

## **Index File**

### **UP-830-13**

#### **Beacon Towers**

#### **Assessor's Parcel No. 11-140**

Request for a Special Use Permit, pursuant to Section 24.1-306 of the York County Zoning Ordinance (Category 17, No. 7), to authorize the establishment of a telecommunications tower up to 199 feet in height on a 3.32-acre parcel located at 1741 Penniman Road (Route 641). The property is located on the east side of Penniman Road approximately 400 feet north of its intersection with Springfield Road (Route 687) and is further identified as Assessor's Parcel No. 11-140. The property is zoned RR (Rural Residential) and is designated Low Density Residential in the Comprehensive Plan.

#### **Attachments:**

- Staff Report
- Zoning Map
- Applicant's Narrative
- Site Location Aerial Photo
- Applicant's Sketch Plan
- Search Ring Map
- Propagation Maps
- Photo Simulations
- Proposed Resolution No. PC13-21

# COUNTY OF YORK

## MEMORANDUM

**DATE:** September 3, 2013 (PC Mtg. 9/11/13)  
**TO:** York County Planning Commission  
**FROM:** Amy M. Parker, Senior Planner  
**SUBJECT:** Application No. UP-830-13, Beacon Towers

### **ISSUE**

This application requests a Special Use Permit, pursuant to Section 24.1-306 of the York County Zoning Ordinance (Category 17, No. 7), to authorize the establishment of a telecommunications tower up to 199 feet in height on a 3.32-acre parcel located at 1741 Penniman Road (Route 641). The property is located on the east side of Penniman Road approximately 400 feet north of its intersection with Springfield Road (Route 687) and is further identified as Assessor's Parcel No. 11-140 (GPIN I14a-1125-3492).

### **DESCRIPTION**

- Property Owner: James L. Clayton (applicant is contract purchaser)
- Location: 1741 Penniman Road (Route 641)
- Area: 1,000 square foot lease area with access easement on 3.32-acre parcel
- Frontage: Approximately 180 feet on Penniman Road
- Utilities: Public water, no available sewer
- Topography: Varied
- 2025 Land Use Map Designation: Low Density Residential
- Zoning Classification: RR – Rural Residential  
HRM – Historic Resources Management overlay
- Existing Development: None
- Surrounding Development:

North: Single-family detached home, church

East: Jamestown-Yorktown Foundation office

West: Naval Weapons Station Yorktown/Cheatham Annex across Penniman Road

South: Single-family detached homes

- Proposed Development: Telecommunications tower up to 199 feet in height with associated ground-mounted equipment

### **CONSIDERATIONS/CONCLUSIONS**

1. The applicant has indicated its intent to construct the proposed tower to a height of up to 199 feet and lease space on the facility to cellular phone and other communications system clients. A letter of intent has been submitted by AT&T Mobility for collocation on the proposed tower. The property is designated for Low Density Residential development in the Comprehensive Plan and is zoned RR (Rural Residential).
2. The proposed tower would be designed to accommodate a minimum of three wireless communications providers. Ground-mounted equipment at the base of the tower would be located within a 10,000-square foot lease area surrounded by an eight-foot (8') chain link fence and a ten-foot wide evergreen landscape buffer. Vehicular access to the gated compound area would be via a driveway leading from Penniman Road. According to the applicant's sketch plan, the tower base would be located approximately 242 feet from the Penniman Road right-of-way. While the length of the parcel is approximately 860 feet long, location of the tower further from Penniman Road would be precluded by steep topography and wetlands located in the rear portion of the property.
3. The County's policies regarding the siting of telecommunications towers are spelled out in the Comprehensive Plan, which states that new towers should be permitted "only where a proven need exists and only when all other opportunities, such as co-location on an existing tower or utilization of other existing structures have been exhausted." Accordingly, the applicant explored various co-location opportunities, including the existing tower located near the Route 199/I-64 interchange. This tower (the closest to the target area) is located over a mile from the target area and, according to the applicant, is too distant to provide needed service. The geographically extensive Naval Weapons Station properties tend to limit opportunities for the location of telecommunications towers when improved cellular coverage is desired in this area of the County.

The Comprehensive Plan also states that the County should "[d]iscourage or prohibit telecommunications towers in historic or residential areas except where no other practical option exists." While the subject property is located in the RR zoning district, land uses in the general vicinity are a mix of residential and nonresidential, including single-family detached homes, offices, the military base, a church, and the State-owned former fuel storage facility.

4. In order for the Commission, Board of Supervisors, and staff to evaluate the visibility of the proposed tower from nearby residential areas, the applicant has submitted photo simulations of the proposed tower, which indicate the tower would be visible from

properties in the immediate area, but wooded areas surrounding the facility would provide significant screening from farther surrounding areas. The nearest homes on the north and south side of the property are located approximately 170 and 140 feet, respectively, from the proposed tower location.

According to the applicant's sketch plans, existing vegetation will be cleared to within 20 to 30 feet of the property's side property lines. The tower compound is proposed to be constructed in relatively close proximity to existing dwellings on the north and south side of the subject property. Given the lack of existing evergreen trees in the subject property's side yards in proximity to the dwellings, staff is recommending an approval condition requiring evergreen tree and shrub plantings along the side yards in the vicinity of the dwellings. Additionally, a curved driveway access from Penniman Road, rather than the perpendicular design shown on the sketch plan, would mitigate direct views of the tower base from the road right-of-way. A proposed approval condition addresses this issue.

5. The property is located in the HRM – Historic Resource Management overlay district. Accordingly, an archaeological assessment of the property will be required as part of the site plan review process.
6. Representatives of the U.S. Naval Weapons Station Yorktown (NWS) have reviewed the application and expressed some concern about the potential for interference with Station communications facilities. To address this concern, staff has proposed an approval condition requiring that prior to the installation of any antennas on the proposed tower, the applicant submit documentation from the NWS verifying that the proposed antennas will not interfere with Station transmission facilities. The proposed tower would not encroach on any of the airspace protected by the County's Airport Safety Management (ASM) overlay district. As an additional precaution to ensure that there will be no hazard to air navigation, staff has proposed a condition of approval requiring the applicant to notify the Federal Aviation Administration (FAA) of the proposed tower. The FAA will review the proposed tower to ensure that there will be no effect on air traffic flight patterns and, if a permit is required, the applicant will need to provide evidence of FAA approval prior to the County's final approval for construction of the tower. A proposed condition to this effect is included as part of the approving resolution.
7. As a condition of approval, the applicant will be required to submit a statement from a registered engineer certifying that NIER (non-ionizing electromagnetic radiation) emitted from the tower will not result in a ground level exposure at any point outside such facility that exceeds the maximum applicable exposure standards established by any regulatory agency of the federal government or the American National Standards Institute.
8. Although the Federal Telecommunications Act of 1996 did not preempt local zoning authority, localities are somewhat constrained in their ability to deny or delay requests for towers. Such decisions may be enjoined or overturned by the FCC or federal

courts if the intent or the effect of the decision is to discriminate between types of communications service providers. They can also be overturned if the decision is not reached within a reasonable period of time, if the denial is unreasonable, or if the denial is based on public health concerns relating to radio frequency emissions. In addition, the Act places an obligation upon localities to assist the telecommunications providers in finding a facility somewhere within the footprint (coverage area).

### **RECOMMENDATION**

In staff's opinion, given the existing forested areas surrounding the subject site together with the addition of evergreen plantings along the parcel's side yard, the proposed tower would not be visually obtrusive over a large area. The proposed tower would address the needs of cellular customers located in an area with limited potential for new towers given the surrounding government-owned properties (NWS). Staff believes this proposal is consistent with the policies set forth in the Comprehensive Plan with regard to telecommunications towers. Therefore, based on the considerations and conclusions as noted, staff recommends that the Commission forward this application to the Board of Supervisors with a recommendation of approval subject to the conditions set forth in proposed Resolution No. PC13-21.

AMP

Attachments:

- Zoning Map
- Applicant's Narrative
- Aerial Photo
- Sketch Plan
- Search Ring Map
- Propagation Maps
- Photo Simulations
- Proposed Resolution No. PC13-21

