETAIL
 NOT TO SCALE



GROUNDING RISER DIAGRAM
 NOT TO SCALE

GENERAL NOTES

1. GROUND RODS SHALL BE 5/8" X 8'-0" MINIMUM COPPER CLAD STEEL.
2. GROUND BAR PLATES SHALL BE MANUFACTURED EXACTLY AS DETAILED DIMENSIONS SHALL BE ACCURATE TO WITHIN 1/64 OF AN INCH. BARS SHALL BE 1/4" THICK, SOLID COPPER AND SHALL ELECTROPLATED WITH TIN 0.0003" THICK TYPICAL, 0.0002" THICK MINIMUM. GROUND CONDUCTORS FOR GROUND BAR AT END OF ICE BRIDGE WHEN ICE BRIDGE IS LONGER THAN 10'.
3. ALL MOUNTING HARDWARE FOR EXTERIOR LOCATIONS SHALL BE STAINLESS STEEL INCLUDING NUTS, BOLTS FLAT AND LOCK WASHERS
4. ALL EXTERIOR MECHANICAL CONNECTIONS SHALL BE MADE USING OXIDE-INHIBITING JOINT COMPOUND. THE COMPOUND SHALL BE APPLIED TO ALL SURFACES OF BOLTS, WASHERS, NUTS AND CONNECTION SURFACES OF GROUND BAR PLATES. ALL BARE COPPER SURFACES OF CONDUCTORS SHALL BE COATED PRIOR TO LUGGING. JOINT COMPOUND SHALL BE BURNDY ELECTRICAL PENETROX E OR EXACT EQUIVALENT.
5. ALL LUGS FOR TERMINATING ANDREW GROUNDING CABLES ON TOWER OR ICE BRIDGE MOUNTED GROUND BAR PLATES SHALL BE TWO-HOLE, COPPER COMPRESSION TYPE AS PROVIDED WITH THE GROUNDING KIT.
6. ALL LUGS FOR TERMINATING ANDREW GROUNDING CABLES WITHIN THE ANTENNA CABLE COVER ASSEMBLY AND OTHER GROUNDING TERMINATIONS WITHIN EQUIPMENT CABINETS SHALL BE TWO-HOLE, COPPER COMPRESSION TYPE WITH STANDARD LENGTH BARREL. LUGS SHALL BE CONSTRUCTED OF HIGH-CONDUCTIVITY, SEAMLESS ELECTROLYTIC WROUGHT COPPER. CONTRACTOR SHALL PROVIDE LUGS AND HARDWARE MATCHING MOUNTING HOLES ON GROUND BARS PROVIDED WITH EQUIPMENT.
7. ALL BELOW-GRADE CONNECTIONS SHALL BE EXOTHERMIC WELD TYPE. EXOTHERMIC WELD CONNECTIONS SHALL ALSO BE REQUIRED WHERE INDICATED. ALL BELOW-GRADE EXOTHERMIC WELD CONNECTIONS SHALL BE MADE USING ERICO CADWELD "ONE-SHOT" CONNECTIONS. ALL EXPOSED EXOTHERMIC WELD CONNECTIONS SHALL BE SPRAYED WITH COLD-GALVANIZED AFTER COOL DOWN.
8. WHEN A BELOW-GRADE CONNECTION IS REQUIRED AT A LOCATION IN WHICH A 8'-0" GROUND ROD HAS NOT BEEN PROVIDED, A 1'-0" SECTION OF GROUND ROD SHALL BE USED. THIS METHOD WILL ASSURE THAT ALL BELOW-GRADE CONNECTIONS CAN BE ACCOMPLISHED USING ERICO CADWELD "ONE SHOT" MOLDS. REFER TO BELOW GRADE CABLE TO CABLE CONNECTION DETAIL.
9. GROUND ROD SHIELD SHALL BE USED WHEN DRIVING GROUND RODS TO PREVENT THE ENDS FROM "MUSHROOMING". GROUND RODS SHALL BE DRIVEN STRAIGHT DOWN (90° FROM FINISHED GRADE). WHEN SOIL CONDITIONS PREVENT DRIVING GROUND RODS STRAIGHT, RODS MAY BE DRIVEN AT A 45° ANGLE FROM FINISHED GRADE. TOPS OF GROUND RODS SHALL BE THE SAME DEPTH AS GROUND RINGS (A MINIMUM OF 24" BELOW FINISHED GRADE).
10. ANDREW GROUNDING CABLES SHALL BE FIELD CUT TO THE SHORTEST LENGTH POSSIBLE WHILE MAINTAINING THE STRAIGHTEST POSSIBLE ROUTE TO GROUND BAR. CONNECTIONS TO ICE BRIDGE MOUNTED GROUND BAR PLATE SHALL NOT BE DOUBLED-UP OR STACKED. BACK-TO-BACK CONNECTIONS ON OPPOSITE SIDES OF THE GROUND BAR PLATE ARE PERMITTED.
11. ALL CONNECTIONS TO THE GROUND BAR PLATE SHALL BE MADE SO THAT THE BOLT HEAD IS ON THE BACK FACE OF THE PLATE. THE BACK FACE OF THE PLATE SHALL BE CONSIDERED THE SIDE FACING THE TOWER.
12. THE MAXIMUM RESISTENCE OF THE COMPLETED GROUNDING SYSTEM SHALL NOT EXCEED 5 OHMS ON ANY PART OF THE SYSTEM. IF, DUE TO SOIL CONDITIONS OR THE OTHER PARAMETERS, THIS MAXIMUM VALUE IS EXCEEDED, CONTACT THE NTELOS CONSTRUCTION SUPERVISOR FOR ADDITIONAL INSTRUCTIONS.
13. CONTRACTOR SHALL COORDINATE ALL GROUNDING, POWER AND TELCO TERMINATIONS AT EQUIPMENT CABINETS WITH EQUIPMENT INSTALLER PRIOR TO ROUGHING IN.
14. PRIOR TO BEGINNING WORK CONTRACTORS SHALL COORDINATE ALL POWER AND TELCO WITH THE LOCAL UTILITY COMPANIES. ALL CONTRACTOR WORK SHALL COMPLY WITH THE RULES AND REGULATIONS OF UTILITIES INVOLVED.

ELECTRICAL SPECIFICATIONS

- A. PROVIDE ALL LABOR, MATERIAL, EQUIPMENT AND SERVICES NECESSARY FOR AND INCIDENTAL TO THE COMPLETE INSTALLATION AND OPERATION OF ALL ELECTRICAL WORK.
- B. CONFORM TO THE REQUIREMENTS OF ALL RULES, REGULATIONS, AND CODES OF LOCAL, STATE, AND FEDERAL AUTHORITIES HAVING JURISDICTION. CONFORM TO THE NATIONAL ELECTRICAL CODE, THE NATIONAL ELECTRICAL SAFETY CODE, AND NATIONAL ELECTRICAL CONTRACTORS ASSOCIATION LATEST EDITIONS.
- C. COORDINATE THE WORK OF ALL TRADES.
- D. THE CONTRACT DRAWINGS ARE GENERALLY DIAGRAMMATIC AND ALL OFFSETS, BENDS AND FITTINGS AND ACCESSORIES ARE NOT NECESSARILY SHOWN. PROVIDE ALL SUCH ITEMS AS MAY BE REQUIRED TO FIT THE WORK TO THE CONDITIONS.
- E. MATERIAL AND EQUIPMENT INSTALLED AS A PART OF THE PERMANENT INSTALLATION SHALL BE NEW, UNLESS OTHERWISE INDICATED OR SPECIFIED, AND SHALL BE LISTED BY THE UNDERWRITER'S LABORATORY INC., FOR INSTALLATION IN EACH PARTICULAR CASE, WHERE STANDARDS HAVE BEEN ESTABLISHED.

- F. WIRE, UNLESS OTHERWISE INDICATED SHALL BE 600 VOLTS, TYPE TWHN INSULATION. CONDUCTORS SHALL BE SIZED AND RUN AS INDICATED. CONDUCTORS SHALL BE SOFT DRAWN COPPER OF NOT LESS THAN 98% CONDUCTIVITY.
- G. SWITCHES SHALL BE VISIBLE BLADE EXTERNALLY OPERATED WITH ALL CURRENT CARRYING PARTS SILVER OR TIN PLATED. ALL SWITCHES SHALL HAVE PROVISIONS FOR NOT LESS THAN TWO EXTERNAL FRAMELOCKS.
- H. SWITCHES SHALL BE HEAVY-DUTY TYPE, FUSED (DUAL ELEMENT, TIME DELAY) OR UNFUSED AS INDICATED, AS MANUFACTURED BY SQUARE D, GENERAL ELECTRIC, OR WESTINGHOUSE. SWITCHES SHALL BE RATED 240 VOLTS, AND SHALL BE SIDE HANDLE OPERATED. ENCLOSURES SHALL BE NEMA 3R RAINPROOF.
- I. OBTAIN, PAY FOR AND DELIVER ALL PERMITS, CERTIFICATES OR INSPECTION, ETC., REQUIRED BY THE AUTHORITIES HAVING JURISDICTION. DELIVER CERTIFICATES TO THE OWNER PRIOR TO FINAL ACCEPTANCE OF WORK.
- G. GUARANTEE THE COMPLETE ELECTRICAL SYSTEM FREE FROM ALL MECHANICAL AND ELECTRICAL DEFECTS FOR THE PERIOD OF ONE YEAR BEGINNING FROM THE DAY OF FINAL ACCEPTANCE OF THE WORK OR BENEFICIAL USE BY THE OWNER, WHICHEVER OCCURS FIRST.

DRAWING NOTES

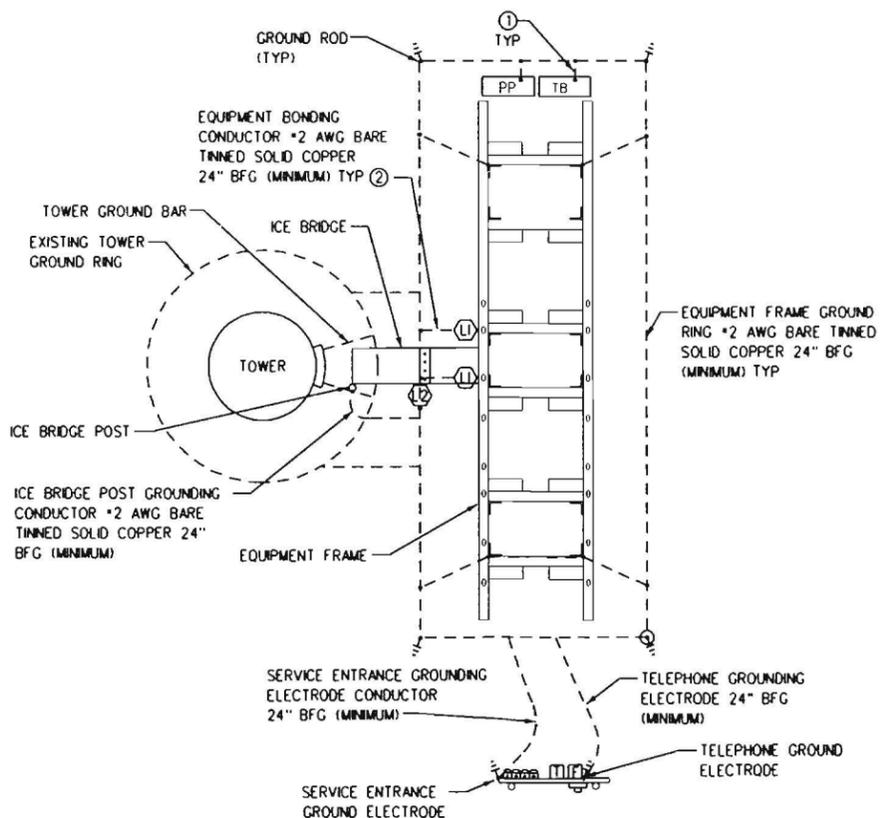
- ① IN EACH EQUIPMENT PANEL PROVIDE BONDING CONNECTION TO GROUND BUS/ TERMINAL LUG PROVIDED WITH EQUIPMENT PANEL IN ACCORDANCE WITH EQUIPMENT MANUFACTURERS PUBLISHED CRITERIA.
- ② BONDING CONDUCTORS SHALL BE ROUTED THRU A 1/2" PVC CONDUIT SLEEVE RUN TO THE EQUIPMENT FRAME. REFER TO EQUIPMENT BONDING CONDUCTOR ROUTING DETAIL.
- ③ 3/4" SEALTIGHT PIGTAIL 15' LONG WITH 9 CAT-5 CABLES EXTENDED 10' PAST SEALTIGHT SHALL BE ROUTED UNDER EQUIPMENT FRAME AND SHALL ENTER THRU BACK OF THE PANEL. COORDINATE EXACT LOCATION WITH EQUIPMENT MANUFACTURER AND EQUIPMENT INSTALLER. LEAVE 90° CONNECTOR AT END OF PIGTAIL. REFER TO EQUIPMENT FRAME CONDUIT LAYOUT DETAIL.
- ④ PROVIDE 2" PCS FEEDER CONDUIT FROM THE SERVICE PEDESTAL TO THE 200 AMP TRANSFER SWITCH. PROVIDE 3/4" SEALTIGHT PIGTAIL 15' LONG WITH 3 NO. 6 & 3*10. EXTEND CABLES 5' PAST SEALTIGHT. LEAVE 90° CONNECTOR ON END OF THE PIGTAIL.
- ⑤ PROVIDE 3 1/2' MINIMUM WORKING CLEARANCE BETWEEN SERVICE DISCONNECT SWITCH AND OTHER GROUND PARTS.

LEGEND

- BURIED GROUND/BONDING CONDUCTOR-SIZED AS INDICATED IN PLAN
- Ⓛ EQUIPMENT GROUND LEAD CAD WELDER TO GROUND OR ON EQUIPMENT FRAME
- ⓁⓁ GROUND LEAD AT END OF ICE BRIDGE WHEN LONGER THAN 10'
- GROND ROD
- BELOW GRADE OR EXPOSED BONDING CONNECTION SEE GENERAL NOTE 8
- P--- UNDERGROUND ELECTRICAL CONDUIT WITH WIRE AS INDICATED IN PLAN
- T--- UNDERGROUND TELEPHONE CONDUIT WIRE WITH NYLON PULL WIRE
- ③ SEE DRAWING NOTE OF SAME NUMBER
- Ⓛ DISCONNECT SWITCH-FUSED

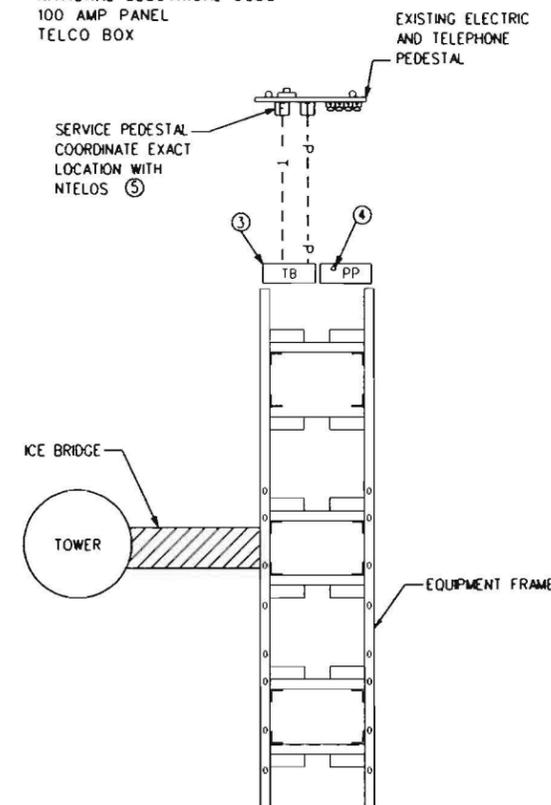
ABBREVIATIONS

- AFG ABOVE FINISHED GRADE
- BFG BELOW FINISHED GRADE
- NEC NATIONAL ELECTRICAL CODE
- PP 100 AMP PANEL
- TB TELCO BOX



PARTIAL SITE PLAN FACILITY GROUNDING

NOT TO SCALE

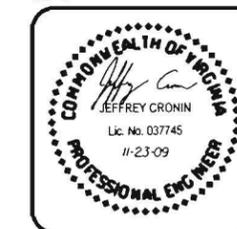


PARTIAL SITE PLAN FACILITY ELECTRICAL/TELEPHONE

NOT TO SCALE

JMT
 JOHNSON, MIRMIRAN & THOMPSON
 Engineering A Brighter Future
 9201 Arboretum Parkway Suite 140
 Richmond, Virginia 23236
 Phone (804) 323-9900
 Fax (804) 323-0596

SEAL



nTelos
 Suite 295
 9011 Arboretum Parkway
 Richmond, Virginia 23236

APPROVALS

NTELOS _____
 DATE _____
 OWNER _____
 DATE _____

SUBMITTALS

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PROJECT NAME

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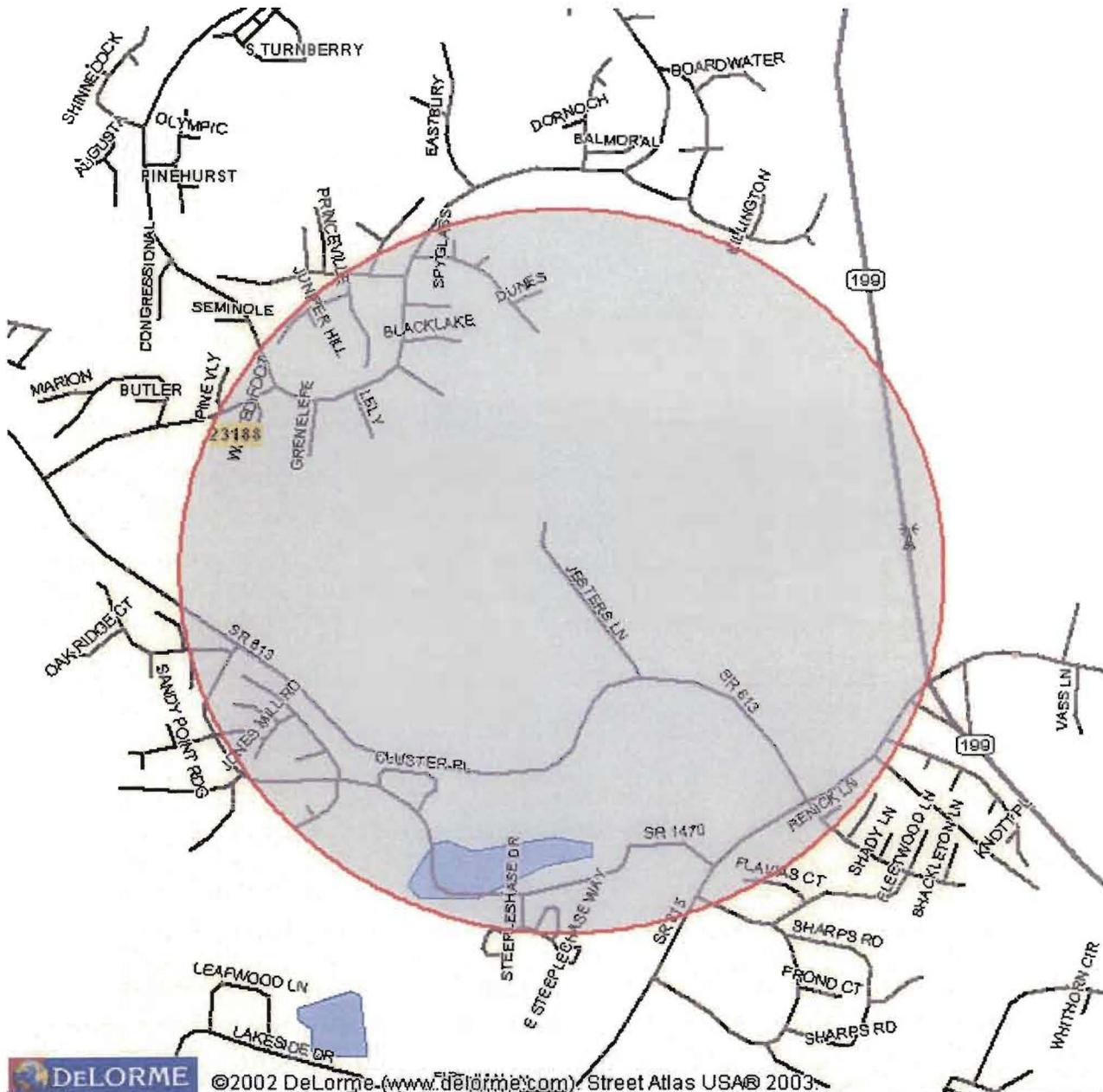
SHEET TITLE

ELECTRICAL PLAN, GROUNDING DETAIL AND NOTES
 E-2

DATE: 11/23/09
 SCALE: AS SHOWN
 DESIGNED: JC
 CHECKED: JC
 DRAWN: ANU
 SHEET NO: 13 OF 12

JMT JOB NO. 2070681

RMB 6425 Search Area



©2002 DeLorme (www.delorme.com) Street Atlas USA © 2003

SITE DESIGN PARAMETERS		NAME: WMBG	
Engineer: Chris Sahr		RMB No.: RMB6422	
Latitude	N37° 16' 33.7"	Market	Norfolk
Longitude	W76° 45' 45.5"	County	Williamsburg
Radiation Center	150'	Map Name	Delorme
Ground Elevation		Release Date	8/25/2006
		Priority	2007
Site Objectives:		To improve service in the Fords Colony area as well as the area west of Colonial Williamsburg.	



