

MONTGOMERY COUNTY PLANNING COMMISSION
March 11, 2009
SITE VISIT AGENDA

4:15 PM **Depart Government Center**

4:40 PM **1806 Brookfield Drive**

A request by **William E. & Susan McGann Osborne (Agent: Gay & Neel, Inc.)** for a Special Use Permit (SUP) on approximately 3.385 acres in an Agriculture (A1) zoning district to allow contractor's storage yard and up to 25% lot coverage. The property is located at 1806 Brookfield Road, and is identified as Tax Parcel No(s). 52-3-2C and a portion of 52-3-2D (Acct Nos. 013253, 011315), in the Prices Fork Magisterial District (District E). The property currently lies in an area designated as Rural in the Comprehensive Plan.

5:20 PM **2080 Oilwell Road**

A request by **Montgomery County Board of Supervisors (Agent: Sheriff J.T. Whitt)** to amend condition #3 of a special use permit (R-FY-06-16) approved January 26, 2006 to allow private paging equipment to locating on an existing communications tower. The property is located at 2080 Oilwell Road, and is identified as Tax Parcel No. 66-A-55A (Account ID# 071091) in the Prices Fork Magisterial District (District E). The property lies in an area designated as Residential Transition in the Comprehensive Plan.

6:00 PM **Dinner @ Government Center (Pizza Inn, Christiansburg)**

**MONTGOMERY COUNTY PLANNING COMMISSION
CONSENT AGENDA
March 11, 2009**

A. APPROVAL OF MINUTES

- February 11, 2009

ISSUE/PURPOSE:

The above listed minutes are before the Planning Commission for approval.

B. SCHEDULE PUBLIC HEARINGS

1. A request by **William E. & Susan McGann Osborne (Agent: Gay & Neel, Inc.)** for a Special Use Permit (SUP) on approximately 3.385 acres in an Agriculture (A1) zoning district to allow contractor's storage yard and up to 25% lot coverage. The property is located at 1806 Brookfield Road, and is identified as Tax Parcel No(s). 52-3-2C and a portion of 52-3-2D (Acct Nos. 013253, 011315), in the Prices Fork Magisterial District (District E). The property currently lies in an area designated as Rural in the Comprehensive Plan.
2. A request by **Montgomery County Board of Supervisors (Agent: Sheriff J.T. Whitt)** to amend condition #3 of a special use permit (R-FY-06-16) approved January 26, 2006 to allow private paging equipment to locate on an existing communications tower. The property is located at 2080 Oilwell Road, and is identified as Tax Parcel No. 66-A-55A (Account ID# 071091) in the Prices Fork Magisterial District (District E). The property lies in an area designated as Residential Transition in the Comprehensive Plan.

AT A MEETING OF THE MONTGOMERY COUNTY PLANNING COMMISSION ON FEBRUARY 11, 2009 IN THE BOARD ROOM, SECOND FLOOR, COUNTY GOVERNMENT CENTER, CHRISTIANSBURG, VIRGINIA:

CALL TO ORDER:

Mr. Miller, Chair called the meeting to order and Mr. Seitz, Secretary, established the presence of a quorum.

Present: Robert Miller, Chair
William Seitz, Secretary
Bryan Rice, Member
Frank Lau, Member
Steve Howard, Member
David Moore, Member
Malvin Wells, Member
Mary Biggs, Board of Supervisors Liaison
Steve Sandy, Planning Director
Dari Jenkins, Planning & Zoning Administrator
Brea Hopkins, Zoning Technician
Jamie MacLean, Development Planner
Kevin Byrd, Comprehensive Planner

Absent: Walt Haynes, Vice Chair
Steve Cochran, Member
John Muffo, Board of Supervisors Liaison

PUBLIC ADDRESS:

None

APPROVAL OF AGENDA:

On a motion by Mr. Moore, seconded by Mr. Wells and unanimously carried the agenda was approved.

APPROVAL OF CONSENT AGENDA:

On a motion by Mr. Howard, seconded by Mr. Lau and unanimously carried the consent agenda was approved.

The Planning Commission discussed the site visit conducted earlier this evening.

PUBLIC HEARING:

A request by MSH of VA, LLC (Agent: Larry Smith) for a Special Use Permit (SUP) on approximately 1.924 acres in a Community Business (CB) zoning district to allow farm machinery sales and service and feed and seed store. The property is located at 4338 Prices Fork Road, and is identified as Tax Parcel No(s). 51-A-101, 101A (Acct No. 013755), in the Prices Fork Magisterial District (District E). The property currently lies in an area designated as the Village of Prices Fork in the Comprehensive Plan.

Mr. Miller introduced the request.

Mrs. Maclean stated the applicant was requesting a special use permit to allow farm machinery sales and service and a feed and seed store. She reviewed the maps and location of the property. The site is located within the Prices Fork Village and is further designated as mixed use. The property is currently zoned Community Business (CB).

Ms. Jenkins discussed the proposed concept plan. A formal site plan will be submitted for staff approval. Many site improvements have taken place since the owner acquired the property. A privacy fence will be installed as necessary.

Mr. Rice noted that the proposed condition regarding exterior lighting should be revised to allow for security lighting at night.

Mr. Miller opened the public hearing.

Mr. Larry Smith, applicant, stated the exterior lighting would be controlled and not in use when store was not in operation. A dusk to dawn light would be used. Flexibility is appreciated; however, the lighting should not interfere with neighboring properties. Farm machinery repair will be small scale and no large or new equipment will be on site. No milling will occur on site. All feed and products for sale will be pre-packaged. It is his desire to store items that will be available for purchase such as fencing supplies, gates, etc. outside. Privacy fencing will be installed to ensure the items will not be visible from the road or adjoining properties. If acceptable, he will install shrubs, trees, and/or fencing to help provide screening.