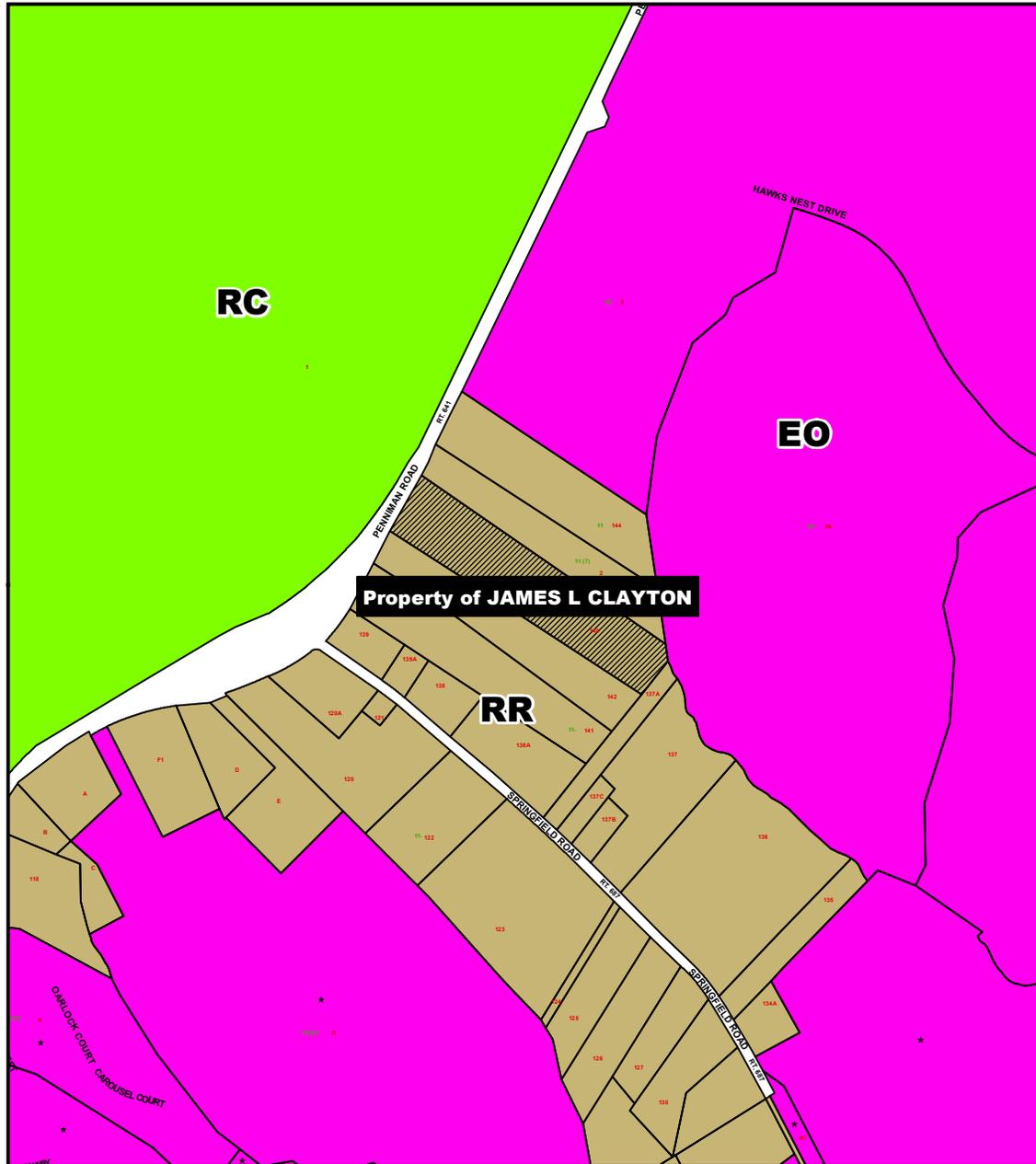
**APPLICANT: BEACON TOWERS**

Special Use Permit for telecommunications tower

1741 PENNIMAN RD

# ZONING MAP

APPLICATION NUMBER: UP-830-13



SOURCE: YORK COUNTY GIS PARCEL DATA and ZONING COVERAGE

THIS IS NOT A LEGAL PLAT. This map should be used for information purposes only. It is not suitable for detailed site planning.

# HELLMAN YATES & TISDALE

ATTORNEYS AND COUNSELORS AT LAW

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JLY@HELLMANYATES.COM

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145 KING STREET, SUITE 102  
CHARLESTON, SOUTH CAROLINA 29401  
V 843 266-9099  
F 843 266-9188

July 31, 2013

## VIA FEDERAL EXPRESS

Amy M. Parker, Senior Planner  
York County Planning Division  
P.O. Box 532  
220 Ballard Street  
Yorktown, VA 23690  
(757) 890-3495

RECEIVED  
York County

AUG 1 2013

Planning Division

RE: Proposed 195-foot monopole-style wireless telecommunications facility at 1741 Penniman Road, Williamsburg, VA 23185

Dear Ms. Parker:

Enclosed please find the application of Beacon Towers for a proposed 195-foot monopole-style wireless communications facility to be built for AT&T. The proposed facility will be located on the property of James L. Clayton, which is under contract to Jack Holding, LLC, and is located at 1741 Penniman Road, Williamsburg, VA 23185, and is designated as York County tax parcel record number I14A-1125-3492. This is a very important facility to allow AT&T to improve its coverage for both voice and advanced data in this section of York County. We greatly appreciate your time and consideration in the review of this application.

### Introduction

Beacon Towers is applying for a Special Use Permit to allow the construction of a monopole-style wireless telecommunications facility at 1741 Penniman Road, Williamsburg, VA 23185. PIN # I14A-1125-3492 (the "Property").

### Project Description

Beacon Towers proposes to provide infrastructure for AT&T and other wireless communication service providers in the Penniman Road area of York County. AT&T has provided a set of propagation maps that illustrate the area proposed for service in its current, underserved condition, in contrast to the service which can be expected once the facility is active. The improved service area will be accomplished by installing a 195' monopole style tower in a heavily-wooded area on an rural residential parcel of land.

Beacon Towers proposes to construct the facility in a heavily wooded area to help screen the facility from view. Beacon Towers also proposes to add landscaping to screen the fenced compound area, as shown on Sheet L-1 of the enclosed Site Plans and Drawings. Beacon Towers does not intend to place any signage on the site other than any required notice signs associated with operation of the facility. The structure will have a galvanized, neutral grey finish.

AT&T will place the equipment cabinets in a 60 foot x 60 foot (3,600 square feet) fenced compound. Beacon Towers proposes to construct a seven foot tall chained link fence topped with three strands of barbed wire as an anti-climbing device. Back-up power will be provided by a battery-pack system and propane powered generator. No interior compound lighting is proposed for the facility. Maintenance technicians will access the facility using a 20 foot access and utility easement approximately two times per month. Beacon Towers will construct a 15-foot wide gravel driveway. The driveway and entrances will be constructed to Virginia Department of Transportation standards where needed.

Please see the accompanying zoning plans titled "Water Park," prepared by Virginia Professional Engineer Christopher D. Morin of BC Architects and Engineers, for additional information regarding access, equipment cabinets, fencing, and elevations.

Performance Standards

Construction and operation of the telecommunications facility will conform to the performance standards set forth in Sections 24.1-493 and 24.1-494 of the Zoning Ordinance.

(a) Documentation of the Public Necessity

This is an area of York County with either very poor in-vehicle coverage or limited to non-existent in-building service by AT&T. The goal of the new facility is to provide residents in this area wireless service comparable to service received by residents in other areas of York County. The new facility will improve wireless coverage for both AT&T customers and the general public in the area.

(b) Does Not Produce Hazardous, Objectionable, or Offensive Conditions at or beyond Property Line Boundaries.

Granting approval of the proposed telecommunications facility will not create any hazardous, objectionable or offensive conditions. One activated, the facility will not produce odor, dust, lint, smoke, cinders, fumes, noise, vibration, heat, glare, solid or liquid waste, fire or risk of explosion.

(c) Does Not Impede Potential Development of Commercial and Industrial Properties.

The Property is zoned Rural Residential (RR), which will not permit the development of Commercial or Industrial properties.

(d) Utility Lines shall be Parallel and Contiguous.

The proposed facility is adjacent to the Property line.

(e) Includes Appropriate Landscaping and Screening.

The Property is heavily wooded. Beacon Towers plans to preserve and utilize natural vegetative areas to the greatest extent possible. In addition, perimeter landscaping consisting of 12 Leyland Cypress and 18 Wax Myrtle trees is proposed around the facility compound, as shown on Sheet L-1 of the enclosed Site Plans and Drawings.

(f) Evidence of a Permit from the Federal Aviation Administration ("FAA")

As a licensee of the Federal Communication Commission ("FCC"), AT&T and Beacon Towers act in accordance with all federally mandated regulatory requirements of the FAA and FCC. The

facility will comply with radio frequency energy levels governed by the FCC. In addition, Beacon Towers will receive a determination from the FAA demonstrating that the requested height will not impact navigable airspace and that no marking or lighting of the structure is required.

(g) Construction Entrance(s) to Virginia Department of Transportation ("VDOT") Standards for Commercial Entrances.

Beacon Towers will utilize one existing entrance and construct one new entrance to the new VDOT limited access commercial entrance standards, as required.

(h) Non-Interference with County Emergency Communication System.

AT&T's radio frequency bandwidth is strictly governed by the FCC and will not interfere with any public safety or private frequencies in the area. Beacon Towers anticipates that other carriers will seek to collocate on this facility and they also will not interfere with any public safety or private frequencies in the area. AT&T will eliminate any interference that may occur due to equipment associated with the facility within 24 hours of receipt of notice from the Director of Public Safety or designee.

(i) Removal of Antennas at Termination.

Beacon Towers will remove any antenna, support structure and/or related electronic equipment which has not been used for the purpose of radio transmission for a continuous period of 6 months, pursuant to Section 24.1-494(d) of the Zoning Ordinance.

Zoning Considerations:

AT&T desires to improve service on Penniman Road to Colonial Parkway and surrounding area in York County. (the "Target Area").

#### Methodology behind the Site Selection

Zoning Considerations:

AT&T desires to improve service to the Colonial Parkway area in York County. The search ring has been centered in the area of Penniman Road (the "Target Area").

Although the York County Tower Ordinance allows structures up to one hundred feet (100') in height as a matter of right in Limited Industrial (LI) and General Industrial (IG) zoning districts, neither of these districts is located within or near the Target Area. As indicated by the zoning map below, the Target Area is dominated by parcels zoned Rural Residential (RR). Towers are permitted on RR properties with a Special Use Permit approved by the Board of Supervisors. The Target Area also contains large areas of federally-owned property, where no private development may occur.

We thank you very much for all your help and consideration. If you have any questions as you review, please contact me at (843) 414-9754, or e-mail me at [jly@hellmanyates.com](mailto:jly@hellmanyates.com).