October 21, 2009

James City County Development Management
101-A Mounts Bay Road
Williamsburg, Virginia 23187

RE: STATEMENT OF NTELOS COLLOCATION POLICY

To whom it may concern:

NTELOS cooperates with all providers of Federally licensed commercial mobile services ("CMS") to allow collocation of antennas and ground equipment at communications facilities owned by NTELOS in Virginia, North Carolina, West Virginia, Maryland, Ohio and Kentucky. NTELOS has negotiated mutual collocation agreements with all licensed providers in these areas that allow an expeditious installation of competitors' equipment at these sites.

Sincerely,
Marc Cornell
Site Development Manager

NTELOS – Hospice Support Care of Williamsburg (“Hospice House”) Site Analysis

Background:

The search ring was originally issued on July 28, 2005 as part of a plan to improve NTELOS wireless services in James City County in the wake of the previous 10 years of heavy commercial and residential development. The original goal was to add a *single* new facility to provide improved residential service to the eastern end of Ford’s Colony and adjoining residential areas from Longhill Road to Monticello Ave. This could have been accomplished by adding a new facility centrally between four existing sites located at: 1118 Ironbound Road (WHRO Berkeley) to the east, 4881 Centerville Road to the west, 5800 Seasons Trace Road (JCSA water tank) to the north and 4315 John Tyler Highway to the south (see attached map labeled “NTELOS JCC Network 2005”). The theoretical ideal location for this facility would have placed it within the eastern end of the residential community of Ford’s Colony. However, an appropriate site could not be found in Ford’s Colony.

Given the highly developed residential nature of the target area, NTELOS searched for potential locations in an area roughly bounded by Longhill Road to the north, Monticello Ave. to the south and along the east and west sides of Route 199. The search began by identifying all existing structures (towers, water tanks, tall buildings and power transmission structures) that could be used to deliver the desired network improvement objective. One AM radio tower was identified but it was scheduled for demolition. There were no other tall structures that a new facility could be attached to and improve the service. Failing to find a suitable collocation opportunity, NTELOS and its agents contacted numerous property owners (notables listed below) over a period of over 18 months with little success.

NTELOS was aware that AT&T was actively searching for a location with similar objectives in this area. NTELOS and AT&T provided each other with information about potential locations and proposed joint use of a single site to meet the coverage objectives in the area. NTELOS and AT&T continue to collaborate on finding a mutually agreeable site.

By May, 2006, NTELOS had learned that SBA Network Services erected a monopine communications tower at Christian Life Center on Longhill Road. The SBA monopine was not available for collocation until a zoning amendment was approved by the Board of Supervisors during September, 2007. However, the use of this location alone would not solve the Ford’s Colony coverage objective.

Around that time, NTELOS had also been notified that the NTELOS facility at the Seasons Trace water tank at 5800 Seasons Trace Road had to be moved because JCSA was planning to demolish and relocate the tank. The potential loss of this operating site caused NTELOS to completely re-analyze its engineering for the area. Ultimately, NTELOS chose to abandon the Seasons Trace water tank (and its

replacement) and split the original search ring into two sites to improve the service to eastern Ford's Colony and surrounding areas.

NTELOS relocated the Seasons Trace water tank facility to the SBA monopine in order to improve service quality in the residential communities along Longhill Road and the northeastern sections of Ford's Colony. Using the SBA site required NTELOS to shift the original search ring farther south to an area between Ford's Colony and Monticello Ave. Shifting to the SBA monopine also caused a gap in coverage to the area north of Rt. 60 which was solved by installing a new facility on the AT&T tower in Lightfoot.

The revised ring is now restricted to a much smaller area due to these network changes. For the new ring, NTELOS' agents have focused on an area roughly bounded by Monticello Ave. to the south, Ford's Colony to the north, Route 199 to the east and Firestone Drive to the west (see attached search ring map depicting both the original and revised search areas).

Both NTELOS and AT&T have spent nearly 4 years examining properties for a new facility in this area. NTELOS uses the following criteria to determine if a property can be considered a 'candidate':

1. Location: The location of the property must reasonably be expected to meet the coverage improvement objectives desired. Engineers recognize that ideal locations and antenna heights are difficult to obtain and nearly every network site is compromised in some manner from the ideal design objective.
2. Zoning: The location selected must have a reasonable chance of meeting the zoning requirements necessary for use as a communications site.
3. Owner: A property owner must be willing to allow use of their land as a communications site.

A potential site can not be considered a viable candidate unless all three of these criteria are met. This is important to remember because years and many hundreds of hours have been spent by both NTELOS and AT&T to identify properties, evaluate coverage objectives and negotiate with owners to find an appropriate location to serve the Ford's Colony, Powhatan Secondary and surrounding residential areas. From 2005 to the present, NTELOS thoroughly researched fourteen sites, which are listed and discussed below. NTELOS found no other available location that will satisfy the network improvement objective for this area and meet the ever-growing public demand for quality of service other than the Hospice House property at 4445 Powhatan Parkway.

Notable locations considered for the original 2005 search ring:

These candidates were submitted beginning in September, 2005:

- 1: WHS Holding, Inc., WMBG Radio Tower, 5246 Monticello Ave. Although located well east of the desired area, NTELOS strongly considered collocation on the WMBG AM radio tower despite engineering difficulties imposed by attaching

equipment to a “hot” tower. NTELOS was well into negotiations with the owner when informed of their plan to relocate the tower approximately 3 miles west (now done). The new location is too close to the existing Centerville Road site and cannot be used to meet the coverage objective. The underlying property is planned for commercial/residential development and the new owner would not lease land for a new communications site.

2: JCSA Water Tank, 5255 Longhill Road.

The JCSA water tank was located east of Route 199 on Longhill Road. This tank, along with the Seasons Trace tank, was scheduled to be taken down which has now been completed. The site was analyzed as a possible location for a new tower, but was determined to be too far east to meet even a portion of the original objective.

3: Casey, C C Limited Co., 3951 Windsormeade Way.

AT&T informed NTELOS during September 2005 of its negotiations to lease property on Windsormeade Way on parcel ID 3831800004 for the construction of a 120’ slick stick monopole. AT&T had not signed a lease agreement at that time. Believing AT&T was close to leasing the property, NTELOS submitted a collocation application to AT&T. AT&T had preliminary meetings with Planning to discuss the site but did not file an application. NTELOS monitored AT&T’s progress on this property for more than 1 ½ years. AT&T has been unable to lease the land from the owner. NTELOS in subsequent meetings with the owner following the search ring revision discovered that the owner was unwilling to encumber the land with a communications site due to other potential development opportunities. Both AT&T and NTELOS ceased negotiations for this land.

4: Existing tower located at 1118 Ironbound Road and existing 250’ tower at 4039 Ironbound Road in the City of Williamsburg.

These towers were evaluated and determined to be too far east to provide any improvement to the targeted improvement area. These towers and the now removed WMBG AM tower were the only tall structures in or near the desired service area.

5: Eastern State Hospital, 4601 Ironbound Road, Parcel 3910100152.

The Commonwealth of Virginia owns a large parcel located east of Rt. 199 and south of Ironbound Road, as well as some landlocked parcels west of Rt. 199. While State property can be leased for communications facilities, potential future uses of the Eastern State lands prevented the State from seriously considering leasing. NTELOS and its agents remained in contact with Eastern State officials from mid 2005 through December 2008 to determine if plans for the property had progressed to the point that a portion could be leased. Eastern State has been unable to commit to use of any location.

6: Virginia United Methodist Homes, Inc., 3975 Windsormeade Way.

NTELOS met with the owner regarding the possibility of leasing a portion of this 106 acre parcel. The owner was not interested in allowing a tower on the property. However,

their property plan included the erection of a 60' tall decorative bell tower that they hoped could be used for communications equipment. The proposed 60' height is not sufficient to meet the coverage objectives. Also, the owner was unwilling to discuss a 120' stealth design that could meet the County's administrative approval requirements. Discussions continued with the owner following the search ring revision and the owner finally rejected all proposals during May, 2007.

7. Realtec, No Address, Parcel 3810100002.

NTELOS met with the President of Ford's Colony during June, 2007 to discuss use of any of Ford's Colony parcels of land. Realtec offered a landlocked parcel east of Route 199 they would consider leasing to NTELOS. NTELOS met with VDOT to request access from Route 199. That request was denied. Access through the Eastern State property was also requested but without success. Also, it appeared from the mapping that the required setbacks could not be obtained. Ford's Colony could not offer any other parcels for our use.

In addition to the above, NTELOS met with individual owners and discussed various additional properties in the New Town area. These discussions, held over a period of more than 2 years, were unsuccessful.

Locations considered for the revised search ring (split following the SBA Longhill Road site activation):

1. Powhatan Land Enterprises, LLC, 4450 Powhatan Parkway, Parcel 3830100001.

NTELOS made the initial contact with the owner during June, 2007. The owner had been in the planning process to develop the land for several years. The owner ultimately decided to not lease a portion of this parcel, as the required buffers would reduce the residential development the owner proposed. The owner recommended approaching the Hospice House and Support Care of Williamsburg.

2. Hospice House and Support Care of Williamsburg, 4445 Powhatan Parkway. Parcel 3830100001A.

NTELOS began investigating this property during June, 2007 following meetings with the above owner. NTELOS met numerous times with the Hospice representatives and the Executive Board to discuss the possible location of the site, buffers, and leasing parameters. Eventually, the parties signed an agreement on May 14, 2009. This property was chosen as a viable candidate because the site appeared to conform with JCC zoning ordinance requirements for a location that could possibly be approved administratively.

NTELOS has commitment letters from AT&T Wireless and Sprint/Nextel to collocate facilities on this site.

3. Gregory H. Granger, Williamsburg's Radio Station, Inc., 4400 Centerville Road, Parcel 3620100030.

The relocated WMBG radio station which is a 400' guyed tower was evaluated for the revised ring. It is approximately two miles west of the target area and less than 1.25 miles from the existing NTELOS Centerville Road site. This location is not suitable for covering the eastern Ford's Colony area and was not considered a viable candidate.

4. New Town Associates, LLC, 5248 Monticello Ave. Parcel 38401000051, 4301 Casey Boulevard, Parcel 3840100056 (and others).

NTELOS met with the owner and their attorney regarding various properties in the New Town and Monticello Ave. area. While supportive of improved utility services in the area, they were not interested in reducing the size of their developable space due to the communications facility setback requirements.

5. AIG Baker Williamsburg, LLC, 4600 Casey Boulevard, Parcel 3843300001A (and others).

The owner was not interested.

6. News Company, LLC, 4900 Monticello Ave., Parcel 3831800001 (and B & C adjoining parcels).

The property owner was not interested in leasing this property to NTELOS.

7. James City County, Mid County Park, Parcel 38301000010.

The James City County Park site south of Monticello Ave. was under consideration by Sprint/Nextel. This site was evaluated and rejected by NTELOS due to its distance from the targeted service improvement area. NTELOS could have used this tower if it was extended to 180' or higher. However, this height was believed to be unacceptable to the County. Further, NTELOS determined that any location south of Monticello Ave. would be unable to meet the coverage improvement objective for this area.

We have been informed by Sprint/Nextel representatives that they have withdrawn their consideration of this park location. NTELOS now has a commitment letter from Sprint/Nextel to collocate on the proposed Hospice House location if approved.

8. Monticello Market Place Associates, LLC, 4940 Monticello Ave., Parcels 3831200002A, B, C & D (SLN Casey Associates, LLC).

The shopping center property owners were not interested in leasing.

9. Mopow, LLC, 4409 Powhatan Parkway, Parcel 38301000033A.

This parcel consists of apartments. Due to setbacks and development constraints, the parcel could not accommodate a cellular facility.

Conclusions:

For the past four years, NTELOS, AT&T Wireless, Sprint/Nextel and presumably the other wireless telecommunications service providers, have spent many hundreds, if not thousands of man-hours searching, evaluating, meeting with property owners and meeting with County Staff to find the most acceptable method of providing quality services in the manner demanded by County residents. We have relied on the guidelines prescribed by the County code to evaluate each location. We have searched for a site that complies with the County's requirements that limit facility height, prescribe structure design, require tree buffer zones and exceed setback distances from residential structures. The proposed Hospice House location meets or exceeds all of these listed criteria.

As wireless has become the dominant form of telecommunications service for the public in general, expectations of subscribers for quality of service have outpaced the providers' ability to build the facilities needed to deliver signal, especially in residential communities. Today more homes in the US are wireless only than wireline only (>20% vs. <20%). Just over 90% of people in the US are wireless subscribers. In addition, the wireless service providers now provide lots more than just voice and text services. Cellular phones are now ISPs (internet service providers) and most access to the internet in the US is via personal wireless devices (i.e. 'smart phones'). As of 2009, 20% of all new phone sales were smart phones and this is expected to reach 75% of all sales in the next few years. These devices are primarily used inside buildings (particularly homes) and a more robust network is needed to provide a quality user experience for these devices.

The Hospice House location is considered a viable candidate not only to deliver the service improvements needed in populated residential communities, but because it meets or exceeds most of the County code requirements for administrative approval of communications facility siting requirements, except one – the requirement to render “the structure unnoticeable to the casual observer” (Ch. 24, Art. 1, Sec. 24-2 Definitions: “Support Structure”). The meanings of both “noticeable” and “casual observer” are not defined terms, but it appears that in practice that “visible” and not “noticeable” are the benchmarks used by Planning Staff in determining if a facility can be approved administratively. The Planning Staff has decided that because the cell tower would be visible from one of the subdivisions adjacent to Hospitality House, the application cannot be processed administratively and would require a special use permit.

NTELOS, AT&T and Sprint/Nextel have exhausted all possibilities for making this much-needed wireless network improvement as described in this narrative. The Hospice House location, if approved, will provide County citizens with services they are demanding and that will provide them improved access without leaving their homes and going to find an area with sufficient signal strength.

Richmond 20MHz, LLC, d.b.a. NTELOS
Applicant Report

REQUEST

NTELOS is requesting a Special Use Permit to allow the construction, operation and maintenance of a new wireless telecommunications facility, including the erection of a monopole-style communications tower up to one hundred twenty (120) feet within the R-8, Rural Residential Zoning District. The proposed facility will support the equipment and antennas for a minimum of three (3) wireless service providers.

NTELOS needs a new communications facility to enhance coverage between Longhill Road to the north, Monticello Avenue to the south, Route 199 to the east and, Ford's Colony to the west. NTELOS offers voice, wireless data and broadband internet access ~ all services which the public expects as the public increasingly migrates from wired to wireless telecommunications services.

The proposed facility will improve the quality of service in the area between existing NTELOS communications sites located at 4451 Longhill Road, 4881 Centerville Road, 4315 John Tyler Highway, and Berkley Middle School. Propagation maps are included in the application packet to illustrate the improvement from outdoor/in-vehicle coverage to reliable anytime/anywhere service that could be obtained with a new communications facility.

PROPOSED SITE

NTELOS is proposing a new communications facility on the property defined as Parcel ID 3830100001A owned by Hospice Support Care of Williamsburg located at 4445 Powhatan Parkway (the "Hospice House"). The Hospice House Property is approximately 11.182 acres.

NTELOS looked for property properly zoned and of sufficient size to provide the needed screening and setbacks. The Hospice House Property is zoned R-8 and is mostly wooded. The natural vegetation and trees surrounding the site provide a visual buffer from adjacent properties. The driveway is designed to screen any direct view into the site. Plus, the facility is located approximately four hundred ninety (490) feet away from the nearest residential structure. The proposed location would not change the character of the area.

The leased area measures 40' x 40' and will contain a 40' x 40' fenced compound to enclose the communications equipment for a total of three (3) wireless carriers. The compound will be enclosed with a 6' tall black vinyl coated chain link fence with 3' of barbed wire for security purposes. A 12' wide double swing access gate with Stymie Locks is proposed which will permit emergency access. A buffer planted with evergreens will be provided around the perimeter of the compound.

SITE SELECTION

Please see attached site analysis.

ZONING

The property is zoned R-8, Rural Residential Zoning District which permits a communications tower with a Special Use Permit. The proposed location on the Hospice House Property exceeds the minimum zoning setback requirements and the development regulations.

The proposed facility complies with the zoning ordinance policies regarding design, height, screening, co-location and non-interference. The proposed facility is compatible with the land surrounding the Hospice House Property in that it does not create noise, light, activity or traffic that would interfere with adjacent residential and agricultural uses.

PERFORMANCE STANDARDS FOR WIRELESS COMMUNICATIONS FACILITIES

Locating a new facility on the Hospice House Property is consistent with the Performance Standards for Wireless Communications Facilities Policy, dated May 26, 1998 (the "Policy") which recommends that proposed communications facilities within a residential zone or residential designation on the Comprehensive Plan have minimal intrusion into residential areas. The Hospice House Property also takes maximum advantage of existing trees and vegetation. A one hundred (100) foot undisturbed, wooded easement is proposed around the perimeter of the communications facility compound. The access drive to the communications facility is also designed to screen the view of the communications facility. The proposed facility will provide reliable data and voice services for the residents, businesses and traveling public in the area.



Federal Aviation Administration
Air Traffic Airspace Branch, ASW-520
2601 Meacham Blvd.
Fort Worth, TX 76137-0520

Aeronautical Study No.
2009-AEA-1665-OE

Issued Date: 06/17/2009

Chris Sahr
NTELOS (CS)
415 Port Center Parkway
Suite 95
Portsmouth, VA 23701

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Antenna Tower WMBG NR6422
Location:	Williamsburg, VA
Latitude:	37-16-39.80N NAD 83
Longitude:	76-46-02.90W
Heights:	124 feet above ground level (AGL) 180 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking and/or lighting are accomplished on a voluntary basis, we recommend it be installed and maintained in accordance with FAA Advisory circular 70/7460-1 K Change 2.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission if the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (202) 267-5235. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2009-AEA-1665-OE.

Signature Control No: 634894-109749779

(DNE)

Tracy Rosgen

Technician

Attachment(s)

Frequency Data

Frequency Data for ASN 2009-AEA-1665-OE

LOW FREQUENCY	HIGH FREQUENCY	FREQUENCY UNIT	ERP	ERP UNIT
806	824	MHz	500	W
824	849	MHz	500	W
851	866	MHz	500	W
869	894	MHz	500	W
896	901	MHz	500	W
901	902	MHz	7	W
930	931	MHz	3500	W
931	932	MHz	3500	W
932	932.5	MHz	17	dBW
935	940	MHz	1000	W
940	941	MHz	3500	W
1850	1910	MHz	1640	W
1930	1990	MHz	1640	W
2305	2310	MHz	2000	W
2345	2360	MHz	2000	W

nTelos-NR6422/WMBG

June 25, 2009



Prepared By:

Sitesafe, Incorporated
200 North Glebe Road, Suite 1000
Arlington, VA 22203
(703) 276-1100
Engineer: Tim Harris

No harmful interference is predicted as a result of nTelos' proposed collocation affecting existing carriers on this structure or public safety systems located in The near vicinity.