Mr. Miller noted that it was reasonable to have minimal storage of fencing materials outside the building.

Ms. Jenkins stated that it could be allowed if screening was provided.

Mr. Moore stated the ordinance section 10-29 would allow the outside storage and appeared to have appropriate restrictions.

Mr. Miller noted the improvements that had been made to date were impressive.

There being no further comments the public hearing was closed.

Mr. Sandy stated it may be necessary to stipulate that the proposal is for small engine repair and lawn equipment versus large tractors and balers.

On a motion by Mr. Howard, seconded by Mr. Wells and carried by a 7-0 vote (Haynes & Cochran absent) the Planning Commission recommended approval of the request by MSH of VA, LLC (Agent: Larry Smith) for a Special Use Permit (SUP) on approximately 1.924 acres in a Community Business (CB) zoning district to allow farm machinery sales and service and feed and seed store with the following conditions:

1. This Special Use Permit authorizes the use of the property located at 4338 Prices Fork Rd. for repair and maintenance of small engine equipment (lawn mowers, tillers, chain saws, etc.) within a Community Business (CB) zoning district. This Special Use Permit further authorizes the operation of a feed and seed store on the site; however, no on-site milling activities shall be permitted.
2. Limited outdoor storage of fencing materials, merchandise, or supplies shall be permitted to be located only in a rear yard adjacent to the building and shall comply with Section 10-29(7)(a) of the Montgomery County Code. Screening of outdoor storage shall consist of privacy or chain link fencing. If screened by chain link fencing, storage area shall be further screened with a

double offset row of evergreen trees at least six (6) feet in height at time of planting. The rows shall be 15' feet apart, per sketch provided dated February 12, 2009, and attached. Screening of outdoor storage shall be completed prior to initiating the uses allowed by this special use permit.

3. No storage containers used for shipping purposes, nor truck compartments or trailers shall be stored or otherwise used on the premises.
4. Exterior lighting shall comply with Section 10-46(9) of the Montgomery County Code. Exterior lighting shall be permitted after business hours, provided that the lighting is shielded to prevent glare and light pollution on adjacent properties and the Right-of-Way.
5. Signage for the site shall be limited to no more than 150 square feet in area and compliant with Section 10-45 of the Montgomery County Code.
6. Owner shall provide Health Department approval for all proposed on-site activities prior to approval of the required site plan.

A request by Two Way Radio, Inc (Agent: Clayton Hodges) for a Special Use Permit (SUP) on approximately 0.52 acres in a General Business (GB) zoning district to allow a contractor service establishment. The property is located at 310 Ferguson Drive, and is identified as Tax Parcel No(s). 67-4-3 (Acct No. 002520), in the Prices Fork Magisterial District (District E). The property currently lies in an area designated as Urban Expansion in the Comprehensive Plan.

Mr. Miller introduced the request.

Mr. Rice removed himself from the commission due to possible conflict of interest.

Mr. Byrd stated the applicant was requesting a contractor service establishment to be located within an existing building previously utilized by Two Way Radio. He reviewed the location of the property and the surrounding uses. The subject property lies within an Urban Expansion area of the Comprehensive Plan. The site is served by PSA water and sewer. The Board of Supervisors passed an ordinance amendment on February 9, 2009 to add "contractor service establishment" to uses permitted by special use permit in the General Business (GB) zoning district. The proposed contractor services establishment is for a plumbing contractor. Services are not provided at the subject property. Minimal on-site storage will be necessary since the supplier is located along the same road. He reviewed the proposed concept plan. Due to limited parking, staff would recommend a condition limiting the number of vehicles parked on site should the request be approved. There is not enough waste generated to require a dumpster on site.

Mr. Miller opened the public hearing.

Mr. Chris Pfol, Rome Mechanical, stated most waste was recycled at the collection facilities; therefore, a dumpster would not be necessary. Many of the surrounding businesses happen to be customers. Ferguson is the wholesaler and this will eliminate lengthy trips for deliveries. No work will be done on site.

There being no speakers the public hearing was closed.

Mr. Moore noted the request was appropriate for the proposed location.

On a motion by Mr. Moore, seconded by Mr. Howard and carried by a 6-0 vote (Rice abstained, Haynes & Cochran absent) the Planning Commission recommended approval of the request by Two Way Radio, Inc (Agent: Clayton Hodges) for a Special Use Permit (SUP) on approximately 0.52 acres in a General Business (GB) zoning district to allow a contractor service establishment with the following conditions:

1. This special use permit authorizes a contractor's service establishment in a general business zoning district at 310 Ferguson Drive.
2. Parking spaces shall be repainted prior to commencement of business as authorized by this special use permit at 310 Ferguson Drive.
3. The parking configuration shall be as follows, five (5) spaces perpendicular to entrance facing north side of property, two (2) parallel spaces along the southern side of property, one (1) handicapped space with loading zone in front of building, and two (2) spaces interior of building, for a total of nine (9) standard spaces and one (1) handicapped space per site plan submitted by applicant on January 5, 2009.
4. On-street parking on Ferguson Drive shall not be permitted. No more than ten (10) vehicles shall be parked on site.
5. Per VDOT letter dated January 6, 2009 the property owner shall remove the freestanding sign at the entrance along with two (2) trees and two (2) shrubs. The trees and shrubs shall be replanted in a more suitable location on the site. The removal/relocation shall be completed prior to commencement of business as authorized by this special use permit at 310 Ferguson Drive.

OLD BUSINESS:

None presented.