With warmest regards, I am

July 31, 2013  
Page 4

Yours very truly,

A handwritten signature in blue ink that reads "Jonathan L. Yates". The signature is written in a cursive style with a large initial 'J' and a distinct 'Y'.

Jonathan L. Yates

JLY:edh  
Enclosures

Beacon Towers, LLC  
Waterpark Site # VA231



195' Monopole w/ 4  
lighting rod to 199'

100' x 100' Lease  
Area 25' easement,  
and 60' x 60'  
compound

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York County

AUG 1 2013

Planning Division

SITE NAME:  
**WATER PARK**  
 SITE NUMBER:  
**VA238**



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 York County

AUG 1 2013

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PROJECT DESCRIPTION:  
**PROPOSED 195' MONOPOLE IN A NEW FENCED COMPOUND**

DIG ALERT:

CALL FOR UNDERGROUND UTILITIES PRIOR TO DIGGING  
 NC (800) 632-4949

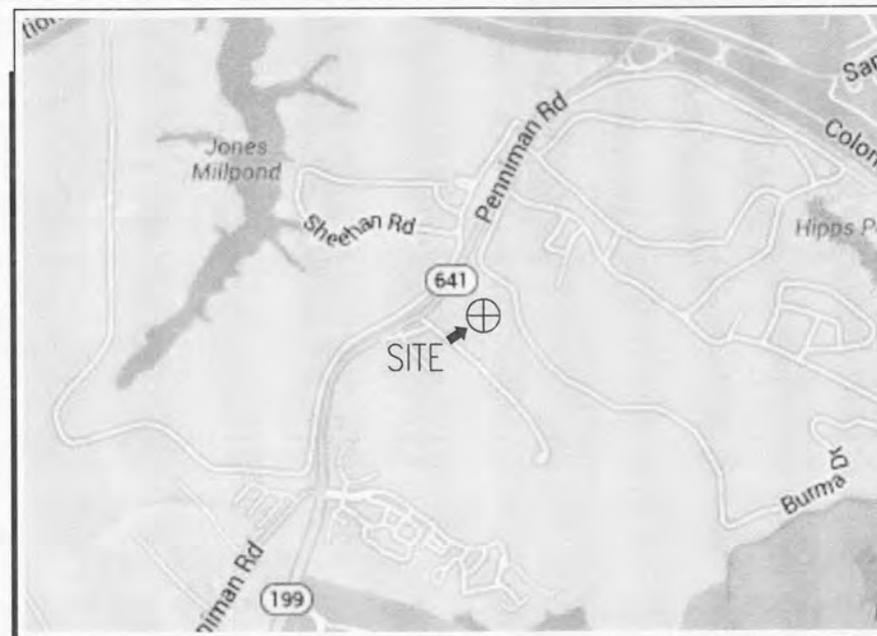
EMERGENCY:

CALL 911



VICINITY MAP

SCALE: 1" = 20 MILES NORTH



LOCAL MAP

SCALE: 1" = 2000' NORTH

DIRECTIONS TO SITE:

- Head south on I-95 S toward Exit 84A 0.6 mi
- Take exit 84A on the left to merge onto I-295 S toward Rocky Mt NC/Richmond International 14.8 mi
- Take exit 28A to merge onto I-64 E toward Norfolk/VA Beach 42.0 mi
- Take exit 242B to merge onto State Route 199 E/VA-199 E/Humelsine Pkwy E toward Colonial Pkwy/Yorktown 1.2 mi
- Continue onto State Route 641/Penniman Rd Destination will be on the right in 0.5 mi

APPROVAL			
BEACON TOWERS EQUIPMENT APPROVAL	SIGNATURE	PHONE NUMBER	DATE
BEACON TOWERS CONSTRUCTION COORDINATOR	SIGNATURE	PHONE NUMBER	DATE
BEACON TOWERS REAL ESTATE COORDINATOR	SIGNATURE	PHONE NUMBER	DATE
RF BEACON TOWERS APPROVAL	SIGNATURE	PHONE NUMBER	DATE

SUBMISSION REVISION							
SET NO.	DESCRIPTION	BY	DATE	SET NO.	DESCRIPTION	BY	DATE
1				5			
2				6			
3				7			
4				8			

**ARCHITECTURAL AND ENGINEERING FIRM:**  
 BC ARCHITECTS ENGINEERS, PLC  
 5661 COLUMBIA PIKE, SUITE 200  
 FALLS CHURCH, VA 22041-2868  
 TEL: (703) 671-6000 CONTACT: CHRIS MORIN  
 FAX: (703) 671-6300 PROJECT MANAGER

**SURVEYOR:**  
 THE WOODSON COMPANY  
 5251-18 JOHN TYLER HIGHWAY, #359  
 WILLIAMSBURG, VA 23185  
 TEL: (800) 308-6443

**STRUCTURAL ENGINEER:**  
 BC ARCHITECTS ENGINEERS, PLC  
 5661 COLUMBIA PIKE, SUITE 200  
 FALLS CHURCH, VA 22041-2868  
 TEL: (703) 671-6000 CONTACT: CHRIS MORIN  
 FAX: (703) 671-6300 PROJECT MANAGER

**UTILITIES:**  
**POWER COMPANY:**  
 COMPANY NAME: DOMINION VIRGINIA POWER  
 CONTACT: CUSTOMER SERVICE  
 TEL: (800) 667-3000  
 FAX: -

**TELEPHONE COMPANY:**  
 COMPANY NAME: VERIZON  
 CONTACT: CUSTOMER SERVICE  
 TEL: (800) 483-5000  
 FAX: -

CONSULTING TEAM

**SITE NAME:** WATER PARK  
**PARCEL OWNER:** JAMES L CLAYTON  
 PO BOX 1867  
 YORKTOWN, VA 23182

**SITE NUMBER:** VA238  
**SITE ADDRESS:** 1741 PENNIMAN RD,  
 WILLIAMSBURG, VA 23185

**APPLICANT BUILDING INFO:**  
 BEACON TOWERS  
 P.O. BOX 279  
 AWENDAW, SC 29429 ATTN: MARTIN DEPUTY

**PROJECT DESCRIPTION:**  
 AN UNMANNED RADIO TELECOMMUNICATIONS FACILITY  
 CONSISTING OF A PROPOSED 195' MONOPOLE  
 IN A NEW FENCED COMPOUND

**ADA COMPLIANCE:**  
 FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION

**PROJECT DATA:**  
 COUNTY: YORK COUNTY  
 PIN NUMBER: 114A-1125-3492  
 MAP NUMBER: 001 140  
 DEED REFERENCE: 040010682, 4.68 ACRES  
 ZONE: RR : RURAL RESIDENTIAL  
 AREA OF CONSTRUCTION: 14,370 SF

**GEOGRAPHIC COORDINATES:**  
 LATITUDE: 37° 16' 25.42"  
 LONGITUDE: 76° 38' 1.09"  
 GROUND ELEVATION: 84' AMSL

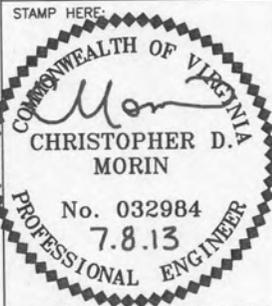
**CODE COMPLIANCE:**  
 IBC 2009  
 NEC 2008

PROJECT SUMMARY

SHEET NUMBER:	DESCRIPTION:
T-1	TITLE SHEET, VICINITY MAP AND GENERAL INFORMATION
A-0	SITE PLAN
A-1	ENLARGED SITE PLAN
A-2	TOWER ELEVATION
A-3	FENCE DETAIL
L-1	LANDSCAPING PLAN

SHEET INDEX

SITE NAME:  
**WATER PARK**  
 SITE NUMBER:  
**VA238**  
 SITE ADDRESS:  
 1741 PENNIMAN RD,  
 WILLIAMSBURG, VA 23185



DRAWN BY:	SB
CHECKED BY:	CDM
DATE DRAWN:	06-24-13
SUBMISSION:	ZONING

SHEET TITLE:  
**VICINITY MAP AND GENERAL INFORMATION**

SHEET NUMBER:	REV. #
T-1	

FOR BC INTERNAL USE ONLY: 07-08-13 SMO/ER/14-38-16 7/Drawings - 2013/Beacon Towers/VA238 (Rev. 231)/Zoning - Rev. B - 07-08-13/17/1.dwg

07-08-13 SBAGHER 14:35:14 Y:/Drawings - 2013/Beacon Towers/VA238 (was 231)/Zoning - Rev B - 07-08-13/A0.dwg

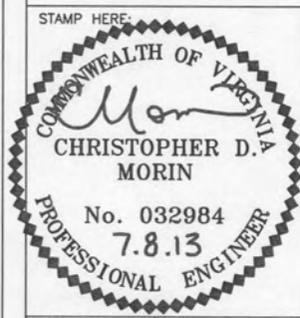


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**BC**  
architects  
engineers  
5661 COLUMBIA PIKE, SUITE 200  
FALLS CHURCH, VA 22041-2868  
TEL: (703) 671-6000  
FAX: (703) 671-6300