A handwritten signature in black ink that reads "Matthew J Butcher".

Matthew J Butcher
Registered Professional Engineer
Commonwealth of Virginia Lic. No.0402 40784

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nTelos-NR6422/WMBG

1.0 Executive Summary

This report presents a radio frequency interference (RFI) analysis which was performed on the nTelos-NR6422/WMBG site. The RFI analysis consists of transmitter noise, receiver desensitization, intermodulation, harmonic and transmitter spurious output interference. The report consists of Sections that provide details of the communications site, antenna systems, operational frequencies and each interference analysis mode.

A summary of the interference analysis results is depicted in the following Table.

Interference Analysis Mode	Type Mix	Status	Summary	Worst-Case Margin (dB)
Transmitter Noise	N/A	Passed	No Interference was predicted	20.8
Receiver Desensitization	N/A	Passed	No Interference was predicted	50
Transmitter Intermodulation	1 Tx	Passed	No Interference was predicted	N/A
Transmitter Intermodulation	2 Tx	Passed	No Interference was predicted	N/A
Transmitter Intermodulation	3 Tx	Passed	No Interference was predicted	N/A
Transmitter Intermodulation	4 Tx	Passed	No Interference was predicted	N/A
Transmitter Intermodulation	5 Tx	Passed	No Interference was predicted	N/A
Receiver Intermodulation	1 Tx	Passed	No Interference was predicted	N/A
Receiver Intermodulation	2 Tx	Passed	No Interference was predicted	N/A
Receiver Intermodulation	3 Tx	Passed	No Interference was predicted	N/A
Receiver Intermodulation	4 Tx	Passed	No Interference was predicted	N/A
Receiver Intermodulation	5 Tx	Passed	No Interference was predicted	N/A
Transmitter Harmonics	N/A	Passed	No Interference was predicted	N/A
Transmitter Spurious Output	N/A	Passed	No Interference was predicted	N/A

The analysis was performed with the setup options depicted in the Table below.

Analysis	Description
Receiver Performance	Receiver sensitivity threshold plus 6/12 dB margin
Receiver Bandwidth	Receiver Dependent
Antenna Patterns Considered	No (Worst Case)
Measured Antenna Isolation Data	No
Filters/Multicouplers Considered	Yes
Number of Simultaneous Transmitters Mixed	5
Highest Intermodulation Order Tested	7
Tx/Rx Systems Excluded	None

nTelos-NR6422/WMBG

2.0 Site Description

The communication systems located at this site are described in this section as well as the configuration of the antenna systems.

The site parameters are:

Site Name: nTelos-NR6422/WMBG
Owner: Unknown
Site Description: Co-location on unknown structure
Address: 4445 Powhatan, Parkway, Williamsburg, VA 23188
Latitude: 37:16:37.9 N
Longitude: 76:46:2.2 W
Notes: nTelos is proposing to install antennas on the existing unknown structure at the 115-foot level. Public safety is close proximity has been modeled. WQAW910-York County FCC license is 3.0 Km away.

2.1 Communications Systems

System	Provider	Technology	Frequency Band
1	nTelos (Proposed)	PCS CDMA	1710 - 1990 MHz - PCS
2	WQAW910 - York County	FM Land Mobile	806 - 896 MHz - Land Mobile

2.2 Antenna Systems

Ant #	Mfg	Antenna Model	Gain (dBd)	Hgt (ft)	Orient (deg)	Sector	Ant Use	Transmission Line Type	Line Loss (/100')	Line Length (ft)
1	Antel	BXA-185060-12CF-2	18	115	0	A	Dplx	1-5/8 in. Foam	1.2	145
2	Antel	BXA-185060-12CF-2	18	115	120	B	Dplx	1-5/8 in. Foam	1.2	145
3	Antel	BXA-185060-12CF-2	18	115	240	C	Dplx	1-5/8 in. Foam	1.2	145
4	Andrew	DB809	9	195	0		Tx/Rx	7/8 in. Foam	1.16	225

nTelos-NR6422/WMBG

3.0 Transmitter Frequencies

Freq #	Ant #	Provider	Model	Technology	Channel Label	ID	Frequency	Power (Watts)	BW (KHz)
1	1	nTelos (Proposed)	Nortel	PCS CDMA	Chan 425	A	1951.2500	16	1250
2	1	nTelos (Proposed)	Nortel	PCS CDMA	Chan 500	B	1955.0000	16	1250
3	1	nTelos (Proposed)	Nortel	PCS CDMA	Chan 575	C	1958.7500	16	1250
4	2	nTelos (Proposed)	Nortel	PCS CDMA	Chan 450	D	1952.5000	16	1250
5	2	nTelos (Proposed)	Nortel	PCS CDMA	Chan 525	E	1956.2500	16	1250
6	2	nTelos (Proposed)	Nortel	PCS CDMA	Chan 600	F	1960.0000	16	1250
7	3	nTelos (Proposed)	Nortel	PCS CDMA	Chan 475	G	1953.7500	16	1250
8	3	nTelos (Proposed)	Nortel	PCS CDMA	Chan 550	H	1957.5000	16	1250
9	4	WQAW910 - York County	Motorola	FM Land Mobile		I	866.2500	100	16
10	4	WQAW910 - York County	Motorola	FM Land Mobile		J	866.3750	100	16
11	4	WQAW910 - York County	Motorola	FM Land Mobile		K	867.1250	100	16
12	4	WQAW910 - York County	Motorola	FM Land Mobile		L	867.1750	100	16
13	4	WQAW910 - York County	Motorola	FM Land Mobile		M	867.2625	100	16
14	4	WQAW910 - York County	Motorola	FM Land Mobile		N	867.3250	100	16
15	4	WQAW910 - York County	Motorola	FM Land Mobile		O	867.3500	100	16
16	4	WQAW910 - York County	Motorola	FM Land Mobile		P	867.3750	100	16
17	4	WQAW910 - York County	Motorola	FM Land Mobile		Q	867.6000	100	16
18	4	WQAW910 - York County	Motorola	FM Land Mobile		R	867.7750	100	16
19	4	WQAW910 - York County	Motorola	FM Land Mobile		S	867.8500	100	16
20	4	WQAW910 - York County	Motorola	FM Land Mobile		T	867.8750	100	16
21	4	WQAW910 - York County	Motorola	FM Land Mobile		U	867.9000	100	16
22	4	WQAW910 - York County	Motorola	FM Land Mobile		V	868.2750	100	16
23	4	WQAW910 - York County	Motorola	FM Land Mobile		W	868.3625	100	16
24	4	WQAW910 - York County	Motorola	FM Land Mobile		X	868.4000	100	16
25	4	WQAW910 - York County	Motorola	FM Land Mobile		Y	868.5250	100	16
26	4	WQAW910 - York County	Motorola	FM Land Mobile		Z	868.5375	100	16
27	4	WQAW910 - York County	Motorola	FM Land Mobile		AA	868.5750	100	16
28	4	WQAW910 - York County	Motorola	FM Land Mobile		AB	868.6375	100	16
29	4	WQAW910 - York County	Motorola	FM Land Mobile		AC	868.6625	100	16
30	4	WQAW910 - York County	Motorola	FM Land Mobile		AD	868.7750	100	16
31	4	WQAW910 - York County	Motorola	FM Land Mobile		AE	868.8000	100	16

nTelos-NR6422/WMBG

4.0 Receiver Frequencies

Freq #	Ant #	Provider	Model	Technology	Channel Label	ID	Frequency	Sen (dBm)	BW (KHz)
1	1	nTelos (Proposed)	Nortel	PCS CDMA	Chan 425	A	1871.2500	-110	1250
2	1	nTelos (Proposed)	Nortel	PCS CDMA	Chan 500	B	1875.0000	-110	1250
3	1	nTelos (Proposed)	Nortel	PCS CDMA	Chan 575	C	1878.7500	-110	1250
4	2	nTelos (Proposed)	Nortel	PCS CDMA	Chan 450	D	1872.5000	-110	1250
5	2	nTelos (Proposed)	Nortel	PCS CDMA	Chan 525	E	1876.2500	-110	1250
6	2	nTelos (Proposed)	Nortel	PCS CDMA	Chan 600	F	1880.0000	-110	1250
7	3	nTelos (Proposed)	Nortel	PCS CDMA	Chan 475	G	1873.7500	-110	1250
8	3	nTelos (Proposed)	Nortel	PCS CDMA	Chan 550	H	1877.5000	-110	1250
9	4	WQAW910 - York County	Motorola	FM Land Mobile		I	821.2500	-119	25
10	4	WQAW910 - York County	Motorola	FM Land Mobile		J	821.3750	-119	25
11	4	WQAW910 - York County	Motorola	FM Land Mobile		K	822.1250	-119	25
12	4	WQAW910 - York County	Motorola	FM Land Mobile		L	822.1750	-119	25
13	4	WQAW910 - York County	Motorola	FM Land Mobile		M	822.2625	-119	25
14	4	WQAW910 - York County	Motorola	FM Land Mobile		N	822.3250	-119	25
15	4	WQAW910 - York County	Motorola	FM Land Mobile		O	822.3500	-119	25
16	4	WQAW910 - York County	Motorola	FM Land Mobile		P	822.3750	-119	25
17	4	WQAW910 - York County	Motorola	FM Land Mobile		Q	822.6000	-119	25
18	4	WQAW910 - York County	Motorola	FM Land Mobile		R	822.7750	-119	25
19	4	WQAW910 - York County	Motorola	FM Land Mobile		S	822.8500	-119	25
20	4	WQAW910 - York County	Motorola	FM Land Mobile		T	822.8750	-119	25
21	4	WQAW910 - York County	Motorola	FM Land Mobile		U	822.9000	-119	25
22	4	WQAW910 - York County	Motorola	FM Land Mobile		V	823.2750	-119	25
23	4	WQAW910 - York County	Motorola	FM Land Mobile		W	823.3625	-119	25
24	4	WQAW910 - York County	Motorola	FM Land Mobile		X	823.4000	-119	25
25	4	WQAW910 - York County	Motorola	FM Land Mobile		Y	823.5250	-119	25
26	4	WQAW910 - York County	Motorola	FM Land Mobile		Z	823.5375	-119	25
27	4	WQAW910 - York County	Motorola	FM Land Mobile		AA	823.5750	-119	25
28	4	WQAW910 - York County	Motorola	FM Land Mobile		AB	823.6375	-119	25
29	4	WQAW910 - York County	Motorola	FM Land Mobile		AC	823.6625	-119	25
30	4	WQAW910 - York County	Motorola	FM Land Mobile		AD	823.7750	-119	25
31	4	WQAW910 - York County	Motorola	FM Land Mobile		AE	823.8000	-119	25

5.0 Transmitter Noise Analysis

Transmitter noise interference occurs because a transmitter radiates energy on its operating frequency as well as frequencies above and below the assigned frequency. The energy that is radiated above and below the assigned frequency is known as sideband noise energy and extends for several megahertz on either side of the operating frequency. This undesired noise energy can fall within the passband of a nearby receiver even if the receiver's operating frequency is several megahertz away. The transmitter noise appears as "on-channel" noise interference and cannot be filtered out at the receiver. It is on the receiver's operating frequency and competes with the desired signal, which in effect, degrades the operational performance.

The analysis predicts each transmitter's noise signal level present at the input of each receiver. It takes into account the transmitter's noise characteristics, frequency separation, power output, transmission line losses, filters, duplexers, combiners, isolators, multi-couplers and other RF devices that are present in both systems. Additionally, the analysis considers the antenna separation space loss, horizontal and vertical gain components of the antennas as well as how they are mounted on the structure. The gain components are derived from antenna pattern data published by each manufacturer.

The analysis determines how much isolation is required, if any, to prevent receiver performance degradation caused by transmitter noise interference. The Table below depicts the results of this analysis. For each receiver, the transmitter that has the worst-case impact is displayed. The Signal Margin represents the margin in dB, before the receiver's performance is degraded. A negative number indicates that the performance is degraded and the value indicates how much additional isolation is required to prevent receiver performance degradation.

Receiver Provider	Receive Channel	Receive Frequency (MHz)	Transmitter Provider	Transmit Channel	Transmit Frequency (MHz)	Attn Required (dB)	Attn Provided (dB)	Signal Margin (dB)
None								

No transmitter noise interference problems were predicted.

6.0 Receiver Desensitization Analysis

Receiver desensitization interference occurs when an undesired signal from a nearby "off-frequency" transmitter is sufficiently close to a receiver's operating frequency. The signal may get through the RF selectivity of the receiver. If this undesired signal is of sufficient amplitude, the receiver's critical voltage and current levels are altered and the performance of the receiver is degraded at its operating frequency. The gain of the receiver is reduced, thereby reducing the performance of the receiver.

A transmitter can be operating several megahertz away from the receiver frequency and/or its antenna can be located several thousand feet from the receiver's antenna and still cause interference.

The analysis predicts each transmitter's signal level present at the input of each receiver. It takes into account the transmitter's power output, frequency separation, transmission line losses, filters, duplexers, combiners, isolators, multi-couplers and other RF devices that are present in both systems. Additionally, the analysis considers the antenna separation space loss, horizontal and vertical gain components of the antennas as well as how they are mounted on the structure. The gain components are derived from antenna pattern data published by each manufacturer.

The analysis determines how much isolation is required, if any, to prevent receiver performance degradation caused by receiver desensitization interference. The Table below depicts the results of this analysis. For each receiver, the transmitter that has the worst-case impact is displayed. The Signal Margin represents the margin in dB, before the receiver's performance is degraded. A negative number indicates that the performance is degraded and the value indicates how much additional isolation is required to prevent receiver performance degradation.

Receiver Provider	Receive Channel	Receive Frequency (MHz)	Transmitter Provider	Transmit Channel	Transmit Frequency (MHz)	Attn Required (dB)	Attn Provided (dB)	Signal Margin (dB)
None								

No receiver desensitization interference problems were predicted.

7.0 Intermodulation Interference Analysis

There are three basic categories of Intermodulation (IM) interference. They are receiver produced, transmitter produced, and "other" radiated IM. Transmitter produced IM is the result of one or more transmitters impressing a signal in the non-linear final output stage circuitry of another transmitter, usually via antenna coupling. The IM product frequency is then re-radiated from the transmitter's antenna. Receiver produced IM is the result of two or more transmitter signals mixing in a receiver RF amplifier or mixer stage when operating in a non-linear range.

"Other" radiated IM is the result of transmitter signals mixing in other non-linear junctions. These junctions are usually metallic, such as rusty bolts on a tower, dissimilar metallic junctions, or other non-linear metallic junctions in the area. IM products can also be caused by non-linearity in the transmission system such as antenna, transmission line, or connectors.

Communication sites with co-located transmitters, usually have RF coupling between each transmitter and antenna system. This results in the signals of each transmitter entering the nonlinear final output (PA) circuitry of the other transmitters. When intermodulation (IM) products are created in the output circuitry and they fall within the passband of the final amplifier, the IM products are re-radiated and may interfere with receivers at the same site or at other nearby sites. Additionally, these strong transmitter signals may directly enter a receiver and drive the RF amplifier into a nonlinear operation, or if not filtered effectively by the receiver input circuitry, these signals could mix in the nonlinear circuitry of the receiver front-end or mixer, creating IM products directly in the receiver.

The frequencies of IM products are derived from mathematical formulae. IM products are classified by their "order" (2nd, 3rd, 4th, ...Nth). Some of the more common forms of mixing are illustrated in the following examples. Note that The "A", "B", and "C" designations are the mixing frequencies. The numerical number assigned to the letter designation indicates the harmonic relationship of the frequency. Thus, 2A means the 2nd harmonic of frequency A.

<u>Order</u>	<u>Mixing Formulae</u>
First	A=B, A=C, etc.
Second	A ± B, A ± C, etc.
Third	A + B - C, A ± 2B, 2A ± B, etc.
Fourth	A ± 3B, 2A ± 2B, 3A ± B, etc.
Fifth	A ± 4B, 2A ± 3B, 3A ± 2B, 4A ± B, etc.
Sixth	A ± 3B ± 2C, 2A ± 2B ± 2C, 3A ± 2B ± C, etc.
Seventh	A ± 6B, 2A ± 5B, 3A ± 4B, 4A ± 3B, 5A ± 2B, etc.
Eighth	A ± 7B, 2A ± 6B, 3A ± 5B, 4A ± 4B, 5A ± 3B, 6A ± 2B, etc.
Ninth	A ± 8B, 2A ± 7B, 3A ± 6B, 4A ± 5B, 5A ± 4B, 6A ± 3B, etc.

The above IM product formulae are just a few of the many possible combinations. When there are four frequencies involved at one time, the mixing possibilities increase tremendously. Not all of the mixing possibilities are significant in creating interference signals. Some fall "out-of-band" of the receiver and the higher order IM products are usually weaker in signal strength.

nTelos-NR6422/WMBG

7.1 Transmitter Generated Intermodulation Analysis

Intermodulation in transmitters occurs when a signal from another transmitter is impressed on the nonlinear final output stage circuitry, usually via antenna coupling. The power level of the IM product is determined by the power level of the incoming extraneous signal from another transmitter and by a conversion loss factor. The conversion loss factor takes into account the mixing efficiency of the transmitter's final output stage. Conversion loss differs with transmitter design, adjustment, frequency separation of the source signals, and with the order of the IM product.

The analysis calculates all possible IM product frequencies that could potentially interfere with receivers at the communications site based on each receiver's individual bandwidth. It then predicts each IM signal level present at the input of each affected receiver. For each IM frequency, the analysis considers all possible sources of IM generation in the transmitters. For example, if there are four transmitters involve, the analysis will calculate the IM signal level that would be generated in each transmitter. For this example, that would be four possible mixing conditions.

The analysis takes into account the transmitter's power output, modulation bandwidth, conversion losses, transmission line losses, filters, duplexers, combiners, isolators, multi-couplers and other RF devices that are present in each system. Additionally, the analysis considers the antenna separation space loss, horizontal and vertical gain components of the antennas as well as how they are mounted on the structure. The gain components are derived from antenna pattern data published by each manufacturer.

The analysis determines how much isolation is required to prevent receiver performance degradation for each IM interference signal that occurs. Receivers experiencing transmitter generated intermodulation interference are depicted in the following Table.

Tx 1 Source Mix Tx		Tx 2 Source		TX 3 Source		Tx 4 Source		Tx 5 Source		Intermod Hit		Affected Receiver		Attn Need
ID	Freq (MHz)	ID	Freq (MHz)	ID	Freq (MHz)	ID	Freq (MHz)	ID	Freq (MHz)	Freq (MHz)	Ord	ID	Freq (MHz)	
N														
o														
n														
e														

No transmitter generated intermodulation interference problems were predicted.

nTelos-NR6422/WMBG

7.2 Receiver Generated Intermodulation Analysis

Within a receiver, when two or more strong off-channel signals enter and mix in the receiver and one of the IM product frequencies created coincides with the receiver operating frequency, potential interference results. This internal IM mixing process takes place in the receiver's RF amplifier when it operates in a nonlinear range and/or in the first mixer, which, of course, has been designed to operate as a nonlinear device.

Receivers have a similar conversion loss type factor and receiver performance is commonly described in terms of conversion loss with respect to the 2A - B type products. Here, conversion loss is the ratio of a specified level of A and B to the level of the resulting IM product, when the product is viewed as an equivalent on-channel signal. Receiver conversion loss varies with input levels, AGC action, and product order.

The analysis calculates all possible IM product frequencies that could potentially interfere with receivers at the communications site based on each receiver's individual bandwidth. It then predicts each IM signal level present at the input of each affected receiver. For each IM frequency, the analysis considers that the IM signal is generated directly in the receiver.

The analysis takes into account the transmitter's power output, modulation bandwidth, conversion losses, transmission line losses, filters, duplexers, combiners, isolators, multi-couplers and other RF devices that are present in each system. Additionally, the analysis considers the antenna separation space loss, horizontal and vertical gain components of the antennas as well as how they are mounted on the structure. The gain components are derived from antenna pattern data published by each manufacturer.

The analysis determines how much isolation is required to prevent receiver performance degradation for each IM interference signal that occurs. Receivers experiencing receiver generated intermodulation interference are depicted in the following Table.