NEW BUSINESS:

Kensington Phase II Final Plat Approval

Mr. Sandy discussed the Kensington Phase II final plat that had been submitted for approval. Phase II consists of 24 lots. All conditions of preliminary approval have been satisfied with the exception of review and approval of the Homeowners Association documents by the County Attorney. The property is in negotiations for a boundary adjustment with the Town of Christiansburg. If the commission desires the plat can be approved with the condition the County Attorney approves the documents prior to the final plat being submitted to the Board of Supervisors.

Mr. Wells stated that a resident had submitted pictures outlining issues with the development at the last Board meeting. Have any outstanding issues been resolved?

Mr. Sandy stated the issues had been corrected and the developer is in compliance with all proffered conditions.

On a motion by Mr. Lau, seconded by Mr. Rice and carried by a 6-1 (Wells opposed, Haynes & Cochran absent) the Planning Commission approved the Kensington Phase II Final Plat pending approval of Homeowners Association documents by the County Attorney.

2009 Work Program- Steven Sandy

Mr. Sandy reviewed the proposed work program and upcoming projects.

FY 2010 Planning & GIS Services Budget Discussion

Mr. Sandy reviewed the proposed budget for the upcoming year. No increases are proposed and there is a potential for cuts in professional services, part-time salaries, and training. Revenues are up this year

due to the number of new cell tower applications. Fee increases are being considered to help make up lost revenues throughout the county.

2008 Annual Report

Mr. Sandy discussed the 2008 Annual Report. It will be presented to the Board at the next meeting.

WORKSESSION:

On a motion by Mr. Seitz, seconded by Mr. Wells and unanimously carried the Planning Commission entered into worksession.

Discussion of zoning ordinance amendments

Ms. Jenkins stated that there was a recent court ruling in Nelson County that stated that the County was not authorized to require applicants to post their property when requesting a rezoning, special use permit, variance and/or appeal. It is acceptable for the County to post the property if desired. The County zoning ordinance currently requires applicant's post their property. This requires an amendment to the zoning ordinance either requiring the county to post the property or delete the requirement from the ordinance.

Mr. Miller requested the item to be placed on the next month's agenda.

Ms. Jenkins stated there was a conflict of terms in the Agriculture (A-1) district that needed to be corrected.

Mr. Sandy discussed issues with the Subdivision Ordinance and private street requirements. An amendment is needed to allow for and/or require VDOT review. Staff is currently researching other localities to determine how to address private access easements.

On a motion by Mr. Wells, seconded by Mr. Howard and unanimously carried the planning commission closed the worksession.

LIAISON REPORTS:

Board of Supervisors

Ms. Biggs stated the Board has been focused on the budget issues. A list has been developed for possible stimulus funds.

Agriculture & Forestal District

No Report.

Blacksburg Planning Commission

No Report.

Christiansburg Planning Commission

Mr. Rice stated that the Christiansburg Planning Commission and Council are still considering a boundary line adjustment for Harkrader Farms Subdivision. A rezoning request for a new residential

development along Route 114 is being considered; however, the adjoining subdivision is opposed to the rezoning because the new lots would be accessed through their subdivision.

Economic Development Committee

Mr. Moore reported that Ms. Anderson presented the proposed school budget at the last meeting.

Public Service Authority

Mr. Wells stated the PSA Board met and discussed use of reserve funds for Mid-County sewer project and committed funds for the Route 114 New River bridge casings. VDOT will design those casings.

Parks & Recreation

No Report.

Radford Planning Commission

No Report.

School Board- Bill Seitz

Mr. Lau stated the meeting was dominated by discussions regarding discipline and economic problems.

Transportation Safety Committee- Malvin Wells

No Report

Planning Director's Report

Mr. Sandy stated that Jamie MacLean completed the Planning Commissioners Certification Course. A training event will be held on April 30th at the NRVPC for area commissions.

Mr. Byrd stated that the training will incorporate a cluster development exercise. Gay & Neel has donated their time to assist with a plan for review.

There being no further business, the meeting was adjourned at 8:40 pm.



nTelos Request for Special Use Permit

Legend

- Corporate Line
- State Roads
- Interstate Highway
- Private Roads (Named)
- Planned Highway
- Railroad
- Hydrology
- Proposed Tower

Aerial Photography VGIN 2007

Montgomery County, Virginia
DISCLAIMER

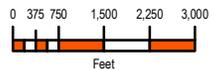
INFORMATION SHOWN ARE TO BE USED FOR REFERENCE PURPOSES ONLY. THE MONTGOMERY COUNTY BOARD OF SUPERVISORS NOR PLANNING AND GIS SERVICES ARE NOT RESPONSIBLE FOR ANY INACCURACIES HEREIN. NO RESPONSIBILITY IS ASSUMED FOR DAMAGES OR OTHER LIABILITIES.

THE INFORMATION SHOWN HEREON IS TO BE USED FOR REFERENCE PURPOSES ONLY AND IS NOT TO BE CONSTRUED OR USED AS A LEGAL OR OFFICIAL DETERMINATION OF OFFICIAL COUNTY, STATE, AND FEDERAL RECORDS. DATA IS BELIEVED TO BE ACCURATE, BUT IS NOT GUARANTEED.