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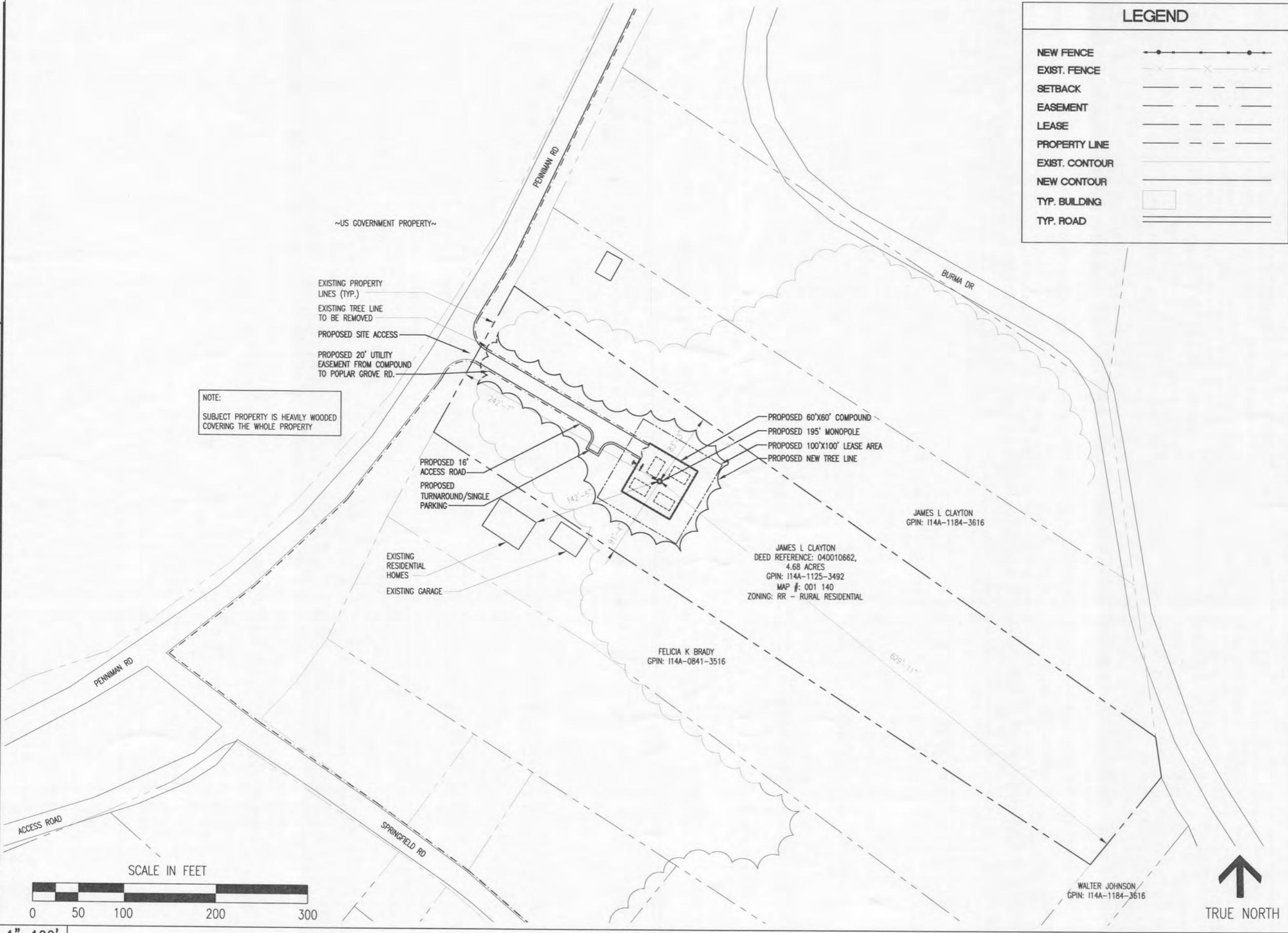
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SITE ADDRESS:  
1741 PENNIMAN RD,  
WILLIAMSBURG, VA 23185



DRAWN BY:	SB
CHECKED BY:	CDM
DATE DRAWN:	06-24-13
SUBMISSION:	ZONING

SHEET TITLE:  
**SITE PLAN**  
SHEET NUMBER:  
**A-0**  
REV. #

LEGEND	
NEW FENCE	—●—●—●—●—●—●—
EXIST. FENCE	—x—x—x—x—x—x—
SETBACK	— — — — —
EASEMENT	— — — — —
LEASE	— — — — —
PROPERTY LINE	— — — — —
EXIST. CONTOUR	— — — — —
NEW CONTOUR	— — — — —
TYP. BUILDING	□
TYP. ROAD	— — — — —



SITE PLAN



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**BC**

architects  
 engineers

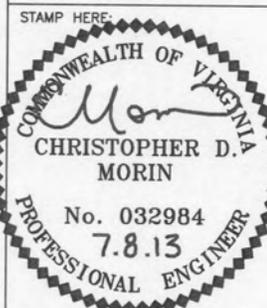
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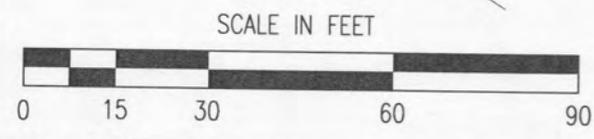
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CHECKED BY:	CDM
DATE DRAWN:	06-24-13
SUBMISSION:	ZONING

**ENLARGED SITE PLAN**

SHEET NUMBER:	REV. #
<b>A-1</b>	



ENLARGED SITE PLAN

07-08-13/AT.dwg  
 Rev B - 07-08-13/AT.dwg  
 07-08-13/AT.dwg  
 07-08-13/AT.dwg



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**BC**

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SHEET REVISION

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SITE NAME:

**WATER PARK**

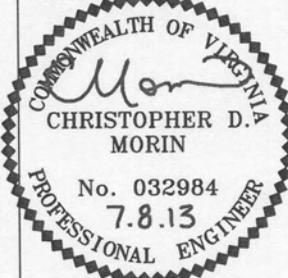
SITE NUMBER:

**VA238**

SITE ADDRESS:

1741 PENNIMAN RD,  
WILLIAMSBURG, VA 23185

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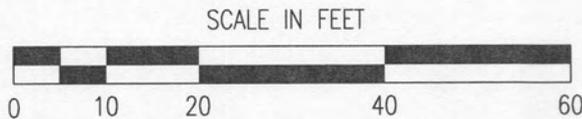
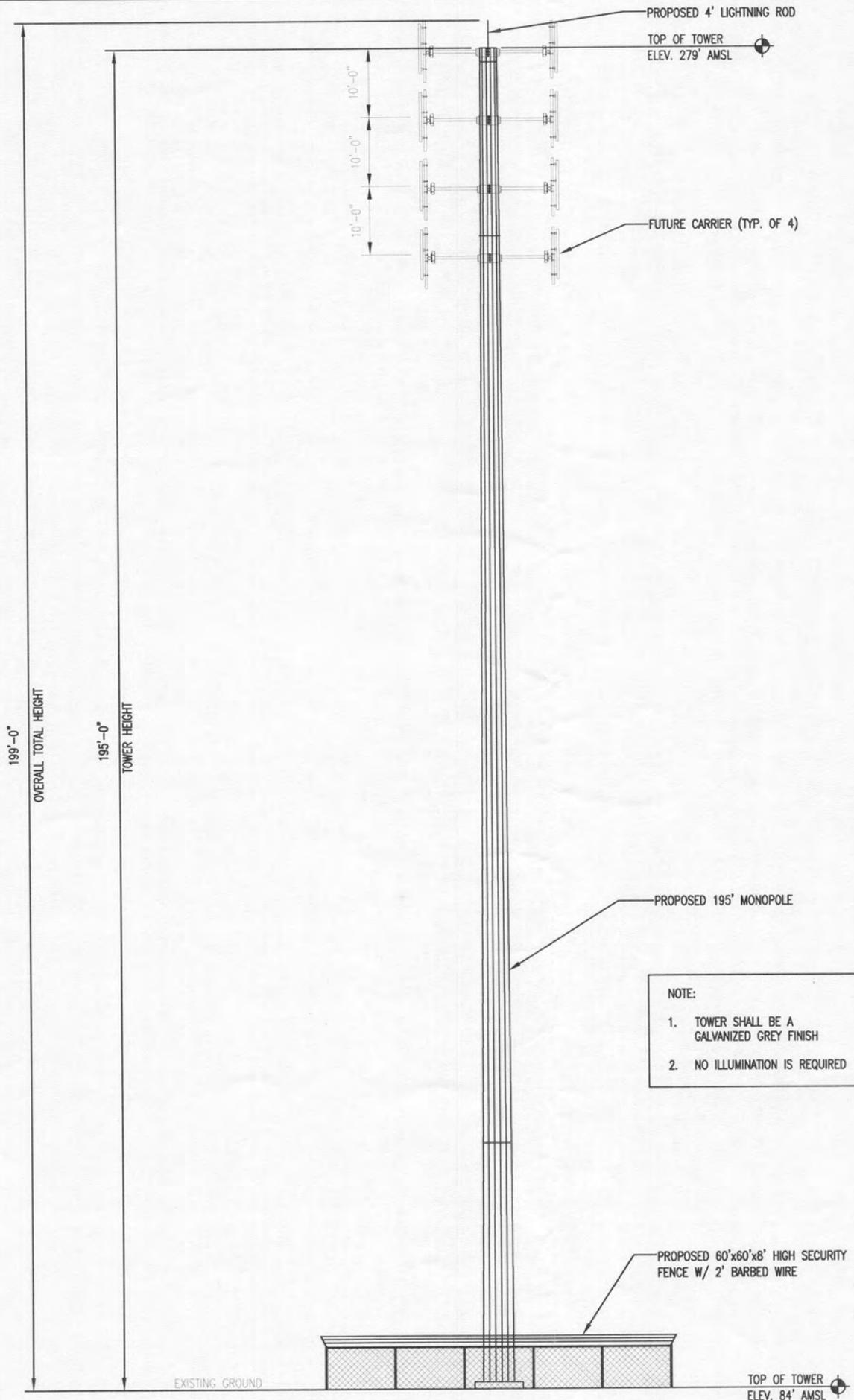
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CHECKED BY:	CDM
DATE DRAWN:	06-24-13
SUBMISSION:	ZONING