Tx 1 Source		Tx 2 Source		Tx 3 Source		Tx 4 Source		Tx 5 Source		Intermod Hit		Affected Receiver		Attn Need
ID	Freq (MHz)	Freq (MHz)	Ord	ID	Freq (MHz)									
N														
o														
n														
e														

No receiver generated intermodulation interference problems were predicted.

8.0 Transmitter Harmonic Output Interference Analysis

Transmitter harmonic interference is due to non-linear characteristics in a transmitter. The harmonics are typically created due to frequency multipliers and the non-linear design of the final output stage of the transmitter. If the harmonic signal falls within the passband of a nearby receiver and the signal level is of sufficient amplitude, it can degrade the performance of the receiver.

The analysis takes into account the transmitter’s harmonic characteristics, output level, transmission line losses, filters, duplexers, combiners, isolators, multi-couplers and other RF devices that are present in each system. Additionally, the analysis considers the antenna separation space loss, horizontal and vertical gain components of the antennas as well as how they are mounted on the structure. The gain components are derived from antenna pattern data published by each manufacturer.

The analysis determines how much isolation is required to prevent receiver performance degradation for any harmonics that fall within a receiver’s passband. Receivers experiencing transmitter harmonic interference are depicted in the following Table.

Transmitter		Harmonic		Affected Receiver		Attn Needed
ID	Frequency (MHz)	Frequency (MHz)	Order	ID	Frequency (MHz)	
None						

No transmitter generated harmonic interference problems were predicted.

9.0 Transmitter Spurious Output Interference Analysis

Transmitter spurious output interference can be attributed to many different factors in a transmitter. The generation of spurious frequencies could be due to non-linear characteristics in a transmitter or possibly the physical placement of components and unwanted coupling. If a spurious signal falls within the passband of a nearby receiver and the signal level is of sufficient amplitude, it can degrade the performance of the receiver.

The analysis takes into account a transmitter's spurious output specification, output levels, transmission line losses, filters, duplexers, combiners, isolators, multi-couplers and other RF devices that are present in each system. Additionally, the analysis considers the antenna separation space loss, horizontal and vertical gain components of the antennas as well as how they are mounted on the structure. The gain components are derived from antenna pattern data published by each manufacturer.

The analysis determines how much isolation is required to prevent receiver performance degradation for any transmitter spurious signals that fall within a receiver's passband. Receivers experiencing transmitter spurious output interference are depicted in the following Table.

Transmitter		Affected Receiver		Attn Needed
ID	Frequency (MHz)	ID	Frequency (MHz)	
None				

No transmitter generated spurious interference problems were predicted.

10.0 Discussion and Recommendations

The customer data provided does not reflect any other carriers on this structure.

nTelos-NR6422/WMBG

11.0 Professional Certification

Engineering Statement Re:

Potential for Interference to Existing Services

At

NR6422/WMBG, for nTelos

Upon Penalty of Perjury, my signature on the front cover of this study hereby certifies and affirms:

That I am a registered as a Professional Engineer in the jurisdiction indicated; and

That I am employed by Sitesafe, Inc. which provides engineering services to clients in the Radio Communications field; and

That I am familiar with the Rules and Regulations and the policies of the Federal Communications Commission both in general and specifically as they apply to the treatment of interference to other services such as may be created by Commission licenses; and

That I have examined the technical information supplied by nTelos and their representatives relating to their intention to install antennas, transmitters and associated technical equipment on an existing communication site, on an existing tower/structure, currently identified as NR6422/WMBG; and

That the technical equipment to be installed by nTelos represents the state of the art and that it has been carefully designed to preclude the possibility of interference to other services, including the transmission and reception of broadcast AM, FM, and Television and other communications services, such as police, fire, utility and other public safety and public service facilities as well as private communications installations, such as cordless telephones, and Citizen's Band and Radio Amateur stations; and

That the equipment to be installed by nTelos, meets or exceeds all Federal Communications Commission emission requirements to avoid interfering with other services and home/business equipment; and

That frequency information provided by nTelos concerning existing installations on this structure has been examined to estimate the potential for interference to existing and proposed operations, resulting from the introduction of the nTelos' operation; and

That this examination involved the computation of intermodulation products, transmitter harmonics, receiver desensitization, and transmitter spurious emissions produced by the combination of frequencies associated with existing services known to currently operate at the NR6422/WMBG site, and these frequencies, which could be used by others at the NR6422/WMBG site

That intermodulation products were computed (as a minimum) for the fundamental (f_0), second ($2 f_0$) thru seventh ($7 f_0$) harmonic components of frequencies at this site; and

That predicted products were not found to potentially cause intermodulation to nTelos' proposed operations or to the other licenses currently operating at the NR6422/WMBG site; and

That no additional isolation needs to be provided between antennas in the horizontal and vertical planes, and the attenuation along the nadir and zenith associated with vertical plane radiation patterns; and

nTelos-NR6422/WMBG

That after examination the levels of RF energy present at the NR6422/WMBG site, receiver sensitivity will not be degraded by either the existing or nTelos' proposed operations; and

That, if interference were to occur as a result of nTelos' operations, nTelos would be expected to recognize its responsibility to act promptly to take steps necessary to correct the interference, including, but not limited to, filtering and frequency coordination; and

In summary, it is stated here that there is not an indication that the installation being proposed by nTelos will create interference to their own operations, or the operations of any of the services currently operating at the NR6422/WMBG site. Even in the event that, upon installation of nTelos' equipment, interference was determined to exist and to be the actual interference source, frequency coordination and filtering would be nTelos' primary corrective course of action, and should successfully eliminate the problem.

Certain generic technical assumptions regarding power settings, filtering, and equipment characteristics were made in preparing this analysis, as this technical information was not made available by the client.

Thank You for Using Sitesafe for Your RF Engineering Needs.

RF EMISSIONS COMPLIANCE REPORT

nTelos

Site: WMBG - NR6422
4445 Powhatan Parkway
Williamsburg, VA
6/15/2009

Report Status:

nTelos Is Under 5% Threshold



David Charles Cotton, Jr.
Professional Engineer
Commonwealth of Virginia, 0402045496
Date: 2009-Jun-09
Prepared By:

Sitesafe, Inc.

Engineering Statement in Re:
Electromagnetic Energy Analysis
nTelos
Williamsburg, VA

Upon penalty of perjury, my signature on the cover of this document indicates:

That I am registered as a Professional Engineer in the jurisdiction indicated; and

That I have extensive professional experience in the wireless communications engineering industry; and

That I am an employee of Sitesafe, Inc. in Arlington, Virginia; and

That I am thoroughly familiar with the Rules and Regulations of the Federal Communications Commission ("the FCC" and "the FCC Rules") both in general and specifically as they apply to the FCC's Guidelines for Human Exposure to Radiofrequency Electromagnetic Fields; and

That the technical information serving as the basis for this report was supplied by nTelos (See attached Site Summary and Carrier documents), and that nTelos's installations involve communications equipment, antennas and associated technical equipment at a location referred to as the "WMBG - NR6422" ("the site"); and

That nTelos proposes to operate at the site with transmit antennas listed in the carrier summary and with a maximum effective radiated power as specified by nTelos and shown on the worksheet, and that worst-case 100% duty cycle have been assumed; and

That this analysis has been performed with the assumption that the ground immediately surrounding the tower is primarily flat or falling; and

That at this time, the FCC requires that certain licensees address specific levels of radio-frequency energy to which workers or members of the public might possibly be exposed (at §1.1307(b) of the FCC Rules); and

That such consideration of possible exposure of humans to radio-frequency radiation must utilize the standards set by the FCC, which is the Federal Agency having jurisdiction over communications facilities; and

That the FCC rules define two tiers of permissible exposure guidelines: 1) "uncontrolled environments," defined as situations in which persons may not be aware of (the "general public"), or may not be able to control their exposure to a transmission facility; and (2) "controlled environments," which defines situations in which persons are aware of their potential for exposure (industry personnel); and

That this statement specifically addresses the uncontrolled environment (which is more conservative than the controlled environment) and the limit set forth in the FCC rules for licensees of nTelos's operating frequency as shown on the attached antenna worksheet; and

That when applying the uncontrolled environment standards, the predicted Maximum Power Density at two meters above ground level from the proposed nTelos operation is no more than 0.067% of the maximum in any accessible area on the ground and

That it is understood per FCC Guidelines and OET65 Appendix A, that regardless of the existent radio-frequency environment, only those licenses whose contributions exceed five percent of the exposure limit pertinent to their operation(s) bear any responsibility for bringing any non-compliant area(s) into compliance; and

That the calculations provided in this report are based on data provided by the client and antenna pattern data supplied by the antenna manufacturer, in accordance with FCC guidelines listed in OET-65. Horizontal and vertical antenna patterns are combined for modeling purposes to accurately reflect the energy two meters above ground level where on-axis energy refers to maximum energy two meters above the ground along the azimuth of the antenna and where area energy refers to the maximum energy anywhere two meters above the ground regardless of the antenna azimuth, accounting for cumulative energy from multiple antennas for the carrier and frequency range indicated; and

That the Occupational Safety and Health Administration has policies in place which address worker safety in and around communications sites, thus individual companies will be responsible for their employees' training regarding Radio Frequency Safety.

In summary, it is stated here that the proposed operation at the site would not result in exposure of the Public to excessive levels of radio-frequency energy as defined in the FCC Rules and Regulations, specifically 47 CFR 1.1307 and that nTelos's proposed operation is completely compliant.

Finally, it is stated that access to the tower should be restricted to communication industry professionals, and approved contractor personnel trained in radio-frequency safety; and that the instant analysis addresses exposure levels at two meters above ground level and does not address exposure levels on the tower, or in the immediate proximity of the antennas.

nTelos
WMBG - NR6422
Site Summary

Carrier	Area Maximum Percentage MPE
nTelos	0.067 %
Composite Site MPE:	0.067 %

nTelos
WMBG - NR6422
Carrier Summary

Frequency: 1950 MHz
Maximum Permissible Exposure (MPE): 1000 $\mu\text{W}/\text{cm}^2$
Maximum power density at ground level: 0.66836 $\mu\text{W}/\text{cm}^2$
Highest percentage of Maximum Permissible Exposure: 0.06684 %

Antenna Make	Model	Height (feet)	Orientation (degrees true)	ERP (Watts)	On Axis		Area	
					Max Power Density ($\mu\text{W}/\text{cm}^2$)	Percent of MPE	Max Power Density ($\mu\text{W}/\text{cm}^2$)	Percent of MPE
Antel	BXA-185063-12CF-2	115	0	671	0.333573	0.033357	0.493053	0.049305
Antel	BXA-185063-12CF-2	115	120	671	0.333573	0.033357	0.493053	0.049305
Antel	BXA-185063-12CF-2	115	240	671	0.333148	0.033315	0.493053	0.049305

nTelos
WMBG - NR6422
Antel:BXA-185063-12CF-2 Antenna Worksheet (0 Sector)

Maximum Permissible Exposure (MPE):		1000					
ERP (Watts):	671	Height (feet):	115	Frequency (MHz):	1950	Downtilt (Degrees):	0.0
Depression Angle (degrees)	Relative dB	Relative Gain	Slant Distance (meters)	Dist From Structure (meters)	Power Density ($\mu\text{W}/\text{cm}^2$)	Percent of MPE	Times Below MPE
0.1	-0.74	0.8433	18937.45	18937.42	0.000061	0.000006	16401924
1.0	-0.20	0.9550	1893.84	1893.55	0.006096	0.000610	164035
2.0	0.00	1.0000	947.06	946.49	0.024378	0.002438	41021
3.0	-0.80	0.8318	631.54	630.67	0.054822	0.005482	18241
4.0	-2.80	0.5248	473.82	472.67	0.097391	0.009739	10267
5.0	-5.60	0.2754	379.23	377.79	0.155576	0.015558	6427
6.0	-9.60	0.1096	316.20	314.47	0.223779	0.022378	4468
7.0	-15.70	0.0269	271.21	269.19	0.304186	0.030419	3287
8.0	-29.20	0.0012	237.49	235.18	0.333573	0.033357	2997
9.0	-26.60	0.0022	211.28	208.68	0.273252	0.027325	3659
10.0	-21.00	0.0079	190.34	187.45	0.183559	0.018356	5447
12.0	-19.00	0.0126	158.97	155.50	0.029461	0.002946	33942
14.0	-20.90	0.0081	136.62	132.56	0.019509	0.001951	51258
16.0	-29.90	0.0010	119.91	115.27	0.025320	0.002532	39494
18.0	-24.90	0.0032	106.96	101.72	0.027900	0.002790	35841
20.0	-23.50	0.0045	96.64	90.81	0.015640	0.001564	63939
22.0	-30.30	0.0009	88.23	81.81	0.018730	0.001873	53389
24.0	-36.10	0.0002	81.26	74.24	0.022043	0.002204	45365
26.0	-38.20	0.0002	75.40	67.77	0.014866	0.001487	67265
28.0	-31.80	0.0007	70.40	62.16	0.010550	0.001055	94787
30.0	-31.30	0.0007	66.10	57.25	0.045809	0.004581	21829
32.0	-27.90	0.0016	62.37	52.89	0.072665	0.007267	13761
34.0	-21.70	0.0068	59.11	49.00	0.080668	0.008067	12396
36.0	-20.10	0.0098	56.23	45.49	0.088855	0.008885	11254
38.0	-23.00	0.0050	53.69	42.30	0.097182	0.009718	10290
40.0	-31.00	0.0008	51.42	39.39	0.105740	0.010574	9457
42.0	-28.60	0.0014	49.40	36.71	0.093845	0.009384	10655
44.0	-26.40	0.0023	47.58	34.23	0.031920	0.003192	31328
46.0	-28.40	0.0014	45.95	31.92	0.033341	0.003334	29993
48.0	-28.30	0.0015	44.48	29.76	0.035466	0.003547	28195
50.0	-26.80	0.0021	43.15	27.73	0.034393	0.003439	29075
52.0	-26.90	0.0020	41.94	25.82	0.036227	0.003623	27603
54.0	-28.00	0.0016	40.85	24.01	0.038058	0.003806	26275
56.0	-27.70	0.0017	39.87	22.29	0.039732	0.003973	25168
58.0	-26.80	0.0021	38.97	20.65	0.041439	0.004144	24131
60.0	-27.00	0.0020	38.17	19.08	0.043020	0.004302	23245
62.0	-28.80	0.0013	37.43	17.57	0.044516	0.004452	22463
64.0	-32.80	0.0005	36.77	16.12	0.045981	0.004598	21748
66.0	-37.00	0.0002	36.18	14.72	0.037284	0.003728	26821
68.0	-39.90	0.0001	35.65	13.35	0.021703	0.002170	46077
70.0	-38.10	0.0002	35.17	12.03	0.019479	0.001948	51336
72.0	-34.00	0.0004	34.75	10.74	0.032709	0.003271	30572
74.0	-31.10	0.0008	34.38	9.48	0.049140	0.004914	20349
76.0	-28.80	0.0013	34.06	8.24	0.063163	0.006316	15831
78.0	-27.00	0.0020	33.79	7.03	0.072550	0.007255	13783
80.0	-25.90	0.0026	33.56	5.83	0.077974	0.007797	12824
82.0	-25.30	0.0030	33.38	4.65	0.078319	0.007832	12768
84.0	-25.00	0.0032	33.23	3.47	0.078474	0.007847	12743
86.0	-25.00	0.0032	33.13	2.31	0.078540	0.007854	12732
88.0	-25.30	0.0030	33.07	1.15	0.078317	0.007832	12768
90.0	-26.00	0.0025	33.05	0.00	0.078307	0.007831	12770

nTelos
WMBG - NR6422
Antel:BXA-185063-12CF-2 Antenna Worksheet (120 Sector)

Maximum Permissible Exposure (MPE): 1000
ERP (Watts): 671 Height (feet): 115 Frequency (MHz): 1950 Downtilt (Degrees): 0.0

Depression Angle (degrees)	Relative dB	Relative Gain	Slant Distance (meters)	Dist From Structure (meters)	Power Density ($\mu\text{W}/\text{cm}^2$)	Percent of MPE	Times Below MPE
0.1	-0.74	0.8433	18937.45	18937.42	0.000061	0.000006	16401924
1.0	-0.20	0.9550	1893.84	1893.55	0.006096	0.000610	164035
2.0	0.00	1.0000	947.06	946.49	0.024378	0.002438	41021
3.0	-0.80	0.8318	631.54	630.67	0.054822	0.005482	18241
4.0	-2.80	0.5248	473.82	472.67	0.097391	0.009739	10267
5.0	-5.60	0.2754	379.23	377.79	0.155576	0.015558	6427
6.0	-9.60	0.1096	316.20	314.47	0.223779	0.022378	4468
7.0	-15.70	0.0269	271.21	269.19	0.303799	0.030380	3291
8.0	-29.20	0.0012	237.49	235.18	0.333573	0.033357	2997
9.0	-26.60	0.0022	211.28	208.68	0.272904	0.027290	3664
10.0	-21.00	0.0079	190.34	187.45	0.183559	0.018356	5447
12.0	-19.00	0.0126	158.97	155.50	0.029424	0.002942	33986
14.0	-20.90	0.0081	136.62	132.56	0.019509	0.001951	51258
16.0	-29.90	0.0010	119.91	115.27	0.025255	0.002526	39595
18.0	-24.90	0.0032	106.96	101.72	0.027900	0.002790	35841
20.0	-23.50	0.0045	96.64	90.81	0.015600	0.001560	64103
22.0	-30.30	0.0009	88.23	81.81	0.018730	0.001873	53389
24.0	-36.10	0.0002	81.26	74.24	0.022043	0.002204	45365
26.0	-38.20	0.0002	75.40	67.77	0.014866	0.001487	67265
28.0	-31.80	0.0007	70.40	62.16	0.010550	0.001055	94787
30.0	-31.30	0.0007	66.10	57.25	0.045693	0.004569	21885
32.0	-27.90	0.0016	62.37	52.89	0.072665	0.007267	13761
34.0	-21.70	0.0068	59.11	49.00	0.080463	0.008046	12428
36.0	-20.10	0.0098	56.23	45.49	0.088855	0.008885	11254
38.0	-23.00	0.0050	53.69	42.30	0.097182	0.009718	10290
40.0	-31.00	0.0008	51.42	39.39	0.105471	0.010547	9481
42.0	-28.60	0.0014	49.40	36.71	0.093845	0.009384	10655
44.0	-26.40	0.0023	47.58	34.23	0.031839	0.003184	31408
46.0	-28.40	0.0014	45.95	31.92	0.033341	0.003334	29993
48.0	-28.30	0.0015	44.48	29.76	0.035466	0.003547	28195
50.0	-26.80	0.0021	43.15	27.73	0.034349	0.003435	29112
52.0	-26.90	0.0020	41.94	25.82	0.036227	0.003623	27603
54.0	-28.00	0.0016	40.85	24.01	0.037961	0.003796	26342
56.0	-27.70	0.0017	39.87	22.29	0.039682	0.003968	25200
58.0	-26.80	0.0021	38.97	20.65	0.041439	0.004144	24131
60.0	-27.00	0.0020	38.17	19.08	0.043020	0.004302	23245
62.0	-28.80	0.0013	37.43	17.57	0.044403	0.004440	22521
64.0	-32.80	0.0005	36.77	16.12	0.045981	0.004598	21748
66.0	-37.00	0.0002	36.18	14.72	0.037047	0.003705	26992
68.0	-39.90	0.0001	35.65	13.35	0.021592	0.002159	46313
70.0	-38.10	0.0002	35.17	12.03	0.019479	0.001948	51336
72.0	-34.00	0.0004	34.75	10.74	0.032709	0.003271	30572
74.0	-31.10	0.0008	34.38	9.48	0.048891	0.004889	20453
76.0	-28.80	0.0013	34.06	8.24	0.063163	0.006316	15831
78.0	-27.00	0.0020	33.79	7.03	0.072550	0.007255	13783
80.0	-25.90	0.0026	33.56	5.83	0.077974	0.007797	12824
82.0	-25.30	0.0030	33.38	4.65	0.078319	0.007832	12768
84.0	-25.00	0.0032	33.23	3.47	0.078674	0.007867	12710
86.0	-25.00	0.0032	33.13	2.31	0.078540	0.007854	12732
88.0	-25.30	0.0030	33.07	1.15	0.078317	0.007832	12768
90.0	-26.00	0.0025	33.05	0.00	0.078307	0.007831	12770

nTelos
WMBG - NR6422
Antel:BXA-185063-12CF-2 Antenna Worksheet (240 Sector)