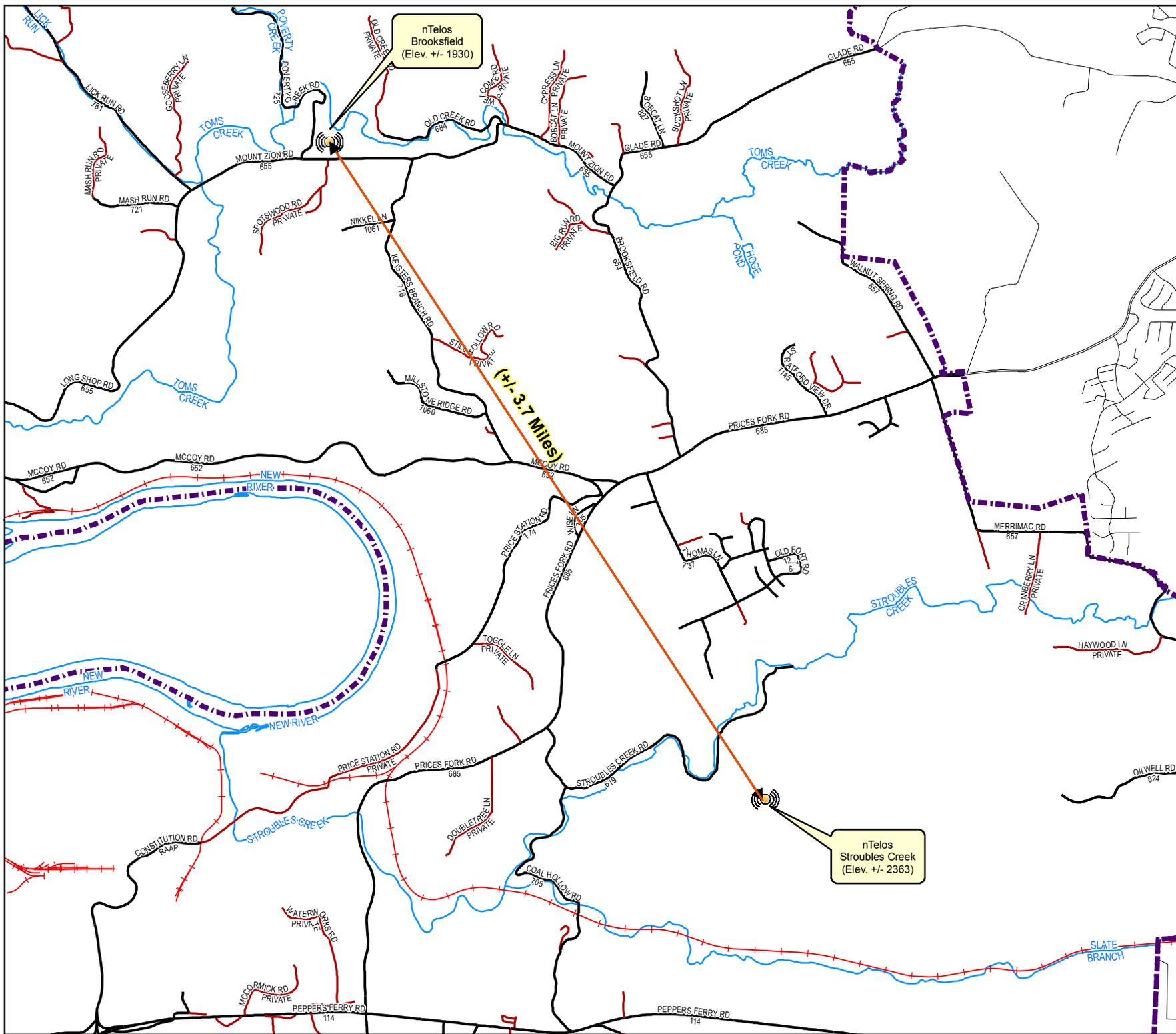
IN NO EVENT SHALL MONTGOMERY CO. BE LIABLE FOR ANY DAMAGES THAT MIGHT ARISE FROM THE USE OR ANY INFORMATION SHOWN.

EXACT LOCATION OF ANY FLOOD ZONE TO BE CERTIFIED BY LICENSED LAND SURVEYOR, ENGINEER, OR ARCHITECT.

CONTOURS SHOWN ARE FOR VISUAL REFERENCE. TO AVOID THE RISK OF MISINTERPRETATION, INVALID RESULTS, AND ERRONEOUS CONCLUSIONS. ORIGINAL LIDAR GENERATED CONTOUR DATA SHOULD BE USED FOR LAND DEVELOPMENT, SURVEY AND ENGINEERING PURPOSES.



Prepared by Montgomery County, Va
Planning & GIS Services, 3/4/09



MEMORANDUM

TO: Planning Commission
FROM: Planning Staff
DATE: March 4, 2009
RE: **Staff Analysis (SU-2009-06482)**

A request by **Virginia Tech Foundation, Inc. (Agent: NTELOS)** for a Special Use Permit (SUP) on approximately 54.54 acres in an Agriculture (A1) zoning district to allow a 125' telecommunication tower. The project location is north of 2797 Stroubles Creek Road, and the property is identified as Tax Parcel No(s). 65-A-5 (Acct No. 021713), in the Prices Fork Magisterial District (District E). The property currently lies in an area designated as Resource Stewardship in the Comprehensive Plan.

I. **Nature of Request**

A request by **Virginia Tech Foundation, Inc. (Agent: NTELOS)** for a Special Use Permit (SUP) on approximately 54.54 acres in an Agriculture (A1) zoning district to allow a 120' telecommunication tower with a 5' lightening rod.

II. **Location**

The project location is north of 2797 Stroubles Creek Road, and the property is identified as Tax Parcel No(s). 65-A-5 (Acct No. 021713), in the Prices Fork Magisterial District (District E). The property currently lies in an area designated as Resource Stewardship in the Comprehensive Plan. The proposed tower location and its immediately adjoining parcels are zoned Agriculture (A1). The parcel size of the five (5) immediately surrounding parcels yields an average size of 245.28 acres.

III. **Impacts**

The impacts associated with this request, for a 120' telecommunications tower with 5' lightening rod, will be discussed below. The tower and associated ground equipment will be contained within a 10,000 square foot (100' x 100') lease area located in the Prices Fork Magisterial District. NTELOS proposes to initially fence a 40' x 50' (2,000 square foot) portion of the lease area with a six (6) foot high chain fence. The proposed 120' monopole tower will permit NTELOS, Montgomery County Emergency Services, and possibly one (1) other wireless telecommunications carrier to co-locate on the structure.