SHEET TITLE:

**TOWER ELEVATION**

SHEET NUMBER: REV. #

**A-2**



1"=20'

**TOWER ELEVATION**

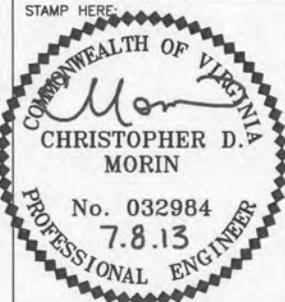
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**BC**  
 architects  
 engineers  
 5661 COLUMBIA PIKE, SUITE 200  
 FALLS CHURCH, VA 22041-2868  
 TEL: (703) 671-6000  
 FAX: (703) 671-6300

SHEET REVISION

NO.	DESCRIPTION	BY	DATE

SITE NAME:  
**WATER PARK**  
 SITE NUMBER:  
**VA238**  
 SITE ADDRESS:  
 1741 PENNIMAN RD,  
 WILLIAMSBURG, VA 23185

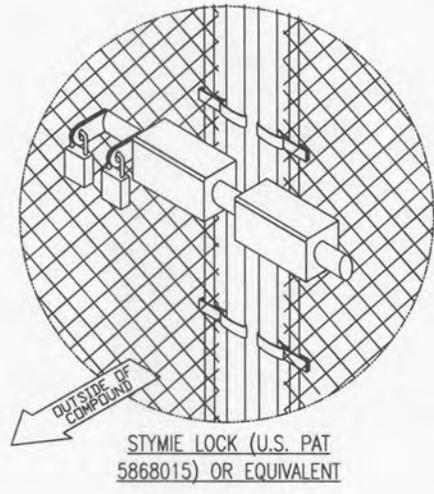
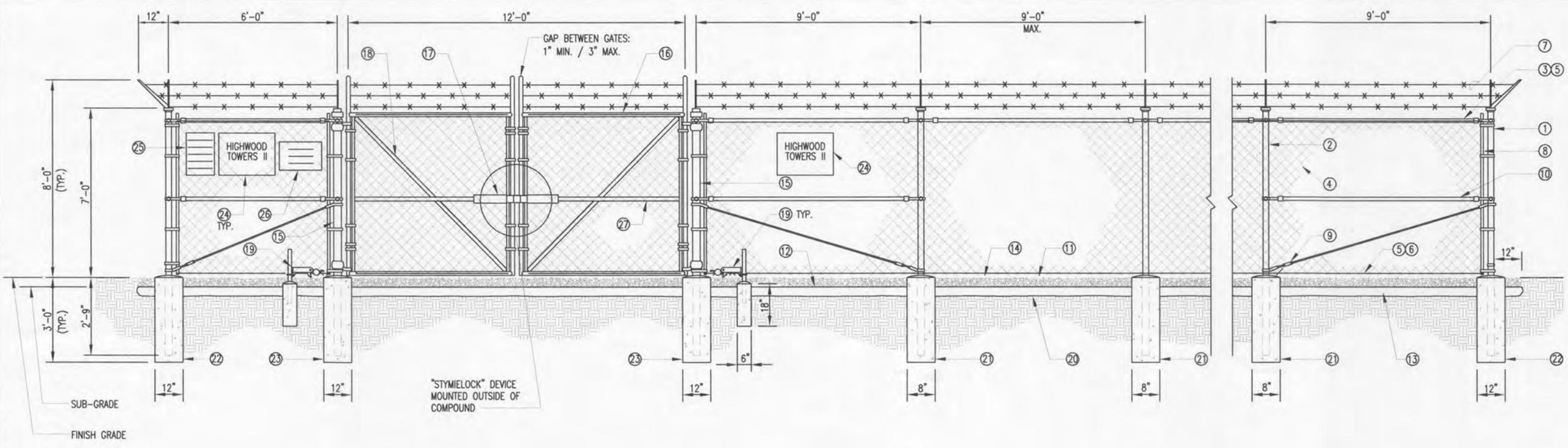


DRAWN BY:	SB
CHECKED BY:	CDM
DATE DRAWN:	06-24-13
SUBMISSION:	ZONING

SHEET TITLE:  
**FENCE, GATE AND COMPOUND CROSS SECTION DETAIL**

SHEET NUMBER:	REV. #
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**A-3**



- REFERENCE NOTES:**
- CORNER, END OR PULL POST 4" SCHEDULE 40 PIPE.
  - LINE POST: 2 1/2" SCHEDULE 40 PIPE, PER ASTM-F1083. LINE POSTS SHALL BE EQUALLY SPACED AT MAXIMUM 8'-0" O.C.
  - TOP RAIL & BRACE RAIL: 1 1/2" PIPE, PER ASTM-F1083.
  - FABRIC: 9 GA CORE WIRE SIZE 2" MESH, CONFORMING TO ASTM-A392.
  - TIE WIRE: MINIMUM 11 GA GALVANIZED STEEL AT POSTS AND RAILS A SINGLE WRAP OF FABRIC TIE AND AT TENSION WIRE BY HOG RINGS SPACED MAX. 24" INTERVALS.
  - TENSION WIRE: 9 GA. GALVANIZED STEEL.
  - BARBED WIRE: DOUBLE STRAND 12-1/2" O.D. TWISTED WIRE TO MATCH WITH FABRIC 14 GA, 4 PT. BARBS SPACED ON APPROXIMATELY 5" CENTERS.
  - STRETCHER BAR.
  - 3/8" DIAGONAL ROD WITH GALVANIZED STEEL TURNBUCKLE OR DIAGONAL THREADED ROD.
  - FENCE CORNER POST BRACE: 1 5/8" DIA. EACH CORNER EACH WAY.
  - 1 1/2" MAXIMUM CLEARANCE FROM GRADE.
  - 2" FINISH OR AS DETERMINED BY CONSTRUCTION MANAGER DURING BID WALK.
  - 4" COMPACTED 95% BASE MATERIAL OR AS DETERMINED BY CONSTRUCTION MANAGER DURING BID WALK.
  - FINISH GRADE SHALL BE UNIFORM AND LEVEL.
  - GATE POST 4" SCHEDULE 40 PIPE, FOR GATE WIDTHS UP THRU 10 FEET OR 20 FEET FOR DOUBLE SWING GATE, PER ASTM-F1083.
  - GATE FRAME: 1 1/2" PIPE SCH. 40, PER ASTM-F1083.
  - "STYMILOCK" OR EQUIVALENT
  - GATE DIAGONAL GALVANIZED STEEL 1 1/2" PIPE.
  - DUCK BILL OPEN GATE HOLDER. VERIFY LOCATION IN FIELD PRIOR TO INSTALLATION.
  - GEOTEXTILE FABRIC.
  - LINE POST: CONCRETE FOUNDATION (3000 PSI).
  - CORNER POST: CONCRETE FOUNDATION (3000 PSI).
  - GATE POST: CONCRETE FOUNDATION (3000 PSI).
  - 18" x 24" HT TOWER SIGN. W/ CONTACT INFO.
  - 12" x 18" YELLOW CAUTION SIGN.
  - 12" x 18" EMPLOYEE NOTICE SIGN.
  - GATE FRAME BRACE: 1 5/8" DIAMETER.

- GENERAL NOTES:**
- INSTALL FENCING PER ASTM F-567
  - INSTALL SWING GATES PER ASTM F- 900
  - LOCAL ORDINANCE OF BARBED WIRE PERMIT REQUIREMENT SHALL BE COMPLIED IF REQUIRED.
  - POST & GATE PIPE SIZES ARE INDUSTRY STANDARDS. ALL PIPE TO BE 1 1/2" GALV. (HOT DIP, ASTM A120 GRADE "A" STEEL). ALL GATE FRAMES SHALL BE WELDED. ALL WELDING SHALL BE COATED WITH (3) COATS OF COLD GALV. (OR EQUAL).
  - ALL OPEN POSTS SHALL HAVE END-CAPS.
  - USE GALVANIZED HOG-RING WIRE TO MOUNT ALL SIGNS.
  - ALL SIGNS MUST BE MOUNTED ON INSIDE OF FENCE FABRIC.

STORE EXTRA PARTS OF STYMILOCK DEVICE IN TELCO CABINET.

NO PLUNGER OR MUSHROOM HEAD REQUIRED.

Y:/Drawings - 2013/Beacon Towers/VA238 (was 231)/Zoning - Rev B - 07-08-13/A3.dwg

N.T.S.