Maximum Permissible Exposure (MPE): 1000
ERP (Watts): 671 Height (feet): 115 Frequency (MHz): 1950 Downtilt (Degrees): 0.0

Depression Angle (degrees)	Relative dB	Relative Gain	Slant Distance (meters)	Dist From Structure (meters)	Power Density ($\mu\text{W}/\text{cm}^2$)	Percent of MPE	Times Below MPE
0.1	-0.74	0.8433	18937.45	18937.42	0.000061	0.000006	16401924
1.0	-0.20	0.9550	1893.84	1893.55	0.006096	0.000610	164035
2.0	0.00	1.0000	947.06	946.49	0.024378	0.002438	41021
3.0	-0.80	0.8318	631.54	630.67	0.054822	0.005482	18241
4.0	-2.80	0.5248	473.82	472.67	0.097391	0.009739	10267
5.0	-5.60	0.2754	379.23	377.79	0.155576	0.015558	6427
6.0	-9.60	0.1096	316.20	314.47	0.223779	0.022378	4468
7.0	-15.70	0.0269	271.21	269.19	0.304186	0.030419	3287
8.0	-29.20	0.0012	237.49	235.18	0.333148	0.033315	3001
9.0	-26.60	0.0022	211.28	208.68	0.273252	0.027325	3659
10.0	-21.00	0.0079	190.34	187.45	0.183326	0.018333	5454
12.0	-19.00	0.0126	158.97	155.50	0.029461	0.002946	33942
14.0	-20.90	0.0081	136.62	132.56	0.019484	0.001948	51323
16.0	-29.90	0.0010	119.91	115.27	0.025320	0.002532	39494
18.0	-24.90	0.0032	106.96	101.72	0.027829	0.002783	35933
20.0	-23.50	0.0045	96.64	90.81	0.015640	0.001564	63939
22.0	-30.30	0.0009	88.23	81.81	0.018683	0.001868	53525
24.0	-36.10	0.0002	81.26	74.24	0.021987	0.002199	45481
26.0	-38.20	0.0002	75.40	67.77	0.014829	0.001483	67437
28.0	-31.80	0.0007	70.40	62.16	0.010537	0.001054	94907
30.0	-31.30	0.0007	66.10	57.25	0.045809	0.004581	21829
32.0	-27.90	0.0016	62.37	52.89	0.072480	0.007248	13796
34.0	-21.70	0.0068	59.11	49.00	0.080668	0.008067	12396
36.0	-20.10	0.0098	56.23	45.49	0.088629	0.008863	11283
38.0	-23.00	0.0050	53.69	42.30	0.096934	0.009693	10316
40.0	-31.00	0.0008	51.42	39.39	0.105740	0.010574	9457
42.0	-28.60	0.0014	49.40	36.71	0.093606	0.009361	10683
44.0	-26.40	0.0023	47.58	34.23	0.031920	0.003192	31328
46.0	-28.40	0.0014	45.95	31.92	0.033298	0.003330	30031
48.0	-28.30	0.0015	44.48	29.76	0.035376	0.003538	28267
50.0	-26.80	0.0021	43.15	27.73	0.034393	0.003439	29075
52.0	-26.90	0.0020	41.94	25.82	0.036135	0.003613	27674
54.0	-28.00	0.0016	40.85	24.01	0.038058	0.003806	26275
56.0	-27.70	0.0017	39.87	22.29	0.039732	0.003973	25168
58.0	-26.80	0.0021	38.97	20.65	0.041334	0.004133	24193
60.0	-27.00	0.0020	38.17	19.08	0.042910	0.004291	23304
62.0	-28.80	0.0013	37.43	17.57	0.044516	0.004452	22463
64.0	-32.80	0.0005	36.77	16.12	0.045805	0.004581	21831
66.0	-37.00	0.0002	36.18	14.72	0.037284	0.003728	26821
68.0	-39.90	0.0001	35.65	13.35	0.021703	0.002170	46077
70.0	-38.10	0.0002	35.17	12.03	0.019380	0.001938	51598
72.0	-34.00	0.0004	34.75	10.74	0.032501	0.003250	30768
74.0	-31.10	0.0008	34.38	9.48	0.049140	0.004914	20349
76.0	-28.80	0.0013	34.06	8.24	0.062842	0.006284	15912
78.0	-27.00	0.0020	33.79	7.03	0.072365	0.007236	13818
80.0	-25.90	0.0026	33.56	5.83	0.077974	0.007797	12824
82.0	-25.30	0.0030	33.38	4.65	0.078319	0.007832	12768
84.0	-25.00	0.0032	33.23	3.47	0.078474	0.007847	12743
86.0	-25.00	0.0032	33.13	2.31	0.078841	0.007884	12683
88.0	-25.30	0.0030	33.07	1.15	0.078818	0.007882	12687
90.0	-26.00	0.0025	33.05	0.00	0.078607	0.007861	12721



April 21, 2009

Marc Cornell
Ntelos
9011 Arboretum Parkway
Suite 295
Richmond, VA 23236

RE: Letter of Interest: NTELOS Site: NR6422 "WMBG"
AT&T Site: NF495K "SR199/Heritage Point"

Dear Marc,

The purpose of this letter is to outline a basis of understanding between Richmond 20MHZ, LLC ("NTELOS") and New Cingular Wireless PCS, LLC ("AT&T") regarding use by AT&T of a communications facility proposed to be built by NTELOS on certain real property located at 4445 Powhatan Parkway, Williamsburg, VA 23188.

AT&T will submit an application to NTELOS to lease the second slot of the proposed tower along with the necessary ground space for AT&T's use if the communications facility is constructed, such lease to be the negotiated standard form agreement, terms and pricing.

AT&T intends to provide full support to NTELOS in its efforts to secure zoning or other federal, state or local approvals necessary to develop the communications facility, as proposed.

Should you have any questions, please do not hesitate to contact me. We look forward to working with you on this important project.

Sincerely,

David C. Tuck
VA/WV Real Estate and Construction Manager



June 1, 2009

Marc Cornell
Site Development Manager
NTelos
9011 Arboretum Parkway, Suite 295
Richmond, VA 23236

RE: Interest in Collocation on Proposed Tower

Mr. Cornell,

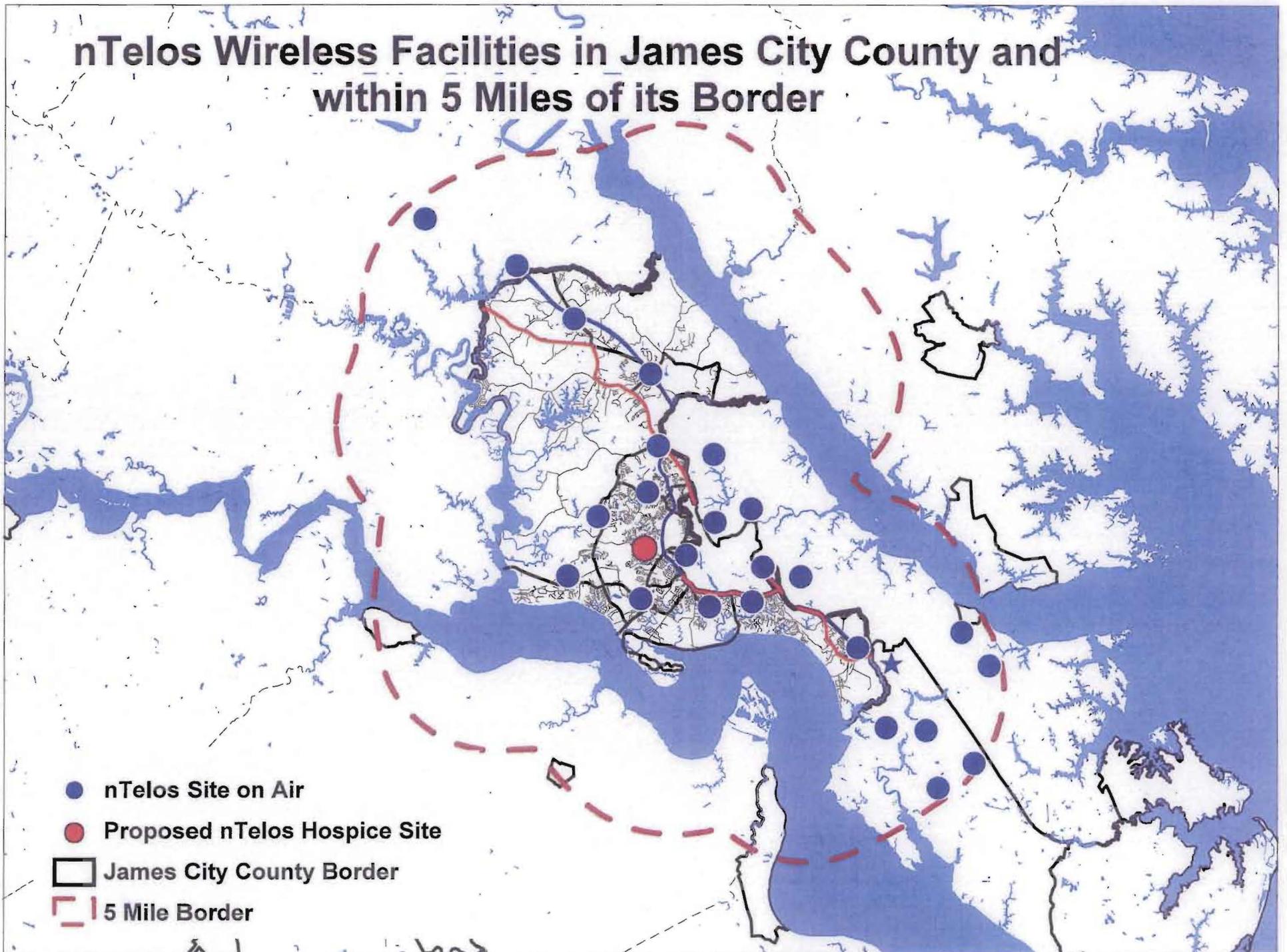
This letter is to serve as notification that Sprint is interested in collocating on the proposed 120' tower. Sprint has plans to locate a site in this area and based upon the information provided at the time of this letter; the tower presents a credible option for our facility.

Please do not hesitate to contact me should you need any additional information or confirmation.

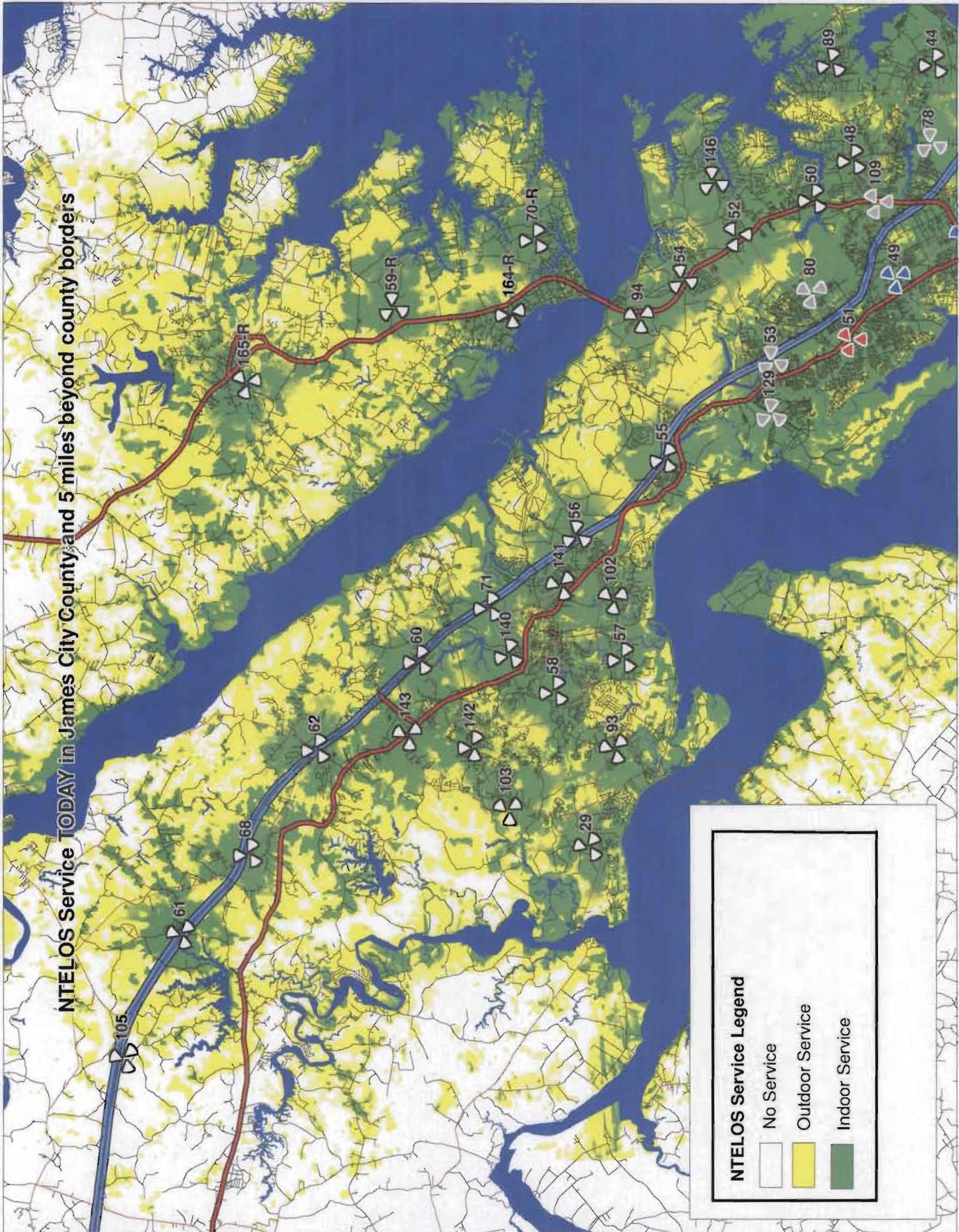
With Kind Regards,

Tom Sciroto
Site Development
Wireless Resources, Inc.
17 Stracke Ave.
Monessen, PA 15062
407-489-5879

nTelos Wireless Facilities in James City County and within 5 Miles of its Border



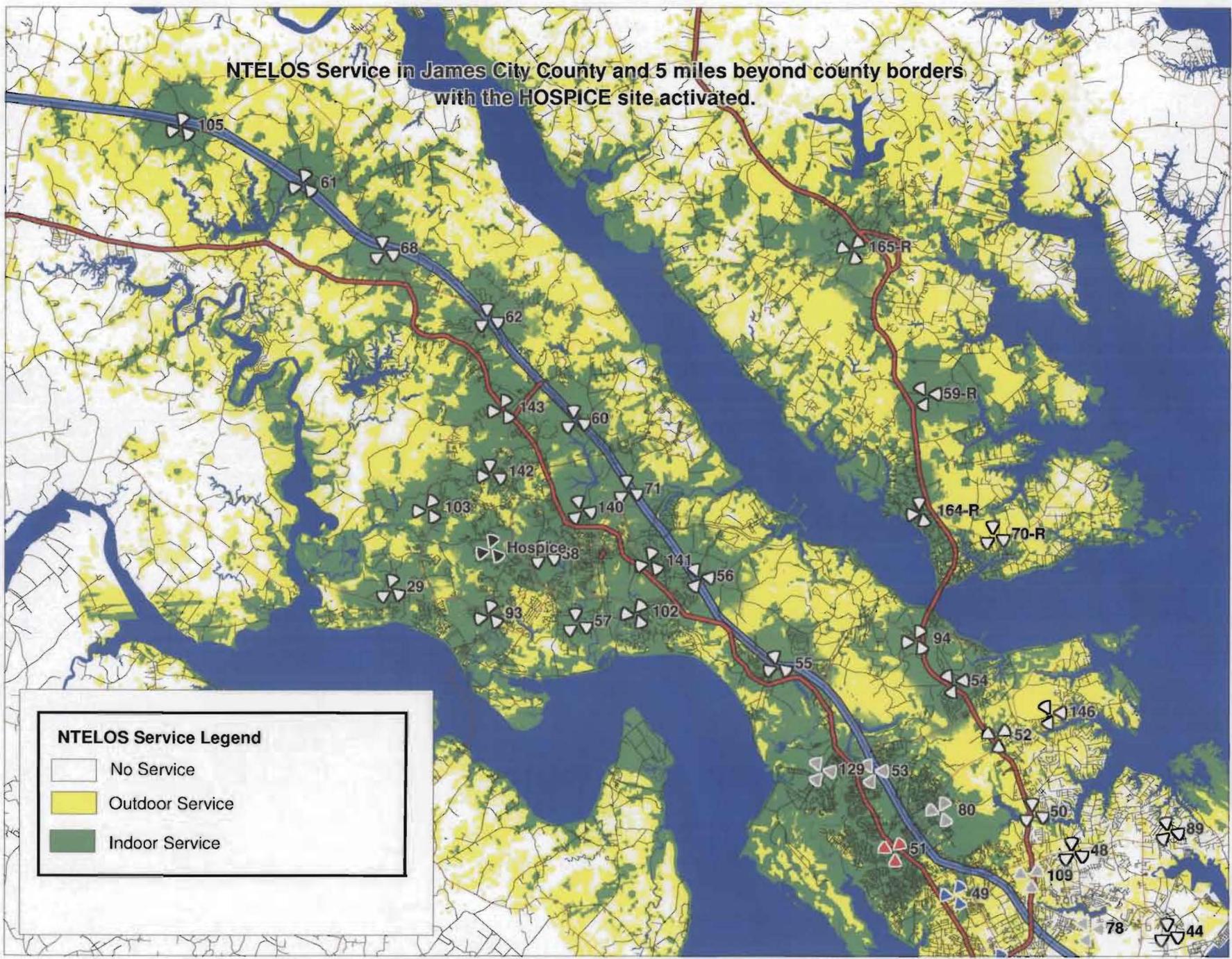
NTELOS Service TODAY in James City County and 5 miles beyond county borders



NTELOS Service Legend

No Service
Outdoor Service
Indoor Service

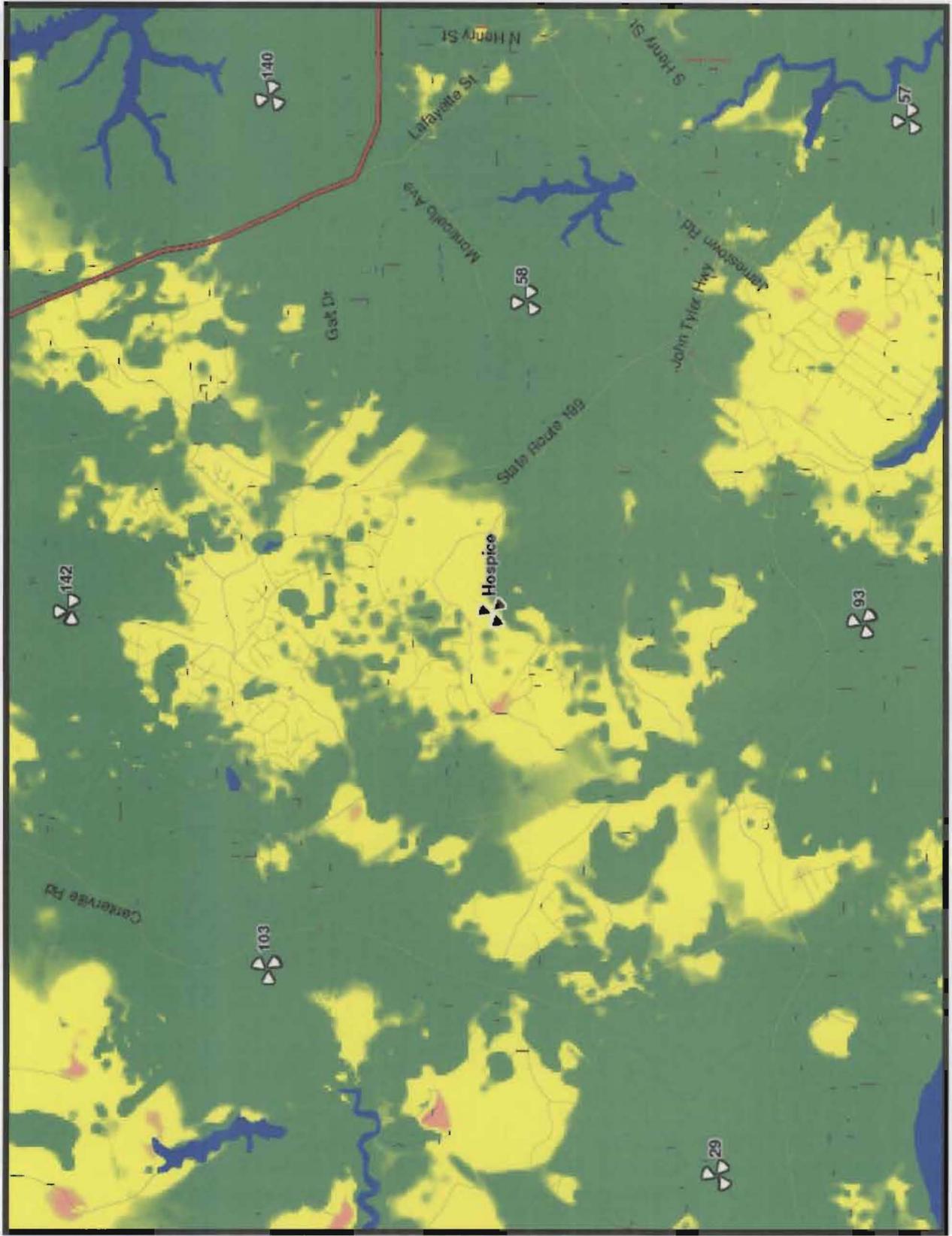
NTELOS Service in James City County and 5 miles beyond county borders with the HOSPICE site activated.