Traffic for the site is expected to be limited to one trip per month, except in the case of an emergency, after construction of the tower is completed. There is an existing access road to the proposed facility, off of Route 619 (Stroubles Creek Road). NTELOS plans to utilize the existing road for access to the facility. NTELOS has contacted VDOT and provided them a copy of the concept plan showing the proposed tower location. This access road is shared by the Public Service Authority (PSA) and a radio station which are located on the site.

Noise should not be a factor with this request. There will be no lighting mounted on the pole unless required by FAA. The tower will be painted in a matte finish of the color brown, umbra, selected to blend with the color of the surrounding landscape.

The proposed tower will be located in the center of dense tree coverage, and the site is approximately 54.54 acres. The trees on the subject property in the vicinity of the proposed tower location were measured, by a Virginia Tech Foundation employee, and found to be between 60'-70' in height. Therefore, the tower will be approximately 55'-65' taller than the trees currently on the property.

IV. Comprehensive Plan

The specific location of the proposed tower is in the southern portion of an a wooded ridgeline land parcel owned by Virginia Tech Foundation and is in an area designated as Resource Stewardship in the Comprehensive Plan.

In 2001, Montgomery County, along with neighboring jurisdictions, adopted the Regional Approach to Telecommunications Towers. In October 2004, Montgomery County adopted a more detailed approach which applied the 2001 hierarchical framework to the new future land use categories as specified in **UTL 2.2.2 Uniform Approach to Siting of New Towers**.

Based on a preliminary review of the proposal and of the proposed location, the tower would be located in an area that can be characterized as "ridgeline" (Location H) under the established guidelines. In close proximity to the site are two potential co-location options, a radio tower and a water tank. NTELOS is proposing a 125 ft. monopole with flush mounted antennas. While the tower will be visible from Prices Fork Road and the Village of Prices Fork, the proposed muted color and siting amongst mature vegetation should minimize potential impacts on the majority of the surrounding area.

Resource Stewardship Areas are described in the comprehensive plan as areas of the County that have high resource value based on soil types, or that are environmentally sensitive due to topography or unique land characteristics. These areas include national forest land, state lands, private preserves, undeveloped prime agricultural soils and soils of local importance, agricultural and forestall districts, land that is subject to private conservation easements and conservation zoning and areas of predominantly 25% slope or greater. This planning policy area is the least densely developed of all of the planning areas and includes many largely undeveloped areas of the County.

While ridgeline - resource stewardship areas are among the least desired sites as designated within the Comprehensive Plan for siting new towers, the applicant has demonstrated a significant effort to collocate and limit impacts as much as possible as specified in UTL 2.2.1.

V. Analysis

According to Montgomery County Code section 10-21(4)(i)(pp) a "telecommunications tower, freestanding may be permitted by the Board of Supervisors as a special use, subject to the requirements of chapter 10-21 and all other applicable regulations".

The intended goal for the proposed tower is to improve service for citizens traveling along the Price's Fork and Strouble's Creek Roads in Montgomery County. This request presents a need to balance the aesthetic desires of citizens with the need for adequate cellular telephone coverage in Montgomery County.

If the need for a new tower in this area is determined, the Planning Commission and Board of Supervisors must try to mitigate negative impacts for the newly constructed tower to comply with the County's policy on communications towers. There are several ways in which to mitigate the visual impacts of the structure.

The ordinance currently requires the structure be non-reflective or painted with a neutral paint to be less visible. The antennae can be mounted inside the pole or "flush mounted" on the pole. Conditions must be placed on the Special Use Permit (SUP) to ensure the least visual impact is achieved. NTELOS proposes to construct a monopole tower and paint both the tower and the flush mounted antennas a matte color of brown, umbra, to decrease the visibility of the structure.

The Commission should consider the height of the structure because the height will also affect visibility. A view shed analysis of the proposed tower location will be performed using the County's LIDAR data and digital imagery. Preliminary view shed analysis suggests the proposed tower would be visible from most of Price's Fork Village. This information will be shown electronically at both public hearings. The Emergency Services Coordinator has reviewed the Special Use Permit application and requested that space be made available for police, fire and rescue services equipment if needed.

Another Special Use Permit (SUP) was approved on the property in September of 1994 to allow a radio station transmission tower located on the western end of Price Mountain. Three (3) conditions were placed on the approval of the radio transmission by the Board of Supervisors on September 12, 1994; the corresponding resolution has been attached to this report.

The radio tower on the property is currently serving WBRW and WUVT radio stations. The tower was designed and manufactured in 1995. A structural analysis was completed on the tower to determine whether it had the capacity to support NTELOS' equipment, and submitted to Montgomery County Planning and GIS. The structural analysis determined that the current tower *does* meet the requirements of the ANSI/TA.EIA Standard 222-F, Structural Standards for Steel Antenna Towers and Antenna Supporting Structures.

However, under the proposed loading which would include the NTELOS telecommunication equipment the current tower *does not* meet the requirements of the ANSI/TA.EIA Standard 222-F, Structural Standards for Steel Antenna Towers and Antenna Supporting Structures. If the current tower were modified it would need to be 20' taller in height by adding a section to the tower top, for a revised total height of 140'. According to the applicant, they did offer to make the necessary changes or replace the tower and co-locate with WBRW and WUVT; however a contractual obligation on the part of the carriers on the existing tower prevented this possibility.