FENCE, GATE AND COMPOUND CROSS SECTION DETAIL



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**BC**

architects  
engineers

5661 COLUMBIA PIKE, SUITE 200  
FALLS CHURCH, VA 22041-2868  
TEL: (703) 671-6000  
FAX: (703) 671-6300

SHEET REVISION			
NO.	DESCRIPTION	BY	DATE
1			
2			
3			
4			
5			

SITE NAME:  
**WATER PARK**

SITE NUMBER:  
**VA238**

SITE ADDRESS:  
1741 PENNIMAN RD,  
WILLIAMSBURG, VA 23185

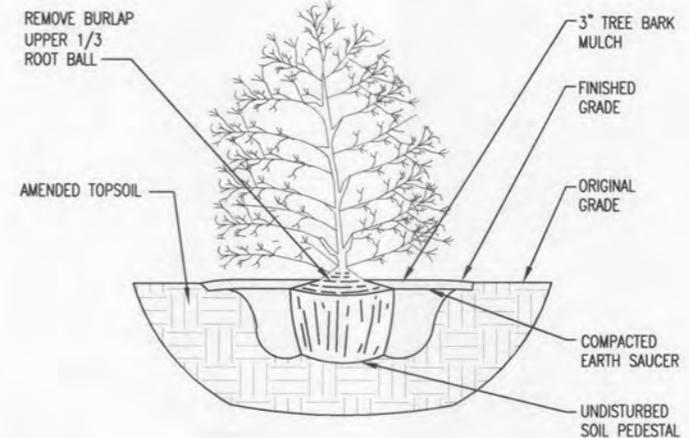
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CHRISTOPHER D. MORIN  
No. 032984  
7.8.13  
PROFESSIONAL ENGINEER

DRAWN BY:	SB
CHECKED BY:	CDM
DATE DRAWN:	06-24-13
SUBMISSION:	ZONING

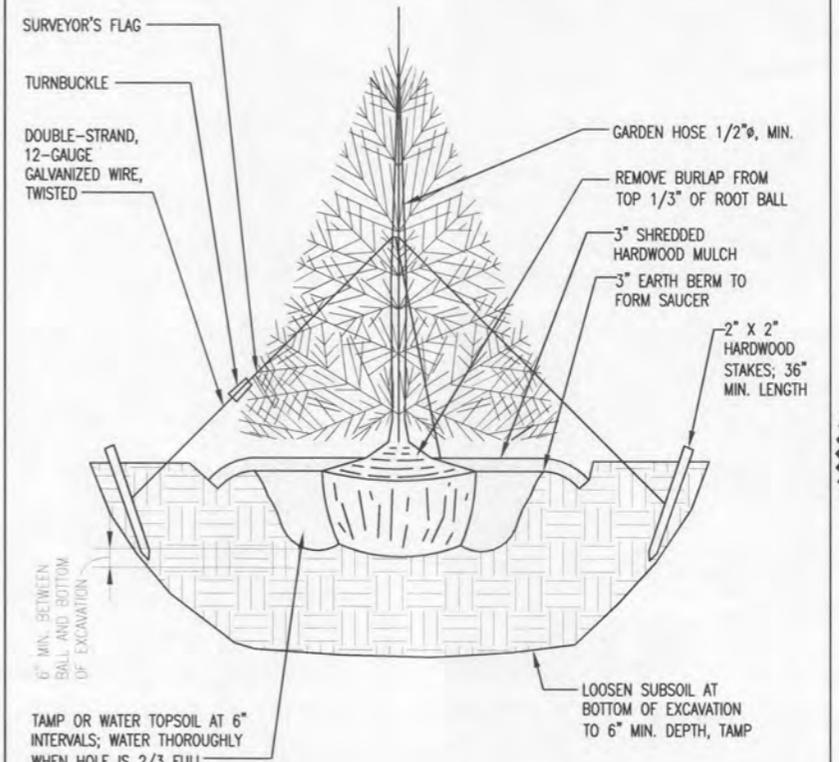
SHEET TITLE:  
**LANDSCAPING PLAN**

SHEET NUMBER:	REV. #
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- NOTES:
- SHRUBS SHALL BE SPACED AT 10' APART.
  - SPECIES OF SHRUB SHALL BE WAX MYRTLE.

N.T.S. SHRUB - WAX MYRTLE DETAIL 2



- NOTES:
- EVERGREEN TREE SHALL BE 6'-7" IN HEIGHT AT TIME OF PLANTING.
  - SPACING SHALL BE NO MORE THAN 30' APART.
  - SPECIES OF TREE SHALL BE LEYLAND CYPRESS.
  - EVERGREEN TREES SHALL REACH A HEIGHT OF NO LESS THAN TWENTY (20) FEET AT MATURITY.

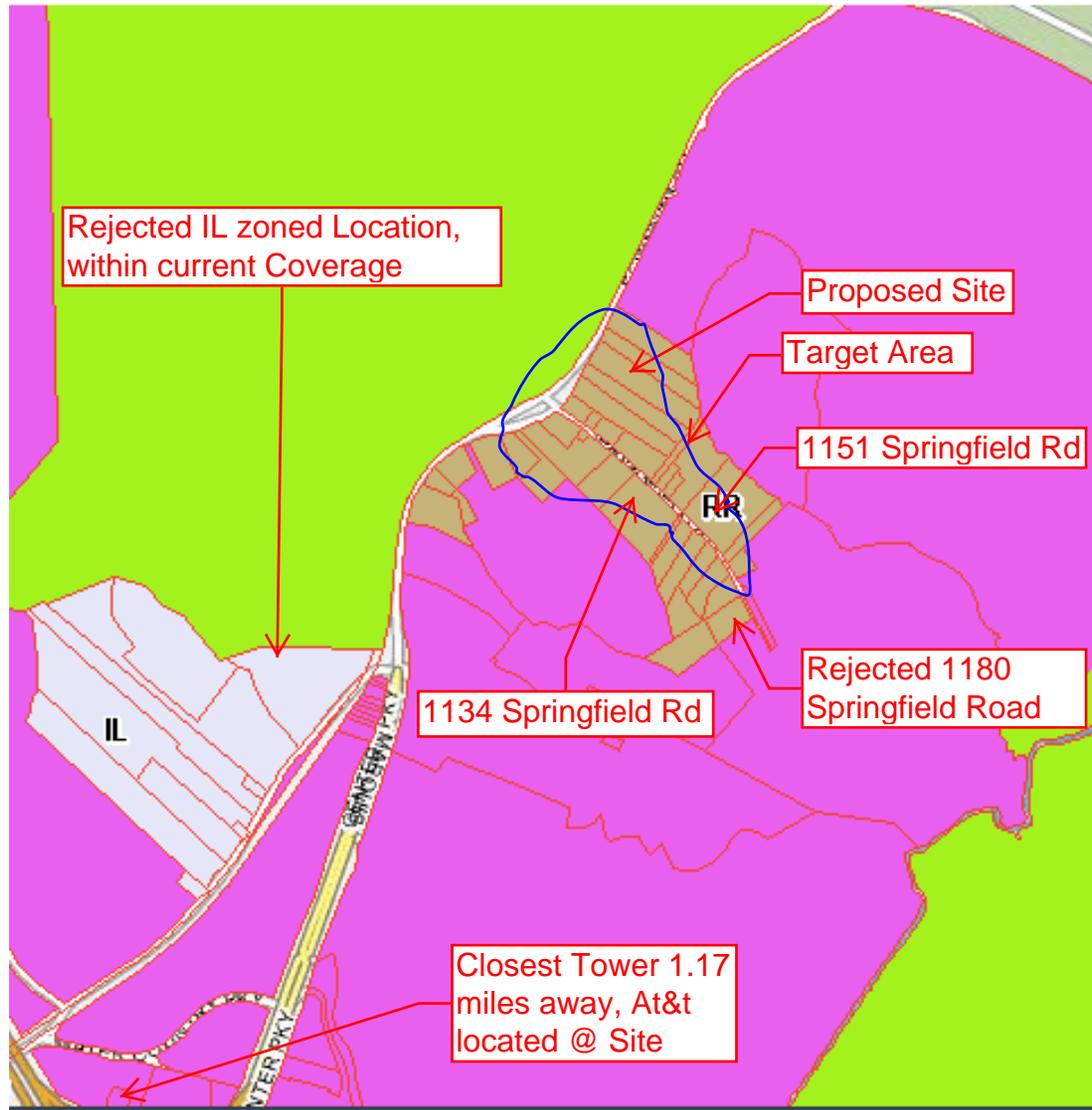


SYMBOL	QTY.	BOTANICAL NAME	COMMON NAME	HEIGHT @ PLANTING	HEIGHT @ MATURITY	CALIPER SIZE @ MATURITY	SPACING
	12	X CUPRESSOCYPARIS LEYLANDII	LEYLAND CYPRESS	6'-0" (MIN.)	30'-35'	8"	10'-0"
	18	MORELLA CERIFERA	WAX MYRTLE (SHRUB)	6'-0" (MIN.)	12'-36'	8"	6'-0"

Y:/Drawings - 2013/Beacon Towers/VA238 (was 231)/Zoning - Rev B - 07-08-13/L1.dwg