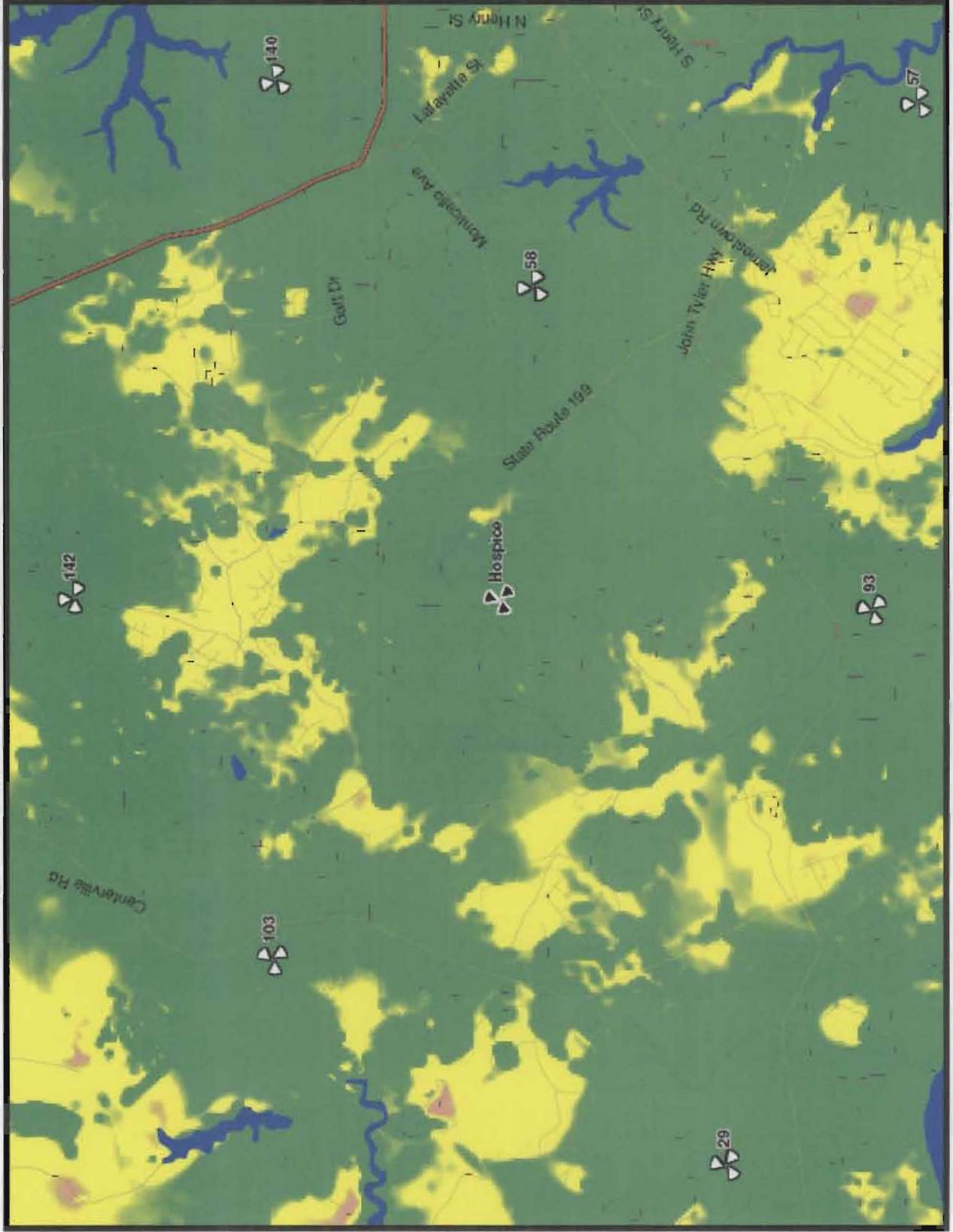
NTELOS Service Legend

- No Service
- Outdoor Service
- Indoor Service

NTELOS Current Coverage



NTELOS Coverage with the Hospice Site



View north along West Providence Road



View from Powhatan Parkway (north of Old Regency Dr.)



View from East Providence Rd. at Old Regency Dr.



View from Powhatan Secondary at News Road



View from Powhatan Secondary at Pleasant View Dr.
(Powhatan Villages)



SUP-0024-2009

Hospice House WCF



SUP-0024-2009 Hospice House Wireless Tower November 9, 2009 Balloon Test visibility

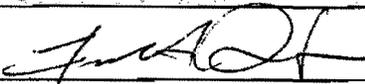
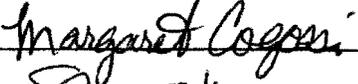
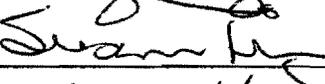
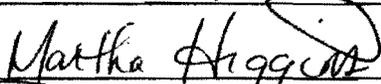
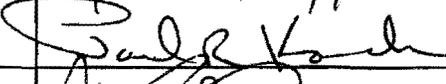
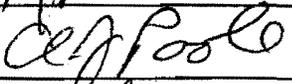
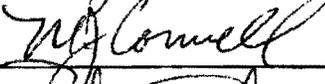
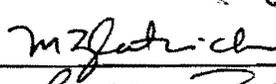
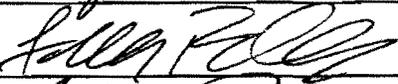
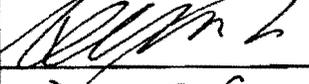


 Balloon visible



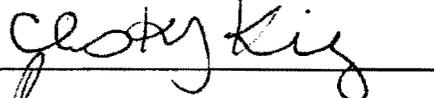
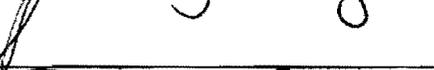
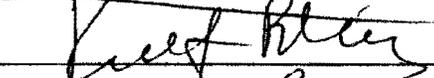
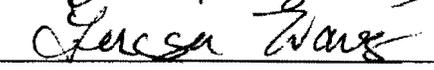
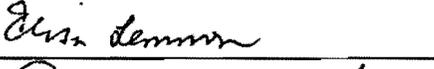
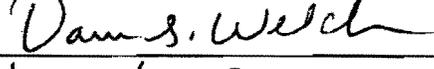
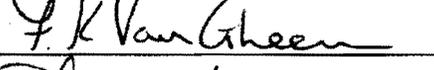
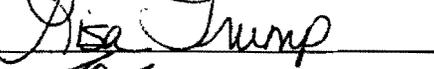
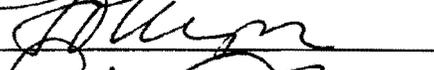
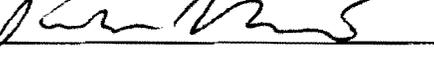
Petition: Ntelos Cell Tower and Access Road

We, the residents of Powhatan Secondary listed below, have major concerns regarding the proposed Ntelos cell tower and service road to be built on the property owned by Hospice House, adjacent to our neighborhood.

Date	Printed Name	Signature	Address
21 Nov 09	JUAN ROCHA		4004 COLD SPRING RD
21 Nov 09	Margaret Cogossi		4016 Cold Spring Rd.
21 Nov 09	Stacey Keating		4015 Cold Spring Rd
21 Nov 09	SUSAN TIERNEY		4009 Cold Spring Rd
21 Nov	Martha Higgins		4016 E. Providence Rd
21 Nov	Paul Karch		4020 E. Providence Rd
21 Nov	Michael Stutt		4024 East Providence Rd.
21 Nov	TIMOTHY SWANN		4027 E. Providence Rd
21 Nov	Andy Poole		4019 E Providence Rd
21 Nov	MICHAEL CONNELL		4015 E. PROVIDENCE
21 Nov	Ricki Reske		4515 O. County.
22 Nov '09	Margaret Zlotnick		3921 Powhatan Pkwy.
22 Nov 09	Frank Buckley		3900 Cold Spring Rd.
11/22/09	Robert Webster		3909 COLD SPRING RD
11/22/09	David S. Chapman	DAVID S. CHAPMAN	3916 COLD SPRING RD

Petition: Ntelos Cell Tower and Access Road

We, the residents of Powhatan Secondary listed below, have major concerns regarding the proposed Ntelos cell tower and service road to be built on the property owned by Hospice House, adjacent to our neighborhood.

Date	Printed Name	Signature	Address
11/22	Christy King		117 Ewell Place
11/22	Roatelaing		113 Ewell Place
11/22	Keth Blake		109 Ewell place
11/22	Teresa Evans		213 Jones Mills Rd
11/22/09	Elisa Lemmon		128 Old Carriage Way
11/22	Dawn Welch		116 Ewell Place
11/22	Fiona Van Gheem		125 Ewell St Place
11/22	Lisa Trump		133 Ewell Place
11/22	Youri Sharobian		132 Ewell Place
11/22	D-Dam Arbogast		128 Ewell Place
11/22	Pam Morrow		124 Ewell Place

Petition: Ntelos Cell Tower and Access Road

We, the residents of Powhatan Secondary listed below, have major concerns regarding the proposed Ntelos cell tower and service road to be built on the property owned by Hospice House, adjacent to our neighborhood.

On another sheet

Date	Printed Name	Signature	Address
11/21/09	_____	_____	5145 _____
11/21/09	_____	_____	_____
11/21/09	_____	_____	2825 _____
11/21/09	_____	_____	_____
11/21/09	_____	_____	_____
11/21/09	_____	_____	_____
11/21/09	_____	_____	_____
11/21/09	_____	_____	_____
11/21/09	_____	_____	_____
11/21/09	_____	_____	_____
11/21/09	_____	_____	_____
11/21/09	_____	_____	_____
11/21/09	_____	_____	_____
11/21/09	_____	_____	_____
11/22/09	John James	James	3949 Powhatan Place
11/22/09	MARIE FIELD	Marie Field	3941 POWHATAN PLACE
11/22/09	Julius Sheppard	Julius Sheppard	3922 West Providence
11/22/09	Wendy Plataway	Wendy Plataway	3809 W. Providence
11/22/09	Ron L. Cleveland	Ron L. Cleveland	5901 W. Providence

Petition: Ntelos Cell Tower and Access Road

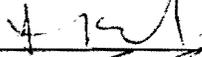
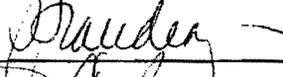
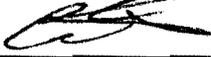
We, the residents of Powhatan Secondary listed below, have major concerns regarding the proposed Ntelos cell tower and service road to be built on the property owned by Hospice House, adjacent to our neighborhood.

Date	Printed Name	Signature	Address
11/15	Teresa Clemons	<i>Teresa Clemons</i>	W'burg Va 23188 4056 Powhatan Secondary
11/15	Lisa Pescara	<i>Lisa Pescara</i>	4055 Powhatan Secondary
11/15	GARY ZIMALK	<i>Gary Zimalk</i>	4064 Powhatan Sec Williamsburg Va. 23188
11/15	JOHN CHAMBERS	<i>John Chambers</i>	4063 POWHATAN SEC. WILLIAMSBURG, VA 23188
11/15	Gabrielle Jones	<i>Gabrielle Jones</i>	4072 Powhatan Secondary Williamsburg, VA 23188
11/15	John Routten	<i>John Routten</i>	4076 Powhatan Sec Washg Va 23188
11/15	Debbie Bailey	<i>Debbie Bailey</i>	3919 W. Providence Rd Williamsburg VA 23188
11/15	Phyllis Poole	<i>Phyllis R. Poole</i>	4086 Powhatan Secondary Williamsburg, VA 23188
11/15	Bill Woodward	<i>Bill Woodward</i>	4092 Powhatan Secondary Williamsburg VA 23188
11/15	Beverly Tressler	<i>Beverly Tressler</i>	4300 Oak Tree Lane Williamsburg, VA 23188
11/16	Lisa McColin	<i>Lisa McColin</i>	4039 POWHATAN SECONDARY Williamsburg, VA 23188
11/16	Amy DASSLER	<i>Amy Dasser</i>	4046 Powhatan Sec. Williamsburg 23188
11/16	Carl Friedrichs	<i>Carl Friedrichs</i>	4028 Powhatan Sec Williamsburg, VA 23188
11/16	Marbury Abella	<i>Marbury Abella</i>	201 Old Cart Rd W'burg VA 23188
11/16	John H. Poite, Jr.	<i>John H. Poite, Jr.</i>	4048 Powhatan Secondary Williamsburg VA 23188

Date	Printed Name	Signature	Address
11.16	Debbie Golub	<i>Debbie Golub</i>	225 George Wythe Ln. Wmsbg. 23188
11/16	Krista M Dawson	Krista M Dawson	3957 POWhatan Pkwy, W316 VA
11/17	Shawn Nason	<i>Shawn Nason</i>	4060 Powhatan Sec Wmsbg, VA 23188
11/17	Amy G. Eggart	<i>Amy G. Eggart</i>	123 S. Benjamin Howell St. Williamsburg, VA 23188
11/17	James G. Zoerb	<i>James Zoerb</i>	285 OLD CARRIAGE WAY WILLIAMSBURG, VA
11/17/09	JOSEPH A. KENDRA	<i>Joseph A Kendra</i>	209 OLD CARRIAGE WAY WILLIAMSBURG, VA 23188
11/17/09	Becky Kitenko	<i>Becky Kitenko</i>	217 Old Carriage Way Williamsburg, VA 23188
11/17/09	TOMMY DIX	<i>Tommy Dix</i>	221 OLD CARRIAGE WAY WMSDBG VA 23188
11/17/09	Tina Surowitz	<i>Tina Surowitz</i>	224 Old Carriage Way Wmsbg, Va 23188
11/17	Ginny Van Wicklin	<i>Ginny Van Wicklin</i>	231 N. Benjamin Howell St Wmsbg, VA 23188
11/17	TERRI BARDEN	<i>Terri Barden</i>	4599 - Beacon Hill Williamsburg VA 23188
11/17	Elisabeth L. Robles	<i>Elisabeth L. Robles</i>	121 Euclid St Williamsburg, VA 23188
11/17	Andrew H. Jacobs	<i>Andrew H. Jacobs</i>	208 Jones Mill Rd. Williamsburg, VA 23188
11.17	Melanie Felbinger	<i>Melanie Felbinger</i>	212 Gov. Edward Nott Ct Williamsburg 23188
11/17	Andrea Freeland	<i>Andrea Freeland</i>	4008 Cold Spring Rd. Williamsburg, Va. 23188
11/17	Philip Emerson	<i>Philip Emerson</i>	4052 Powhatan Secondary Williamsburg
11.17	Leanne Conral	<i>Leanne Conral</i>	131 Hartwell Parkway Williamsburg, VA 23188

Petition: Ntelos Cell Tower and Access Road

We, the residents of Powhatan Secondary listed below, have major concerns regarding the proposed Ntelos cell tower and service road to be built on the property owned by Hospice House, adjacent to our neighborhood.

Date	Printed Name	Signature	Address
11/21/09	Mandi Ogaard		3943 W. Providence Rd.
11/21/09	MARGARET KUGLER		3947 W Providence Rd
11/21/09	Bill Covel		3935 W Providence Rd
11/21/09	D. GRIFFIN		3933 W. Providence Rd
11/21/09	A. Buckel		3963 W Providence Rd
11/21/09	T. Murray		3936 W. Providence Rd
11/21/09	Donna Davis		3904 W. Providence Rd
11/21/09	Wendy Cochran		4500 Old Regency Dr
11-21-09	Beverly Staudinger		3920 Powhatan Pkwy
11-21-09	Kathy Staudinger		3929 Powhatan Pkwy
1-21-09	Craig T. Carr		105 Elizabeth Harrison Lane

Petition: Ntelos Cell Tower and Access Road

We, the residents of Powhatan Secondary listed below, have major concerns regarding the proposed Ntelos cell tower and service road to be built on the property owned by Hospice House, adjacent to our neighborhood.

Date	Printed Name	Signature	Address
11/20/09	Nancy Willson	Nancy Willson	157 Old Carriage
1/20/09	John Casone	John Casone	160 Old Carriage Way
1/20/09	Eric Dawkaski	Eric Dawkaski	156 Hartwell Parkway
1/21/09	Carol Osweiler	Carol Osweiler	101 Charter House Ln
11-21-09	Norma Rogers	Norma W. Rogers	228 Jones Mill Rd.
11-21-09	Melissa Dickinson	Melissa Dickinson	232 Jones Mill Rd.
11/21/09	JAN BENNETT	JAN BENNETT	236 Jones Mill Rd.
11/21/09	LARRY WOOD	Larry Wood	241 Jones Mill Rd.
11/21/09	Gene Griffith	Gene Griffith	233 Jones Mill Rd.
1/21/09	Dwayne Hayward	Dwayne Hayward	229 Jones Mill Rd.
1/21/09	Kathy Majette	Kathy Majette	22 S Jones Mill Road
1/21/09	Donald Ouellette	Donald Ouellette	217 Jones Mill Rd
11/21/09	Francis G. Hughes	Francis G. Hughes	205 Jones Mill Rd.
11/21/09	STEVE KEHLER	Steve Kehler	120 Charter House Lane
12/27	R. BIRMAN	R. Birman	116 Charter Hs. Lane

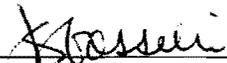
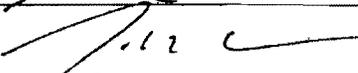
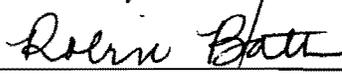
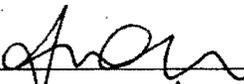
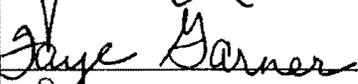
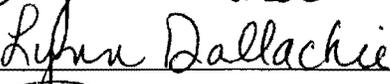
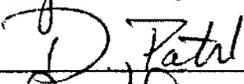
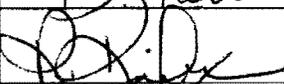
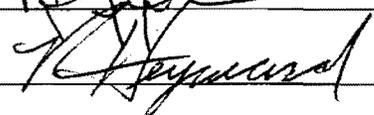
Petition: Ntelos Cell Tower and Access Road

We, the residents of Powhatan Secondary listed below, have major concerns regarding the proposed Ntelos cell tower and service road to be built on the property owned by Hospice House, adjacent to our neighborhood.