A Public Service Authority (PSA) water tower also exists on the site. The applicant has stated that collocation possibilities were explored on this tower as well. NTELOS Radio Frequency Engineers determined that the PSA water tank was at too low an elevation to accommodate the coverage objectives. When contacted about the proposal the PSA replied that, they have "no objection to the proposed tower provided that it does not infringe upon our water tank lease lot, Water/Ingress/Egress easement and water line easement. cursory review of the application and PSA easement documents indicates that there should not be a conflict between the tower and water tank" (email 3.2.09). Based on the information submitted, it appears there are no other viable alternatives for co-location in this area to provide the needed coverage levels for the area.

VI. Staff Recommendations

Planning staff preliminarily recommends approval of this request as submitted by the Virginia Tech Foundation (Agent: NTELOS). Planning staff has drafted conditions consistent with previous telecommunication site approvals in an attempt to balance the need for wireless service in the area with the policies of the Comprehensive Plan and view sheds in the area.

1. Tower shall not exceed a total overall height of 125 feet inclusive of the proposed lightening rod with a ground elevation of 2363 ft. Tower shall not have lighting unless required by the FAA. Tower shall have a base diameter not to exceed 30 inches and a top diameter of 22 inches.
2. Site development shall be in substantial conformance with the plans entitled, "NTelos Proposed 120' Monopole Tower", prepared by Terradon, dated January 6, 2009 and received by Montgomery County on January 29, 2009.
3. The existing access road shall be used to access the proposed facility, off of Route 619 (Stroubles Creek Road).
4. Tower shall be of a "monopole stealth design" and all antennae shall be flush mounted (distance between face of pole and outer face of antennas not to exceed 12 inches) on the structure. Tower shall be painted brown (Umbra) matte finish. All wiring and cables shall be located inside the pole structure.
5. Engineering plans signed and sealed by a licensed engineer in the State of Virginia shall be submitted to and approved by the Building Official prior to issuance of a building permit.
6. No platforms or dishes shall be permitted on the structure above the tree line.
7. Tower shall meet all regulations found in Section 10-48(6) of the Montgomery County Zoning Ordinance.
8. Backup generator, if applicable, shall not be fueled by any liquid fuel source.
9. Owner/agent shall provide police, fire and rescue services antennae space on the proposed tower for the agreed upon rental rate of \$1 per year subject to the structural capacity of the tower and provided that emergency service antennae do not provide radio frequency interference to other antennae located upon the tower. Emergency service providers shall provide equipment. Tower owner/agent shall install the antennae at market rate. The second highest space on the pole shall be made available to the County. In the event that Montgomery County has not used this space and another cellular carrier wishes to co-locate on the same tower, the tower owner shall give the Montgomery County Administrator fourteen (14) days notice by Certified Mail of their intent to occupy this location.

Enclosures: Current Zoning and Aerial Map(s)
Application materials with issues for consideration
Concept Plan
Site Photos
Board of Supervisors Resolution 9.14.1994

**Montgomery County
Special Use Permit Application**

**To Construct a New 120 Foot Wireless Telecommunications Monopole
(With a Five (5) Foot Lightning Rod)
With Associated Ground Equipment Cabinets**

**RN514 Stroubles Creek
Virginia Tech Foundation, Inc. Property**

**Applicant:
Virginia PCS Alliance, L. C., d/b/a**



**1150 Shenandoah Village Drive
Waynesboro, Virginia 22980**

TABLE OF CONTENTS

Cover Letter

Application

Special Use Permit Justification

Affidavit from Site Acquisition Agent & Alternative Sites Considered

Adjacent Property Owners List

Propagation/Coverage Maps

FAA Determination

Photo Simulations and Vicinity Map

Topography Map

VDOT Approval Letter

Concept Plan

NTELOS

Debbie Balsler, Site Acquisition Manager
1150 Shenandoah Village Drive
Waynesboro, Virginia 22980
Phone: (540) 946-1851
Email: balserd@ntelos.com



February 2, 2009

Ms. Dari Jenkins
Zoning Administrator
Montgomery County Department of Planning & GIS Services
755 Roanoke Street, Suite 2A
Christiansburg, VA 24073-3177

RE: Virginia PCS Alliance, L.C., d/b/a NTELOS – Application for Special Use Permit
Virginia Tech Foundation, Inc. Property
Parcel ID: 021713
Tax Map ID: 65-A-5
Stroubles Creek Road
Prices Fork Magisterial District

Dear Dari:

Enclosed is the application for Special Use Permit and Justification, with supporting information, filed by Virginia PCS Alliance, L.C., d/b/a NTELOS for the above mentioned site.

NTELOS proposes to construct and operate a wireless telecommunications facility on a portion of the property that is zoned A-1 Agricultural which is currently vacant and wooded. The wireless telecommunications facility will consist of a one-hundred twenty (120) foot monopole, with a five (5) foot lightning rod, and associated ground equipment cabinets. The proposed monopole will be painted brown and will have flush mounted antennas, also painted brown, and will not (a) have a demand on public services or utilities, (b) change the character of the zoning district, or (c) adversely affect adjacent properties.

The proposed facility is located on property that falls in a Resource Stewardship land use planning area on the County's Future Policy map. UTL 2.2.2 provides for a uniform approach to siting new telecommunications facilities, and establishes in priority order preferred areas when considering their siting (A-L). This property falls under Category E "Non-ridge, wooded lands" (Rural/Resource Stewardship) which is one the more preferred areas.

NTELOS has combed this part of Montgomery County looking for structures on which to collocate its antennas and has found that none exist, or are not available for access or other reasons. Whenever possible, NTELOS has collocated with other wireless telecommunication carriers on all structures available for collocation that connect with this coverage area. Even so, other carriers are able to provide continuous, uninterrupted coverage to their customers while NTELOS has a significant gap in service in this part of Montgomery County.