Zoning Map with Target Area

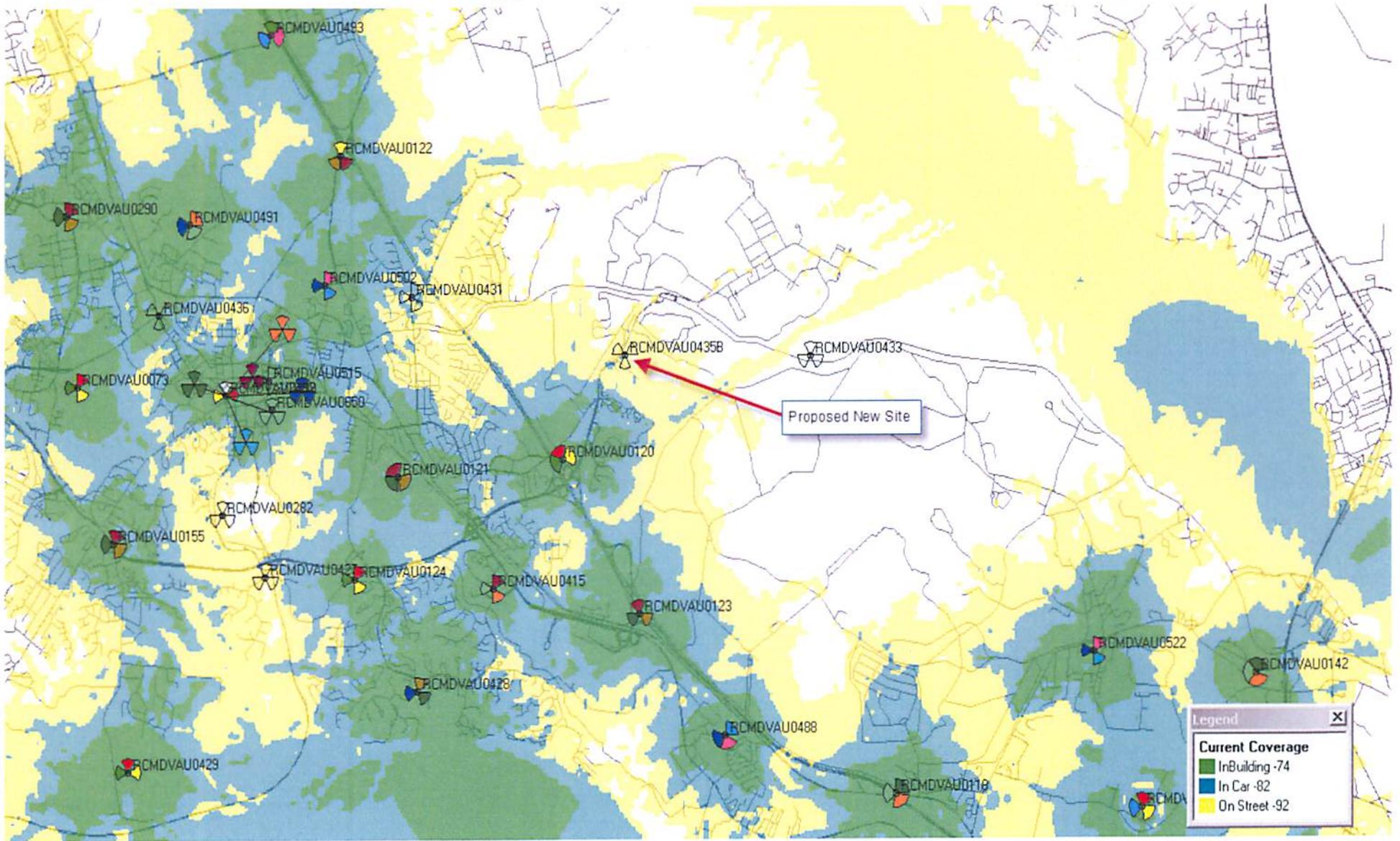


# Coverage NF435

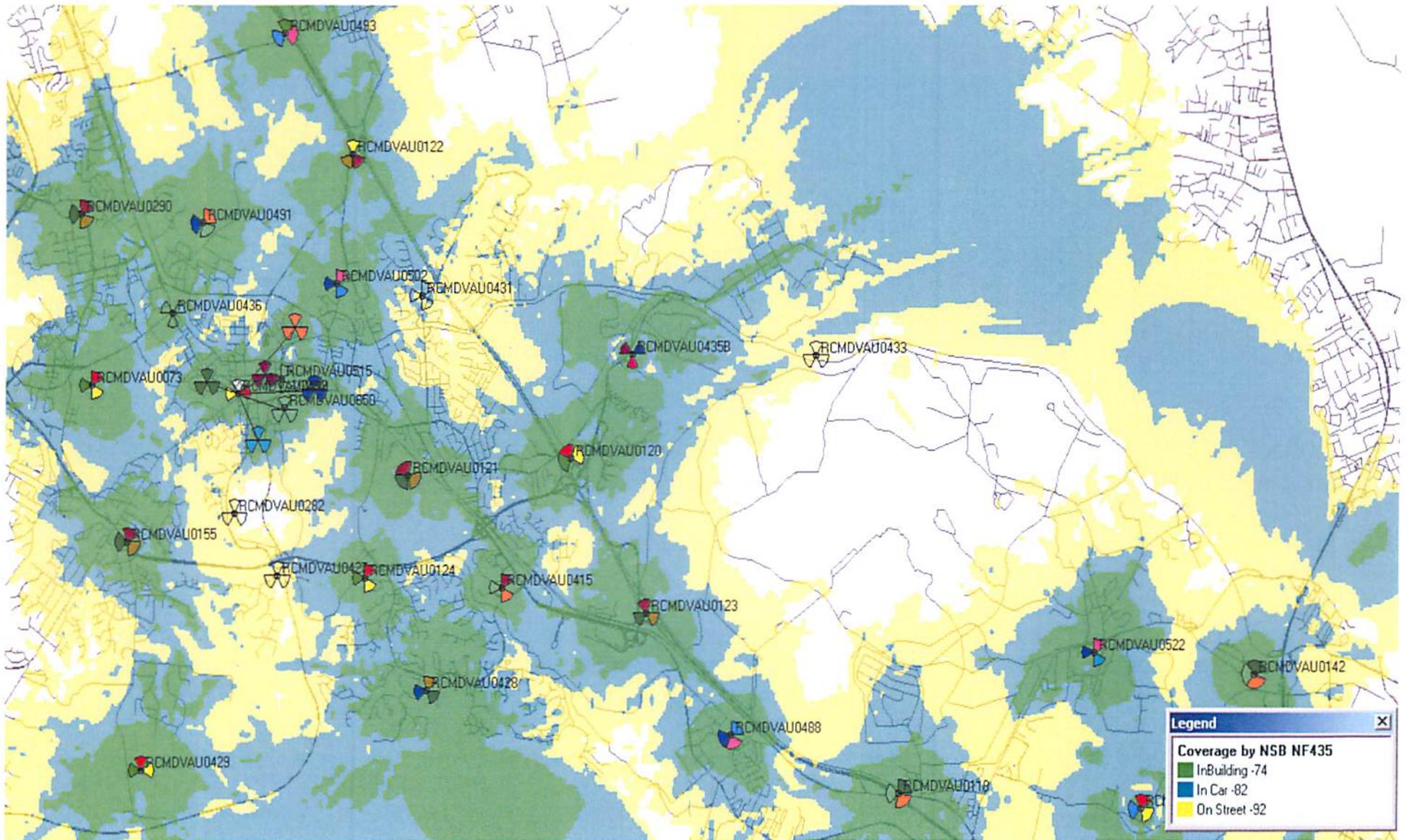
Rad Center 190'



# Current Coverage



# Coverage With NF435 at 190'



# Site Overview

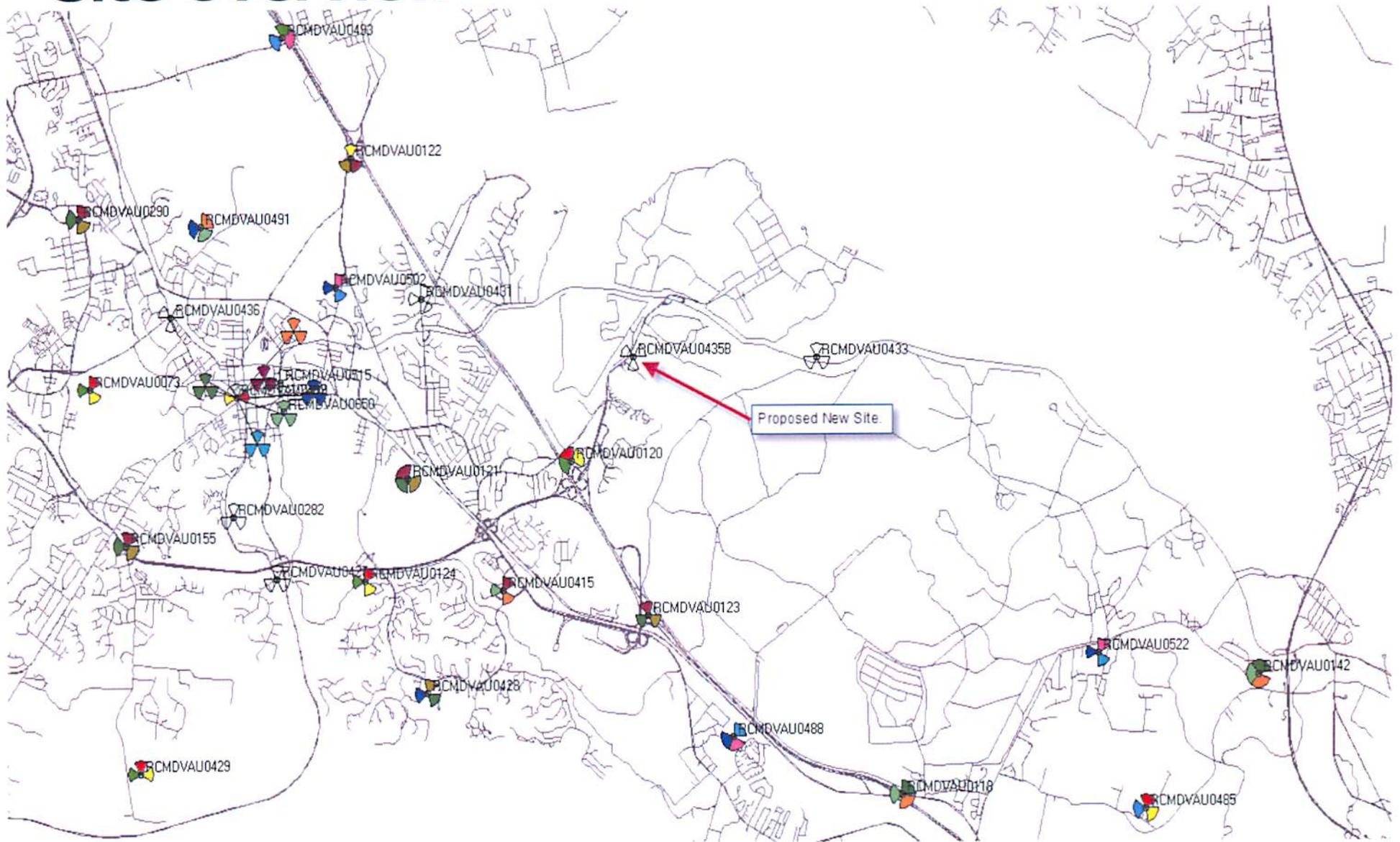


Photo map



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Google earth

Google earth

feet  
meters



York County

AUG 1 2013

Planning Division

Front View of Property Photo A



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Front View Property w/ Tower Photo A