Date	Printed Name	Signature	Address
11/21	Cathy Kaurich	<i>Cathy Kaurich</i>	112 Charter House Ln
11/21	Geri Shaner	<i>Merianne L. Shaner</i>	104 Charter House Ln.
11/21	Laura Walls	<i>Laura Walls</i>	135 Hartwell Perry
11/22	Carolyn Cristian	<i>Carolyn D. Cristian</i>	139 Hartwell Perry Way
11/22	Carmela M. Savage	<i>Carmela M. Savage</i>	147 Hartwell Perry
11/22	Matthew Hoskins	<i>Matt Hoskins</i>	151 Hartwell Perry W.
11-22	Linwood B. Owens	<i>Linwood B. Owens</i>	155 Hartwell Perry Way
11-22	Bob Nage	<i>Bob Nage</i>	152 Hartwell Perry way
11/22	W: 11 AM POPELICKA	<i>William Popelicka</i>	124 ELIZ. HARRISON, VA
11/22	Janet Caren Schumacher	<i>Caren Schumacher</i>	119 Elizabeth Harmon Ln
11/22	Janet DePaul	<i>J DePaul</i>	123 Eliz Harrison Ln

Petition: Ntelos Cell Tower and Access Road

We, the residents of Powhatan Secondary listed below, have major concerns regarding the proposed Ntelos cell tower and service road to be built on the property owned by Hospice House, adjacent to our neighborhood.

Date	Printed Name	Signature	Address
1/19/09	Joy Gosselin		4205 Colonies King
1-19-09	David Russell		4206 Colonies King
1-19-09	Grover Lewis		4503 Oak Tree Lane
1-19-09	John Vaughan		4308 OAK TREE LANE
1-19-09	Gerald Henstey		4015 Powhatan Seel
1-22-09	Robin Batten		4068 Powhatan Second
1/22/09	Annie Choi		4308 Stylers Mill King
1/22/09	FAYE GARNER		4035 Powhatan Secondary
1/22/09	Lynn Dallachie		4305 Stylers Mill Cross
1/22/09	Devshil Patel		4032 Powhatan Secom
1/22/09	Rose Kiefer		4024 Powhatan Secondary
1/22/09	Kore Heyward		4204 Colonies King

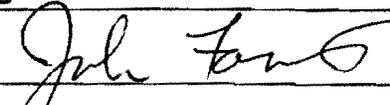
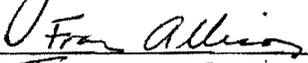
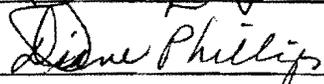
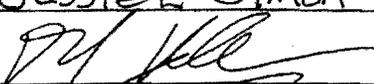
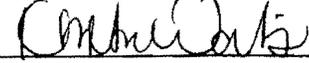
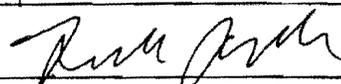
Petition: Ntelos Cell Tower and Access Road

We, the residents of Powhatan Secondary listed below, have major concerns regarding the proposed Ntelos cell tower and service road to be built on the property owned by Hospice House, adjacent to our neighborhood.

Date	Printed Name	Signature	Address
20/11/09	Mary C Trainor	Mary C Trainor	4400 Pleasant View Dr, Wmbsg VA 23188
11/20/09	Jodi Thumman	Jodi Thumman	4431 Pleasant view Dr Williamsburg VA 23188
11/21/09	H.G. McDONALD	H.G. McDonald	4443 PLEASANT VIEW WILLIAMS BURG, VA 23188
11/21/09	Rhea Starney	Rhea Starney	4419 Pleasant View Wmbs, Va 23188
11/21/09	John Gibson	John Gibson	4415 Pleasant View Dr Wmbsg VA 23188
11/21/09	BRUCE E. FULLER II	Bruce E. Fuller II	4457 PLEASANT VIEW DR. WILLIAMSBURG, VA 23188
11/21/09	GARY C. CURTIN	Gary C. Curtin	4459 PLEASANT VIEW DR WILLIAMSBURG, VA 23188
11/21/09	Keese Herman	Keese Herman	4471 Pleasant View Dr Williamsburg VA 23188
11/21/09	KATHRYN R. Murphy	Kathryn R. Murphy	4467 PLEASANT VIEW WILLIAMSBURG VA 23188
11/21/09	Ed Hasegood	Ed Hasegood	4475 PLEASANT VIEW DR WILLIAMSBURG VA 23188
11/21/09	Greg Bask	Greg Bask	4511 Pleasant View Blvd Williamsburg, VA 23188
11/21/09	RAWDY WATSON	Randy Watson	4470 Eaglebrook Dr Wmbsg, VA 23188
11/21/09	WILLIAM MITCHELL	William Mitchell	4463 EAGLEBROOK DR WILLIAMSBURG, VA 23188
11/21	Patty Zollo	Patty Zollo	4556 Eaglebrook Dr Wmbsg VA 23188
11/21	Diane Sengul	Diane Sengul	4444 Eaglebrook Wmbsg VA 23188

Petition: Ntelos Cell Tower and Access Road

We, the residents of Powhatan Secondary listed below, have major concerns regarding the proposed Ntelos cell tower and service road to be built on the property owned by Hospice House, adjacent to our neighborhood.

Date	Printed Name	Signature	Address
11/21/09	John FAVRET		4424 Eagle Brook
11/21/09	Fran Allison Zoe Allison		4420 Eagle Brook Dr.
11/21/09	Francis Rokowski		4408 EAGLEBROOK DR.
11/21/09	Lacorn Pric-Bran		4421 Eagle Brook
11/21/09	James Di Leo		4433 Eagle Brook
11/21/09	Diane Phillips		4445 Eaglebrook Dr
11/21	Nick Fargardo	NICHOLAS FARGARDO	4449 EAGLEBROOK DR.
11/21	Jessie L. Simon	Jessie L. Simon	4496 Pleasant View Dr.
11/21	DAVID P. KOCHAN		4460 Pleasant View Dr
11/21	ERIC B. Conn		4456 Pleasant View Dr.
11/21	Robert L. Caulford		4412 Pleasant view Dr
11/21	Kimber Watson		4500 Harding Rd.
11/21	Bob Raines	Robert RAINES	4504 Harding Rd
11/21	Russ WALLS		4501 Harding Rd
11/21	Susan Stiles	SUSAN STILES	4400 DARBI LN.

Petition: Ntelos Cell Tower and Access Road

We, the residents of Powhatan Secondary listed below, have major concerns regarding the proposed Ntelos cell tower and service road to be built on the property owned by Hospice House, adjacent to our neighborhood.

Date	Printed Name	Signature	Address
11/20/09	Linda Colley	Linda Colley	3945 Powhatan Pky
11/20/09	JAMES R WEST		3912 POWHATAN Pkwy
11/21/09	Charles Ullestad	C. Ulsta	3967 W. Providence Rd
11-21-09	KAREN & TONY JARAMILLO	Karen Jaramillo	3983 E. PROVIDENCE RD
11/21/09	WADE & SACH LUET	M.D. W	3924 COLD SPRING RD.
11/21/09	Martin Schmidt / Susan Marshall		3912 W Providence Rd
11/21/09	SUSAN DANIEL	Susan Daniel	4007 E. PROVIDENCE Rd
11/20/09	Elizabeth Daniel	Elizabeth Daniel	4007 E. Providence Rd
11/21/09	JOSHUA J. BARNES		4011 E. Providence Rd
11/21/09	JARL H. CHRISTENSEN	Jarl H Christensen	3996 E. PROVIDENCE RD

Petition: Ntelos Cell Tower and Access Road

We, the residents of Powhatan Secondary listed below, have major concerns regarding the proposed Ntelos cell tower and service road to be built on the property owned by Hospice House, adjacent to our neighborhood.

Date	Printed Name	Signature	Address
11/19/09	F. Hunter Creech III	<i>F. Hunter Creech III</i>	3916 W. Providence Rd, Williamsburg VA 23188
11/20/09	Elizabeth M Emerson	<i>Elizabeth M Emerson</i>	200 Old Carriage Way Williamsburg VA 23188
11/20/09	Francis J. Smith	<i>Francis J. Smith</i>	204 Old Carriage Way Wsbu VA 23188
11/20/09	Pamela W. Becker	<i>Pamela W. Becker</i>	212 Old Carriage Way Williamsburg VA 23188
11/20/09	Wilde Cress	<i>Wilde Cress</i>	228 Old Carriage Way Williamsburg VA 23188
11/20	ROSALEEN J. BENNETT	<i>Rosaleen J. Bennett</i>	112 Old Carriage Way Williamsburg, VA 23188
11/20/09	Rosanne O'Neill	<i>Rosanne O'Neill</i>	108 Old Carriage Way Williamsburg VA 23188
11/20/09	AL KOESTRING	<i>Al Koestring</i>	209 Martins Ridge Williamsburg, VA 23188
11/20/09	Tom Stewman	Tom Stewman	124 Old Carriage Way Williamsburg VA 23188
11/20/09	John Steen	<i>John Steen</i>	125 Old Carriage Way
11/20/09	BARBARA BLAIR	<i>Barbara Blair</i>	136 Old Carriage Way
11/20/09	Randy R Sneksa	<i>Randy R Sneksa</i>	140 Old Carriage Way Williamsburg, VA 23188
11/20/09	Iris W. Gurganus	<i>Iris W. Gurganus</i>	145 Old Carriage Way Williamsburg VA 23188
11/20/09	Deborah Dumagan	<i>Deborah Dumagan</i>	148 Old Carriage Way
11/20/09	Cheryl Herman	<i>Cheryl Herman</i>	172 Old Carriage Way Williamsburg VA 23188

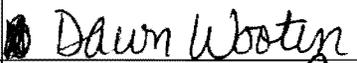
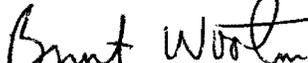
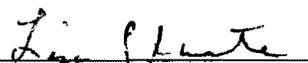
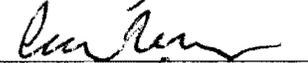
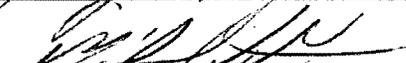
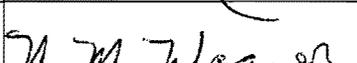
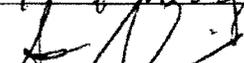
Petition: Ntelos Cell Tower and Access Road

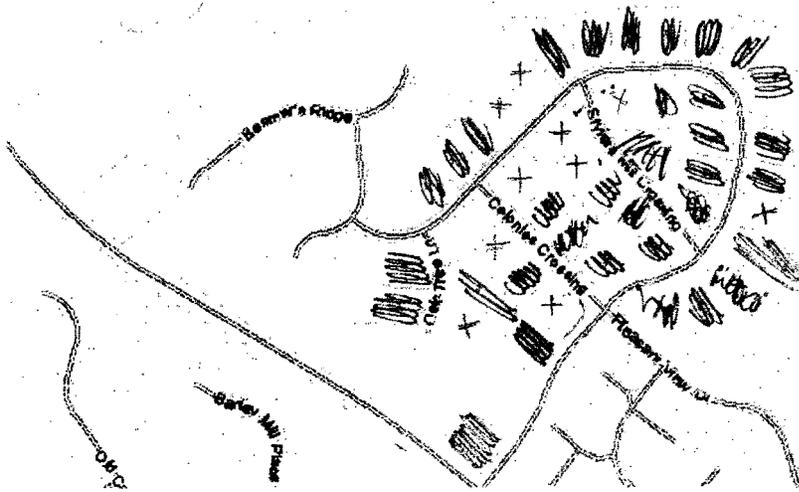
We, the residents of Powhatan Secondary listed below, have major concerns regarding the proposed Ntelos cell tower and service road to be built on the property owned by Hospice House, adjacent to our neighborhood.

Date	Printed Name	Signature	Address
11/20/09	Michelle Figueroa	Michelle Fig	206 Old Cart Rd.
11/20/09	Christian Dunn	C. J. Dunn	212 Old Cart Rd.
11/20/09	Lauren H. Hthaus	Lauren Hthaus	214 Old Cart Rd.
11/20/09	BARRY BRUNSMAN	BARRY BRUNSMAN	219 OLD CART R.D.
11/20/09	VICTOR SHUMAKER	Victor Shumaker	215 Old Cart Rd.
11/20/09	Lawrence E. Rouse	Lawrence E. Rouse	211 Old Cart Rd.
11-20-09	Donald Busby	Donald Busby	105 Oak Ridge Ct
11-20-09	JACKSON SASSER	Jackson Sasser	110 OAK RIDGE COURT
11-20-09	CAROL BRINKLEY	Carol Brinkley	207 Old Cart Road
11-20-09	Vera Light	Vera Light	105 Shield's Point
11-20-09	Debbie Walsh	Debbie Walsh	203 Old Cart Road
11-20-09	Gene Burnett	Gene Burnett	111 BARLEY MILL PL.
11/20/09	John Gilman	John Gilman	110 Barley Mill
11/20/09	Krista K. Mancy	Krista K. Mancy	108 Barley Mill Pl. VA 23188
11-20-09	DAVID SCHULKER	David Schulker	101 MILES MANOR 23188

Petition: Ntelos Cell Tower and Access Road

We, the residents of Powhatan Secondary listed below, have major concerns regarding the proposed Ntelos cell tower and service road to be built on the property owned by Hospice House, adjacent to our neighborhood.

Date	Printed Name	Signature	Address
11/6/09	Dawn Wooten		3952 W. Providence Rd
11/16/09	BRENT WOOTEN		3952 W. Providence Rd.
11/16/09	Lisa Plante		3923 Cold Spring
11/16/09	Lisa Carleto		3915 E. Providence
11/16/09	Carrie Viciano		3971 E. Providence
11/16/09	JEROME WASSERMAN		3944 POWHATAN Pkwy
11/16/09	Phil Plante		3923 COLD SPRING
11/16/09	Garon Cosman		3919 Cold Spring
11/16/09	Amy Murch		3940 W Providence Rd
11/16/09	Lauri Atkins		3953 Powhatan Pkwy
11/16/09	Michael Garvin		3951 W Providence Rd
11/16/09	Shireen Garvin		3951 W. Providence Rd
11/16/09	T.M. Wagner		3959 W Providence Rd
11/16/09	Sara Viciano		3971 E. Providence Rd
11/20/09	Toni Small		108 Ewell Place



The Cabries Only

- Key:
- Signed
 - Would NOT Sign
 - X - still trying to contact
 - Blank - Empty house or lot

Not home

Connie Haynour

Jack

From: "Steve Wetmore" <mswetmore@comcast.net>
To: <aaron.small@aesva.com>
Cc: "Jack Reitz" <jackR27@cox.net>
Sent: Friday, November 20, 2009 12:04 AM
Subject: Powhatan Secondary Cell Tower

Dear Aaron,

Please include us in your petition against the proposed cell tower in Powhatan Secondary. I have seen the pictures with the balloon and this will hurt property values and is just an ungodly eyesore. We walk that area with our dogs quite regularly and it will be a major disappointment to see that on each and every walk.

Thank you,
Steve and Mary Wetmore
3736 Lake Powhatan
Williamsburg, VA 23188
757-880-8196

11/20/2009

Jason Purse

From: mmipilot@gmail.com on behalf of Matt Inman [flyboy@wmalumni.com]
Sent: Wednesday, November 18, 2009 11:18 PM
To: eastonjl@yahoo.com; gfreyemcguirewoods.com; Jason Purse; cjjones@berkeley-realty.com
Cc: Anne_Carr@mindspring.com
Subject: support for the NTELOS cell tower

To whom it may concern:

I'm a homeowner in The Villages of Powhatan Secondary writing to support the construction of a proposed cell phone tower on Hospice House property. The cell phone reception in our neighborhood is abysmal considering the number of residents so I fully support a tower to enhance the signal strength of multiple service providers. The proposed tower would allow for unrestricted use of my only phone throughout my house and neighborhood without concern for weak signal strength or dropped calls. Please support this enhancement to our neighborhood!

Thank you,

Matthew Inman
4428 Eaglebrook Dr
Williamsburg VA 23188

Jason Purse

From: Small, Aaron B [aaron.small@aesva.com]
Sent: Friday, November 20, 2009 9:22 AM
To: Jason Purse
Subject: FW: Powhatan Secondary Cell Tower

FYI

Aaron B. Small, P.E.
Project Manager

AES Consulting Engineers
Williamsburg | Richmond | Gloucester | Fredericksburg
Ph: (757) 253-0040
Fax: (757) 220-8994
www.aesva.com

AES Consulting Engineers Confidentiality Note: This e-mail and any attachments are confidential and may be protected by legal privilege. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of this e-mail or any attachment is prohibited. If you have received this e-mail in error, please notify us immediately by returning it to the sender and deleting this copy from your system. Thank you for your cooperation.

P Please consider the environment before printing this email.

-----Original Message-----

From: Steve Wetmore [mailto:mwetmore@comcast.net]
Sent: Friday, November 20, 2009 12:04 AM
To: Small, Aaron B
Cc: Jack Reitz
Subject: Powhatan Secondary Cell Tower

Dear Aaron,

Please include us in your petition against the proposed cell tower in Powhatan Secondary. I have seen the pictures with the balloon and this will hurt property values and is just an ungodly eyesore. We walk that area with our dogs quite regularly and it will be a major disappointment to see that on each and every walk.

Thank you,
Steve and Mary Wetmore
3736 Lake Powhatan
Williamsburg, VA 23188
757-880-8196

Jason Purse

From: RWELLSMATT@aol.com
Sent: Saturday, November 21, 2009 2:23 PM
To: Jason Purse
Subject: (no subject)

PLANNING COMMISSION

I AM WRITING TO OPPOSE THE CELL TOWER THAT IS BEING PLANNED AT 4445 POWHATAN PARKWAY .
PLEASE PUT IT SOME PLACE AWAY FROM RESIDENTIAL AREAS

RUSSELL WELLS
4501 HARDING ROAD
WILLIAMSBURG , VA 23188

Jason Purse

From: John Kiefer [johnkiefer@cox.net]
Sent: Sunday, November 22, 2009 4:57 PM
To: Jason Purse
Subject: I oppose the cell tower

We are opposed to the planned construction of a cell tower at 4445 Powhatan Parkway.

John and Rose Kiefer
4024 Powhatan Secondary
Williamsburg, VA 23188
757-253-0895

Jason Purse

From: Connie Reitz [ConnieR27@cox.net]
Sent: Monday, November 23, 2009 8:16 PM
To: Jason Purse
Subject: SUP 0024-2009

Dear Jason,

Thank you for your time and information shared in the recent days with the residents of Powhatan Secondary concerning the proposed cell tower to be erected at 4445 Powhatan Parkway. Below are listed some of my concerns and questions which have developed during the past week.

I do want to preface these items by stating this information may be shared publicly and it is not intended in any way to detract or denounce the wonderful service Hospice House offers the citizens of our local community.

Aesthetics

- When my husband and I bought the property on which our home was built, it was with the understanding nothing would be built behind us because of the resource protection area (RPA). We have grown to love the quiet vista of an open sky, changing seasons, and protected movement of wildlife. If this cell tower is built as proposed, it will rise approximately 60 feet above the current mature tree line. This is one half the total height of the proposed tower.
- Our home site is an elevated parcel in the community. From the windows on the back of our home we are looking at tree-top level. We will not have to look **up** at the tower. We will be looking **at** the tower as it looms above the trees.
- While I assume the property owner will enjoy financial reimbursement from this proposal if passed, the facility's board has asked to have the access road and tower be built such that neither are seen by persons using the facility. This is important to them and it is just as important to the residents of the Powhatan Secondary community who have no financial incentive.
- When do we have enough towers? This can be the time to say as a community we must make our environment a priority and not our individual and personal convenience.
- If this tower proposal is passed, I ask
 - The access road site be camouflaged with staggered height and depth of evergreen and flowering plants which would be complimentary to the area.
 - The berm area, behind which the access road is to be constructed, should not be disturbed.
 - What is the lease term for this tower?
 - Who is responsible for maintaining the tower as well as the access road, protective fencing, and camouflaging vegetation?
 - Who enforces this maintenance?
 - If this tower becomes obsolete or unused for any reason, how quickly will it be removed?
 - How do we know if the tower is not being used?
 - Who is responsible for the removal and who ensures its timely removal?
 - What is the time lapse from ending use of the tower and total removal?
 - Will plantings of typical flora be replaced--if any are disturbed--when removal of the tower and road are completed?