Dari Jenkins
February 2, 2009
Page 2

Accordingly, we believe that this application not only satisfies all of the requirements of the County's applicable zoning ordinances, but also is consistent with the intent and substance of its Comprehensive Plan. We therefore ask that you evaluate the application in this light, that the Planning Commission recommend approval to the Board of Supervisors, and that the Board of Supervisors grant a Special Use Permit for the proposed 120 foot monopole, with five (5) foot lightning rod, which will permit NTELOS to complete its service in this significant part of Montgomery County.

Sincerely,



Debbie Balsler

Site Acquisition Manager, VA West

Cc: G. Michael Pace, Gentry Locke Rakes & Moore
Master Lease File

Montgomery County, Virginia: Application to Planning Commission and Board of Supervisors

Application for: (check appropriate boxes)

<input type="checkbox"/> Rezoning	<input type="checkbox"/> Rezoning & Special Use Permit
<input checked="" type="checkbox"/> Special Use Permit	<input type="checkbox"/> Comprehensive Plan Amendment

Applicant Information:

Owner: <u>Virginia Tech Foundation, Inc.</u>	Agent: <u>Debbie Balsler, NTELOS</u>
Address: <u>Attn: Real Estate Management</u>	Address: <u>1150 Shenandoah Village Dr.</u>
<u>902 Prices Fork Rd., Suite 2400</u>	<u>Waynesboro, VA 22980</u>
<u>Blacksburg, VA 24060</u>	Telephone 3: <u>540-946-1851</u>
Telephone 1: <u>Kevin Sullivan</u>	Telephone 4: _____
Telephone 2: <u>540-231-2875</u>	Email: <u>balserd@ntelos.com</u>
Email: _____	

Location of Property: _____

Legal Record of Property: Total Area: 50.54 Acres Magisterial District: Prices Fork
 Account I.D. 021713 Tax Parcel Number(s): 65-A-5

Rezoning Details: Current Zoning District: _____ Requested New Zoning District: _____
 Desired Use(s): _____

Special Use Permit: Current Zoning District: A1 Total Area: 100' x 100' Acres
 Desired Use(s): Construct a 120' monopole, 5' lightning rod & associated ground equipment for wireless telecommunications facility. (10,000 S.F.)

Comprehensive Plan Amendment (Description): _____

I certify that the information supplied on this application and on the attachments provided (maps and other information provided) is accurate and true to the best of my knowledge. In addition, I hereby grant permission to the agents and employees of Montgomery County and State of Virginia to enter the above property for the purposes of processing and reviewing the above application.

<u>Virginia Tech Foundation, Inc.</u>	<u>10/13/08</u>	<u>Debbie Balsler</u>	<u>2/2/09</u>
Owner's Signature	Date	Agent's Signature	Date

FOR OFFICE USE ONLY

Date Received: _____ Fee Paid: _____ Reviewed by: _____

COMPLETE request. Schedule for _____ Planning Commission Meeting.

INCOMPLETE request. Applicant has until _____ to re-submit application to be considered for _____ meeting.

VIRGINIA PCS ALLIANCE, L.C., d/b/a NTELOS
SPECIAL USE PERMIT JUSTIFICATION
VIRGINIA TECH FOUNDATION, INC. PROPERTY
Parcel ID: 021713
Tax Map ID: 65-A-5
NTELOS Site ID: RN514 Stroubles Creek

In accordance with the provisions of Section 10-21(4)(i)(oo) of the Montgomery County Zoning Ordinance, Virginia PCS Alliance, L.C., d/b/a "NTELOS" submits this Application for Special Use Permit for a 120 foot monopole, with a five (5) foot lightning rod, telecommunications tower, the justification for which is as follows:

Background and Current Zoning:

NTELOS is requesting a special use permit in order to construct a new freestanding 120 foot telecommunications steel monopole, with a five (5) foot lightning rod, with flush mounted antennas and associated ground equipment cabinets contained within a 10,000 square foot (100' x 100') leased area on land located in the Prices Fork Magisterial District of Montgomery County, as shown on the attached concept plan. The bottom diameter of the proposed monopole will not exceed thirty (30) inches and the top diameter of the proposed monopole will not exceed twenty-two (22) inches.

The property is zoned A-1 Agricultural District, which allows telecommunications towers (attached) by right, and telecommunications towers (freestanding) by special use permit (Section 10-21).

At 120', the monopole will permit NTELOS, Montgomery County Emergency Services and possibly one (1) other wireless telecommunications carriers to collocate their antennas on the structure. NTELOS proposes to paint the monopole and flush mounted antennas Umbra in order to decrease the visibility of the monopole and antennas. NTELOS proposes to initially fence a 40' x 50' (2,000 square feet) portion of the leased area with a six (6) foot high chain fence. There is an existing access road off of Route 619 (Stroubles Creek Road). NTELOS plans to utilize the existing access road for access to the proposed facility. NTELOS has made contact with VDOT regarding the proposed entrance and sent them the concept plan showing the proposed location of the entrance. VDOT indicated that they would be doing a site visit and contact us regarding what will be required for the proposed entrance. The wireless telecommunications facility will be unmanned, requiring approximately one vehicular trip per month, except in the event of an emergency.

This request complies with all applicable regulations concerning telecommunications towers found in Section 10-48(6)(a-f) of the Montgomery County Zoning Ordinance and Comprehensive Plan. The proposed use is not part of a subdivision request, will not change the character of the zoning district, will not increase demand on public roads, services or facilities, and will have no adverse impact on surrounding properties.