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Springfield Road Photo B



Springfield Road with Tower Photo B

Tower Location





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meters



Church View Photo C with Tower



Intersection Penniman and Springfield Photo D



Proposed Tower Location

Penniman Road

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PLANNING COMMISSION  
 COUNTY OF YORK  
 YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Planning Commission held in the Board Room, York Hall, Yorktown, Virginia, on the \_\_\_\_ day of \_\_\_\_\_, 2013:

Present

Vote

Mark B. Suiter, Chair  
 Melissa S. Magowan, Vice Chair  
 Glenn A. Brazelton  
 Timothy D. McCulloch  
 Todd H. Mathes  
 Richard M. Myer, Jr.

On motion of \_\_\_\_\_, which carried \_\_\_\_, the following resolution was adopted:

**A RESOLUTION TO RECOMMEND APPROVAL OF A SPECIAL USE PERMIT TO AUTHORIZE A 199-FOOT SELF-SUPPORTING MONOPOLE COMMUNICATIONS TOWER WITH ASSOCIATED GROUND-MOUNTED EQUIPMENT AT 1741 PENNIMAN ROAD**

WHEREAS, Beacon Towers has submitted Application No. UP-830-13, which requests a Special Use Permit, pursuant to Section 24.1-306 of the York County Zoning Ordinance (Category 17, No. 7), to authorize the establishment of a freestanding monopole telecommunications tower up to 199’ in height with associated ground-mounted equipment on approximately 3.32 acres of land located at 1741 Penniman Road (Route 641) approximately 400 feet north of its intersection with Springfield Road (Route 687) and further identified as Assessor’s Parcel No. 11-140 (GPIN I14a-1125-3492); and

WHEREAS, said application has been forwarded to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission has conducted a duly advertised public hearing on this application; and

WHEREAS, the Commission has carefully considered the public comments with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Planning Commission this the \_\_\_\_\_ day of \_\_\_\_\_, 2013 that Application No. UP-830-13 be, and it is hereby, transmitted to the York County Board of Supervisors with a recommendation of approval for a Special Use Permit, pursuant to Section 24.1-306 of the York County Zoning Ordinance (Category 17, No. 7), to authorize the establishment of a freestanding monopole telecommunications tower up to 199' with associated ground-mounted equipment in height on approximately 3.32 acres of land located at 1741 Penniman Road (Route 641) approximately 400 feet north of its intersection with Springfield Road (Route 687) and further identified as Assessor's Parcel No. 11-140 (GPIN I14a-1125-3492), subject to the following conditions:

1. This use permit shall authorize the construction of a freestanding monopole telecommunications tower up to 199' in height with associated ground-mounted equipment on approximately 3.32 acres of land located at 1741 Penniman Road (Route 641) approximately 400 feet north of its intersection with Springfield Road (Route 687) and further identified as Assessor's Parcel No. 11-140 (GPIN I14a-1125-3492).
2. The height of the tower, including the lightning rod, shall not exceed 199 feet.
3. A site plan prepared in accordance with the provisions of Article V of the York County Zoning Ordinance shall be submitted to and approved by the County prior to commencement of any land clearing or construction activity on the subject property. Except as modified herein, said plan shall be substantially in conformance with the sketch plan submitted by the applicant titled "Beacon Towers, Proposed 195' Monopole, Water Park, Site Number VA238," prepared by BC Architects Engineers and dated 6-24-13. As part of the site plan submittal, the applicant shall prepare a frequency intermodulation study to determine the impact on current communication transmissions for the York County Departments of Fire and Life Safety and General Services, the York-Poquoson Sheriff's Office, the York County School Division, and the Intrac Sewer Telemetry System. Should any equipment associated with this facility at any time during the operation of the tower be found by the County to cause interference with County communications, the applicant shall be responsible for the elimination of said interference within twenty-four (24) hours of receipt of notice from the County.
4. Prior to site plan approval for construction of the proposed tower and installation of any future antennas, the applicant shall submit written verification to the Chief of Development and Compliance from the Commander, U.S. Naval Weapons Station Yorktown (NWS) indicating that the proposed tower facility and/or antennas shall not interfere with communication or other NWS transmission facilities and functions. Prior to the attachment of any antenna or equipment, receiving or transmitting, the same Commander shall be notified of the proposed antennas/equipment's purpose, manufacture, model, power, gain and frequency as appropriate. Should any equipment associated with this facility at any time during

the operations of the tower be found by the NWS to cause interference with NWS communications or activities, the applicant shall be responsible for the elimination of said interference within twenty-four (24) hours of receipt of notice from the NWS or the County."

5. The applicant shall submit to the County a statement from a registered engineer certifying that NIER (nonionizing electromagnetic radiation) emitted from the tower does not result in a ground level exposure at any point outside such facility that exceeds the maximum applicable exposure standards established by any regulatory agency of the U.S. Government or the American National Standards Institute.
6. A report from a registered structural or civil engineer shall be submitted indicating tower height and design, structure installation, and total anticipated capacity of the structure (including number and types of users that the structure can accommodate). These data shall satisfactorily demonstrate that the proposed tower conforms to all structural requirements of the Uniform Statewide Building Code and shall set out whether the tower will meet the structural requirement of EIA-222E, "Structural Standards for Steel Antenna Towers and Antenna Supporting Structures."
7. An access easement shall be established over the area called out as site access on the plan referenced in Condition #3 above for the benefit of tower users for purposes of ingress, egress, and installation and maintenance of utilities associated with the proposed telecommunications facility prior to site plan approval. The access drive shall be constructed with a curved design from Penniman Road in order to mitigate direct views of the tower base from the road right-of-way.
8. Advertising and signage on the tower shall be expressly prohibited, except for warning signs associated with the operation of the tower or its equipment.
9. Prior to site plan approval, the applicant shall submit written statements from the Federal Aviation Administration, Federal Communications Commission, and any other review authority with jurisdiction over the tower, stating that the proposed tower complies with regulations administered by that agency or that the tower is exempt from those regulations.
10. If at any time use of the communications tower ceases, the owner of the subject property on which the tower is located shall dismantle and remove it within six (6) months after ceasing to use it, unless:
  - (1) A binding lease agreement or letter of intent with another wireless communications provider has been executed in which case an additional six (6) months shall be granted. If a letter of intent is provided, the

execution date for a binding lease agreement shall not extend more than (12) months beyond the time the use of the tower ceases, or

- (2) The County requests, in writing, that the tower be reserved for County use.
11. Accessory facilities shall not include offices, vehicle storage, or outdoor storage unless permitted by the district regulations.
12. Evidence shall be provided prior to issuance of a building permit that the Virginia State Corporation Commission has been notified that a communication facility is to be constructed.
13. The proposed lease area shall be surrounded by an 8-foot chain link fence outfitted with opaque material deemed acceptable for screening purposes by the Zoning Administrator. Evergreen trees and shrubs having a planting size of no less than six (6) feet as shown on Sheet Number L-1 of the plan referenced in Condition #3 above shall be installed surrounding the exterior of the fence at a spacing of not more than ten (10) feet. Trees shall be of a species type that retains branching to ground level.
14. Evergreen trees and shrubs meeting minimum standards of a Type 35 Transitional Buffer shall be installed in the side landscape yard areas between the front face of the dwellings located on the adjacent properties and the rear (east) boundary of the lease area as shown on the plans referenced in Condition #3 above prior to issuance of a Certificate of Occupancy for the telecommunications tower.
15. The telecommunications tower shall be gray in color. Should Federal Aviation Administration requirements dictate special markings, tower lighting shall be used in lieu of multi-color painting. If painting is required, a tower maintenance plan shall be submitted to and approved by the County.
16. No microwave dishes, conical shaped antennae, or other dish shall be permitted on the tower.
17. The communications tower shall be structurally designed to accommodate no fewer than three (3) wireless users capable of supporting either PCS or cellular antenna arrays. If space is available, the County shall have the right of first refusal for leasing a space on the tower to place an antenna in support of operations consistent with the County's Department of Fire and Life Safety.
18. In accordance with Section 24.1-115(b)(7) of the York County Zoning Ordinance, a certified copy of the resolution authorizing this Special Use Permit shall be recorded at the expense of the applicant in the name of the property owner as

grantor in the office of the Clerk of the Circuit Court prior to application for site plan approval.

BE IT FURTHER RESOLVED that this Special Use Permit is not severable, and invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.