Precedence

- If this tower is built, will it set a precedent for another tower to be built in the same approximate area where vacant land is still available?
- If this tower is built, will it preclude other communication companies, emergency services, or energy producers from asking for a special use permit in this specific location?
- How close together can towers be built?
- Will the building of this tower preclude a possible future request for an electricity generating windmill?
- Does James City County have codes for windmills?

General Questions

- What effect will this tower have on property values in Powhatan Secondary?
- Does the tower actually need to be 120 ft tall? Wouldn't a lower tower on this site provide the same coverage that they are trying to achieve?
- What actions are being taken to minimize the amount of noise pollution from cooling fans, etc?

Thank you for listening to my questions and concerns regarding this proposed cell tower construction.

Connie B. Reitz
4048 Powhatan Secondary
757.220.2059

Jason Purse

From: Martha E. Higgins [mehiggins@wm.edu]
Sent: Monday, November 30, 2009 1:09 PM
To: Jason Purse
Subject: Cell Tower Opposition

Hello,

I am strongly opposed to the construction of a cell phone tower in Powhatan Secondary!

Thank you,

Martha Higgins
4016 E. Providence Rd.
Williamsburg, VA 23188

Jason Purse

From: Henrietta Palmer [henpalmer@hotmail.com]
Sent: Monday, November 30, 2009 3:49 PM
To: Jason Purse

I, Henrietta Palmer, oppose to the construction of a cell tower and access road at 4445 Powhatan Parkway.

Jason Purse

From: rinlee@cox.net
Sent: Tuesday, December 01, 2009 7:19 AM
To: Jason Purse
Subject: Cell tower

I am opposed to the proposed cell tower on Powhatan Parkway, UNLESS it can be diguised as a tree. I know it costs more, but who wants to see a blinking tower out of their window all day every day?

Karen Lee

Powhatan Secondary

Jason Purse

From: jtarheel1@yahoo.com
Sent: Tuesday, December 01, 2009 5:00 PM
To: Jason Purse; Deborah Kratter
Subject: cell tower meeting input

Mr. Purse:

I am pleased to learn that the commissioners of James City County are opposed to the construction of a cell phone tower in the area adjacent to Powhatan Secondary and Fords Colony. The people in York County, it appears, are not as fortunate w/r/t its representation.

http://www.yorkcounty.gov/coadmin/agenda_material/2009/061609/item1b.pdf This hearing appeared to be a sham, as many concerned citizens stated their nay positions eloquently, only to be ignored.

In the hearing tomorrow night, which I will not be able to attend, I would mention items other than those detractions mentioned by the commissioners in the McGuire Woods application. Specifically;

1) The applicant is really NTELos wireless and not the law firm. What is to hide? Maybe this (from the Canadian Broadcast Co.)

[http://www.vloggingtheapocalypse.com/viewVideo.php?video_id=662&title=HIDDEN TOWERS RADIO FREQUENCY MIND CONTROL](http://www.vloggingtheapocalypse.com/viewVideo.php?video_id=662&title=HIDDEN_TOWERS_RADIO_FREQUENCY_MIND_CONTROL)

Once upon a time I would have thought this to be crazy. In the present, what is a surprise?

2) In addition to the eyesore which describes most cell towers, what is most important here is the radiation emitted therefrom. The adjacent neighborhoods to the proposed cell site are filled with women and children. That's a lot of potential liability for someone. Without full knowledge of the chain of accountability, the residents of the county do not know what recourse they have against potential harm. Does this alone not make the application severely incomplete?

<http://video.google.com/videoplay?docid=-8743767375690436214#>

3) Mr Purse, the application is akin to an applicant seeking to put a cell tower smack in the middle of Newtown where you live. What would you want your representatives to do on your behalf under that scenario? Vote no?

If your answer is to "vote no," then I applaud you for representing the wishes of the majority of those in Powhatan Secondary.

Jason Purse

From: john chambers [chmbrs_jhn@yahoo.com]
Sent: Wednesday, December 02, 2009 6:24 PM
To: Jason Purse
Cc: kathy chambers
Subject: cell tower at 4445Powhatan parkway

My name is John Chambers. My wife and I live at 4063 Powhatan Secondary, in the Colonies of Powhatan Secondary.

We are both opposed to the cell tower and access road. We feel that the cell tower will have a negative impact on our property values and will do nothing to increase the beauty of our neighborhood.

Thank you for taking the time to listen.

Respectively,

John and Kathy Chambers

Jason Purse

From: e oster [oster4plus1@verizon.net]
Sent: Wednesday, December 02, 2009 9:40 PM
To: Jason Purse
Subject: OPPOSE Cell tower construction

Good Morning,

We are in opposition of the new cell tower proposed for at 4445 Powhatan Parkway. This area is already over developed. Furthermore, there are already numerous towers in the county that can be shared. News Road and the parcels near to it contain some of the little green space left in James City County. Please help to leave it GREEN.

The Oster Family

Jason Purse

To: Allen Murphy
Subject: RE: SUP-0024-2009

From: Dorothy Anderson [mailto:delgae@tni.net]
Sent: Sunday, January 03, 2010 10:01 AM
To: maryjones@james-city.va.us
Subject: SUP-0024-2009

Mary Jones, Vice Chair, James City County Board of Supervisors

Dear Ms. Jones,

As a resident of James City County, recipient of Hospice House services and a Hospice volunteer, I urge you to be mindful of the importance of the proposed cell phone tower to be placed on Hospice House property.

Having witnessed the frustration and stress that Hospice guests, family members and friends of the dying experience when using their cell phones while at Hospice House, it is clear to me that the permit to build and maintain this "slick pole cell tower" on a wooded property is a fair, reasonable and right solution.

All the objections to this cell tower at this location, that I have heard or read, at best are frivolous, selfish and shortsighted. Clearly this is a case of "not in my backyard". Whatever happened to responding to significant 'community needs' and providing solutions that best serve that community?

There are many 'gems' in this area - most especially James City County. At the top of that list is Hospice House - not just in its uniqueness but in its reaching out in compassion and care to ALL that seek their services. Asking for improved cell phone reception is such a small thing. I urge to you to support this effort and provide what is needed to our most vulnerable residents.

Thank you!

Dorothy Anderson
3449 Mallard Creek Run
Williamsburg, VA
23185

Jason Purse

Subject: FW: Advance Info for the January 12th BOS Meeting

From: Judy Ewart [mailto:J.Ewart@cox.net]

Sent: Saturday, January 02, 2010 6:39 PM

To: Jim Kennedy; Mary Jones; Bruce Goodson; Jim Icenhour; John McGlennon; Sandy Wanner

Cc: Judy Ewart

Subject: Advance Info for the January 12th BOS Meeting

Jim Kennedy, Chair JCC Board of Supervisors & Stonehouse District

Mary Jones, Vice Chair JCC Board of Supervisors & Berkeley District

Bruce Goodson, Roberts District

James Icenhour, Jr., Powhatan District

John McGlennon, Jamestown District

Sandy Wanner, County Administrator

I am a voter in the Roberts District (Kingspoint neighborhood) but I am writing to each of you to express my dismay and concern regarding two issues that are critical to the operation of our Hospice House and Support Care of Williamsburg (HHSCW):

- * The recent rejection by the Planning Commission of the SUP-0024-2009 request for a cell tower to be erected on Hospice House property
- * The proposed elimination of all funding for HHSCW from the 2010-11 budget beginning July 1, 2010.

I urge you to take time to read this email and give serious consideration to the two requests contained within.

Issue #1:

HHSCW is requesting permission to erect and earn a reliable \$40,000/year stream of income from a silver, slick pole style cell tower on its wooded property. I attended the December public hearing regarding the Colonial Parkway Dairy Farm property and was quite impressed with the pictures showing these newer style cell towers, where all the antennas are internal and only a narrow silver pole rises above treetop level. This pole would be seen by only 10% of the residents of Powhatan Secondary if erected on HHSCW property and could be beneficial to many more JCC residents and HHSCW guests. I wonder how many of the Powhatan Secondary residents that signed the petition against the SUP do not know just how unobtrusive this newer style cell tower is, particularly on wooded property. I certainly did not until the December meeting.

Reception for a variety of service providers is poor at the Hospice House and the surrounding vicinity. Imagine being with your loved one in their last stage of life at Hospice House and not being able to call family and friends with critical and timely information on the deteriorating condition and eventually the death of your loved one -- all because you have a cell phone with a carrier other than Verizon! This has happened at the Hospice House and is an unnecessary stress at such an emotional time. Obviously the Powhatan Secondary neighborhood & vicinity also benefit from the improved coverage by multiple service providers on this proposed tower.

Additionally, the stream of income from the operation of the cell tower will be a major benefit to HHSCW, particularly in the current economy as government, corporate, civic and personal donations and grants decline. The HHSCW operates on a lean annual budget and has only a small staff supporting its 24x7 operation. Hospice House relies solely on the generosity of the community to continue providing its array of caring services to the critically ill and dying of our community, their distressed and burdened care takers, and their grieving loved ones left behind to pick up the pieces of their lives.

All of this is done without regard to income, financial status, or medical insurance status; neither the individuals, their medical insurance (if any), their families, nor Medicare/Medicaid are charged for its services. Why? you might ask. Because the care can be determined on an individual basis without regard to the strict governmental rules and regulations. If you are in the last stages of life for longer than 6 months -- too bad under Medicare/Medicaid rules! Because money does not have to be spent on an array of billing and receivables staff members, computer software and consultants. Because precious staff time is not wasted in extensive federal audits of the billing, the accounting and the actual day-to-day operations. Because people do not donate out of love to organizations that charge them. And because

the entire premise upon which our community rallied to find the funding and built its local Hospice House would be abandoned and the current character of HHSCW would cease to exist.

I urge you to please give serious consideration to the benefits of SUP-0024-2009, both to HHSCW and to the surrounding community, overturn the ruling of the Planning Commission, and approve SUP-0024-2009 January 12th.

Issue #2:

The current JCC fiscal year's funding to HHSCW has already been reduced by 50%. Sandy Wanner's proposed 2010-11 fiscal budget totally eliminates the annual funding for HHSCW while retaining funding for selected other nonprofit service organizations. Williamsburg and York County have reduced funding for nonprofits on an equal percentage, so while their funding level will decrease it has not been eliminated as in the JCC budget proposal. HHSCW resides in the Powhatan district of JCC and the greatest percentage of families served at HHSCW are from JCC -- so why would JCC choose to eliminate all funding to its own HHSCW while our surrounding localities have not?

As a JCC resident since 1980 and an active Hospice House volunteer since early 2008, I find this proposal an embarrassment and totally unacceptable. JCC is a growing community, with an attraction for the retired and elderly of other states because of our less harsh weather, our small town atmosphere with proximity to larger cities and the natural beauties within Virginia, educational & cultural events because of W&M's presence and Colonial Williamsburg, Many of these people will need the services of HHSCW in the not to distant future.

But cancer and other terminal illnesses and accidents do not just attack the elderly; people of all ages and all walks of life, and their care takers and loved ones, can abruptly need the services of HHSCW. Our HHSCW provides a very professional but yet caring, homey environment in which anyone irrespective of means or insurance can spend their last days in dignity and with minimal or no pain at Hospice House or in their homes, with their loved ones close at hand and not exhausted physically and mentally from the ongoing strain of caring for someone at end-of-life. HHSCW continues its loving support after a death; a variety of bereavement support services are offered to the families and loved ones left behind coping with loss and grief.

HHSCW should be a source of pride for JCC residents and an imperative for funding. If you have any lingering reservations about overturning this budget proposal and restoring funding for HHSCW, ***please take time for a visit to our Hospice House before the budget vote is taken.*** We will gladly give you a private tour that should make you an avid supporter.

I thank you in advance for reading this rather long email and your consideration of my request for your support on behalf of HHSCW in both the cell tower special use permit request vote and restoration of funding in the 2010-11 budget.

Judy Ewart
117 Kingspoint Drive
Williamsburg, Va 23185
H: 229-4007 C: 897-4007
j.ewart@cox.net

Jason Purse

To: Allen Murphy
Subject: RE: cell tower

-----Original Message-----

From: fjhuffman@cox.net [mailto:fjhuffman@cox.net]
Sent: Wednesday, December 30, 2009 7:12 PM
To: Mary Jones; Sandy Wanner
Cc: Bruce Goodson
Subject: cell tower

please consider the passing of this to show our support for all that hospice does for our community..this would help them due to decline of support due to the economy. frank huffman

MEMORANDUM

DATE: January 12, 2010

TO: The Board of Supervisors

FROM: Christopher Johnson, Principal Planner

SUBJECT: SO-0001-2009. Subdivision Ordinance Amendment to Section 19-26 to Extend the Term of Validity for the Preliminary Plan

On November 4, 2009, the Planning Commission adopted an initiating resolution authorizing staff to pursue amending Section 19-26 of the Subdivision Ordinance to extend the term of validity for the preliminary plan to bring the County Code into conformance with the Virginia Code.

The County Attorney's office notified staff of an inconsistency between the County Code and the Virginia State Code §15.2 – 2260. The Subdivision Ordinance states that a subdivider shall have no more than one year from the date of approval of the preliminary plan to record a final subdivision plat or seek an extension of preliminary approval for a period of one year from the Subdivision Agent.

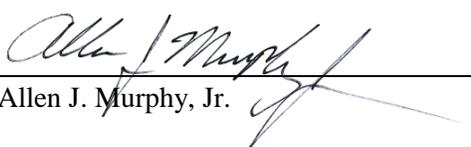
The State Code states that once a preliminary subdivision plan has been approved, it shall be valid for a period of five years, provided the subdivider submits a final subdivision plat for all or a portion of the property within one year of such approval and diligently pursues approval of the final subdivision plat.

Staff recommends that the Board of Supervisors approve this ordinance amendment.

At its December 2, 2009, meeting the Planning Commission voted 7-0 to recommend approval of this ordinance amendment.

Christopher Johnson

CONCUR:



Allen J. Murphy, Jr.

CJ/gb
SO-0001-09_mem

Attachments:

1. Ordinance
2. Unapproved Minutes from the December 2, 2009, Planning Commission meeting

ORDINANCE NO. _____

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 19, SUBDIVISIONS, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE II, PROCEDURES AND DOCUMENTS TO BE FILED, SECTION 19-26, TERM OF VALIDITY FOR THE PRELIMINARY PLAN AND EXTENSION.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 19, Subdivisions, is hereby amended and reordained by amending Section 19-26, Term of validity for the preliminary plan.

Chapter 19. Subdivisions

Article II. Procedures and Documents to be Filed

Sec. 19-26. Term of validity for the preliminary plan ~~and extension.~~

(a) ~~The subdivider shall have no more than 365 days from the date of approval of the preliminary plan to record a final subdivision plat in accordance with this chapter. A final plan shall be submitted and approved pursuant to section 19-30 prior to recordation. Failure to record a final plat within the specified time period shall make preliminary approval null and void. The agent may, on written request by the subdivider, grant one or more extensions or preliminary approval for a period of one year finding:~~

- (1) ~~a. The subdivider has substantially satisfied all conditions of preliminary approval;~~
~~b. Significant progress has been made in construction;~~
~~c. There has been no significant change in comprehensive plan policy or James City County Code requirements that affect the property; and~~

~~d. The project has progressed without being cited for any construction-related violation of the James City County Code or, in the event such violation has occurred, it has been corrected in a timely manner; or~~

~~(2) There have been unusual delays in proceeding with the subdivision process or construction caused by government agencies or acts of God.~~

Once a preliminary subdivision plan is approved, it shall be valid for a period of five years, provided the subdivider (i) submits a final subdivision plat for all or a portion of the property within one year of such approval, and (ii) thereafter diligently pursues approval of the final subdivision plat. "Diligent pursuit of approval" means that the subdivider has incurred extensive obligations or substantial expenses relating to the submitted final subdivision plat or modifications thereto. However, no sooner than three years following such preliminary subdivision plan approval, and upon 90 days written notice by certified mail to the subdivider, the commission or agent may revoke such approval upon a specific finding of facts that the subdivider has not diligently pursued approval of the final subdivision plat.

(b) If a subdivider records a final plat, which may be a section of a subdivision as shown on an approved preliminary plan, and furnishes to the county a certified check, cash escrow, bond, or letter of credit in an amount and form acceptable to the county for the estimated cost of construction of the facilities to be dedicated within said section for public use and maintained by the locality, the commonwealth or other public agency, the developer shall have the right to record the remaining sections shown on the preliminary plan for a period of five years ~~from the recordation date of the first section.~~ *from the date of the latest recorded plat of subdivision for the property. The five-year period of validity*

shall extend from the date of the latest recorded plat. Such right shall be subject to the terms and conditions of the Code of Virginia and subject to engineering and construction standards and the zoning ordinance requirements in effect at the time that each remaining section is recorded.

James G. Kennedy
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of January, 2010.

SO-0001-09_ord

UNAPPROVED MINUTES FROM THE DECEMBER 2, 2009
PLANNING COMMISSION MEETING

SO-0001-2009 Subdivision Ordinance Amendment - To amend Section 19-26 of the
Subdivision Ordinance to extend the term of validity for the preliminary plan

Mr. Chris Johnson stated that at the November Planning Commission meeting, the Commission adopted an initiating resolution to allow staff to pursue an amendment to Section 19-26 of the Subdivision Ordinance to extend the term of validity for preliminary approval of a subdivision plan. This will bring the County Code into conformance with the Virginia Code. He stated the current Subdivision Ordinance states that a subdivider has no more than one year from the date of preliminary approval to record a final subdivision plat or seek an extension of preliminary approval. The State Code notes that once a preliminary plan has been approved, it shall be valid for a period of five years, providing the subdivider submits a final subdivision plat for all or a portion of the property within one year of such approval and diligently pursues approval of the final plat. Mr. Johnson stated that staff recommends that the Planning Commission recommend approval of the ordinance amendment to the Board of Supervisors.

Ms. Kratter asked if the County was required to make this change.

Mr. Johnson stated the change may not be mandated by the State, but given the inconsistencies between the County Code and State Code, a conflict exists that needs to be corrected. If the County Code is not amended, the County could be placed in the position of having to defend an ordinance that is inconsistent with the State Code. The County would be obligated to follow the time frame stated in the State Code.

Ms. Kratter stated that she thought that the language in the State Code could be improved and wanted to make sure that everyone was aware that it was not staff's language that was used; it was taken from the State Code.

Mr. Murphy stated that the language in the Code does create a mandate for this change. He stated that the County has to comply.

Mr. Krapf opened the public hearing.

Mr. Robert Richardson, of 2786 Lake Powell Road, questioned whether the County could use sunset clauses for certain situations. He would like to see some discussion on what "diligently pursues approval" means when referencing the applicant pursuing final approval of a plat.

Mr. Krapf closed the public comment period.

Mr. Kinsman stated that based on case law, sunset clauses are problematic when it comes to conditional use permits. A conditional use permit is a change in zoning of a particular parcel which stays with the land in perpetuity. A sunset clause is a time based notion. There could be a contradiction between a land-based issue and a time sensitive issue. He stated that sunset clauses

are looked upon unfavorably by the courts and are more applicable to temporary uses. Mr. Kinsman stated that the Virginia Code defines “diligently” as “that the subdivider has incurred extensive obligations or substantial expenses relating to the final subdivision plat or modifications thereto.”

Ms. Kratter asked if there was a way to create sunset provisions that would meet the provisions of State Code.

Mr. Kinsman stated he did not believe there was a way to create a sunset clause with regards to conditional use permits.

Mr. George Billups asked if the update to the Zoning Ordinance was to take place now that the Comprehensive Plan was adopted. He noted that it might be worth adding something more specific with regards to the requirements of “diligently pursuing final approval.” He asked if there were any benchmarks that could be set up to make this more specific.

Mr. Kinsman answered that the County needs to adhere to the definition in the State Code. He stated that there will be an effort to update the Zoning Ordinance now that the Comprehensive Plan has been adopted so hopefully everything will be up to date.

Mr. Poole moved for approval with a second from Mr. Peck.

In a roll call vote the motion was approved. (7-0, AYE: Henderson, Billups, Poole, Fraley, Kratter, Peck, Krapf)