Alternate Sites Considered:

NTELOS has made an exhaustive search of this area of the County, as evidenced by the attached affidavit and information provided by the contract employee of NTELOS who was assigned to work this search area. The site under consideration is the only location that will meet the desired coverage objectives. The attached affidavit, map and list of alternate sites considered show the other properties that were considered and/or evaluated, none of which meet NTELOS' coverage objectives based on drive test data or propagation studies, or were not available for use by NTELOS for other reasons. The existing tower on this property is not structurally capable of accommodating NTELOS' proposed loading.

Additional Special Use Permit Requirements under Section 10-54(3)(g)(1)-(35):

1. The request is consistent with the County's Comprehensive Plan because:
 - The County's Comprehensive Plan contains guidelines to be used in setting land use policy. One of the primary goals of the Comprehensive Plan is to provide for the orderly extension of telecommunication service (including wireless) in a manner that supports growth and development without negatively impacting the natural environment (Sec. UTL 2.0). To do so, the County has adopted a regional approach to siting new telecommunications structures, and encourages the uses of monopole and/or "stealth" design in new construction (Sec. UTL 2.2.2).
 - NTELOS has maximized the use of all existing collocation opportunities in Montgomery County. As a result, NTELOS proposes to build a new monopole painted Umbra, with flush mounted antennas to camouflage and minimize its visibility. The proposed use will not require public or private water or sewer facilities, and will otherwise have no adverse impact on the nature or character of the zoning district.
 - Section UTL 2.2.2 also provides that newly constructed towers should be built in locations which provide the least negative impact to the citizens in the County and neighboring jurisdictions. The proposed site is designated on the Comprehensive Plan as Rural/Resource Stewardship area.
 - Section PLU 1.2.1(f) provides that the County may permit new non-agriculturally related institutional uses by special use permit provided the use is compatible in scale and intensity with agricultural and rural residential uses, poses no threat to public health, safety and welfare, and if the use helps preserve farmland, open space or historic, scenic or natural resources.
 - Wireless telecommunications service is institutional in nature, similar to other services provided to the citizens. It is not an intensive use, is compatible in scale with this agricultural and rural residential part of the County. The proposed use poses no meaningful threat of any type to

public health, safety or welfare. In fact, it promotes and is supportive of agriculture, forest and outdoor recreational uses by providing a reliable means of communications for outdoor enthusiasts, travelers and anyone living and working in the area by providing them with a safety net for direct access to help in the event of an accident or emergency. Wireless telecommunications facilities are quiet, peaceable and very helpful neighbors and they provide a significant (and often overlooked) public safety benefit to residents, tourists and sportsmen.

2. NTELOS will adequately provide for safety from fire hazards and have effective measures of fire control.
3. The only noise that will be generated from the site will be from air coolers within the ground equipment cabinets, which will be almost non-detectible from any adjacent properties.
4. There will be no glare or light generated from the proposed use in relation to uses in the immediate area. The only light will be over the ground equipment cabinets to allow a site technician to see inside the cabinets if there is a maintenance problem at night.
5. The monopole will not be lit and the only signs located at the proposed site will be those required by the Federal Communications Commission.
6. The proposed use will be compatible with other existing uses on adjacent lands. Surrounding properties are zoned A-1 (Agricultural District), which allows telecommunications facilities by special use permit. The monopole is of a limited height and is a completely passive use that will not adverse impact on the surrounding land.
7. See attached concept plan.
8. NTELOS is proposing to flush mount the antennas and paint the monopole and antennas Umbra. No additional screening or landscaping is planned unless required by the County.
9. If approved, the proposed monopole will be constructed and operational before the end of 2009.
10. NTELOS requested a Phase I Environmental Site Assessment from Froehling & Robertson on September 5, 2008, to study the potential impact the proposed use may have on environmental, archaeological or historic features of significant importance. This report will be submitted to the County, if required, upon its completion. The estimated completion date is mid-February 2009.
11. The proposed special use will contribute to and promote the welfare and convenience of the public by improving in-building coverage to the County residents in the coverage area and by providing continuous, uninterrupted wireless telecommunications to County residents and

others traveling in and around the Prices Fork and Stroubles Creek Roads in this part of the County. The proposed use will also provide an enhancement for the County's E-911 services.

12. The proposed special use will require one vehicular trip per month by a site technician, unless there is an emergency or maintenance issue, for which the proposed access road is more than adequate.
13. There are no existing structures that will be converted for the proposed use. All new structures will meet all code requirements of Montgomery County.
14. The proposed special use will only require telephone and electrical services. It will require no other essential public facilities or services.
15. The proposed special use will not effect on ground water supply.
16. NTELOS will have geotechnical soil evaluations done prior to construction/installation of the proposed monopole. No adverse effect on the structural capacity of soils is expected.
17. The proposed use will have no impact on road development or transportation.
18. See answer to #10 above.
19. The expansion of NTELOS' network will have a positive and direct effect on employment and economic development opportunities in the County as a result of an expanded customer base and rising demand. Employers and their employees depend on reliable wireless coverage to reach their business objectives. In addition, the County will benefit from taxes on the sale of mobile phones and on rents from land leases for NTELOS' wireless facilities located in the County.
20. Future residential and business growth in the County will require and be dependent upon wireless telecommunications coverage, which is the purpose of the proposed use.
21. The proposed use will have no effect in enhancing affordable shelter opportunities for residents in the County.
22. Ground equipment cabinets will be outside but located within a fenced compound area as shown on the attached concept plan.
23. Because the proposed use is so limited, the only ground area that will be disturbed will be the area for the 2,000 square foot lease area to be fenced.
24. Flood plain information is shown under "Flood Note", on Page L-1 of the attached concept plan.

25. To our knowledge, there are no existing non-conforming uses or structures on the proposed site.
26. NTELOS proposes a future propane storage tank for this site. See Page C-2 of the attached concept plan.
27. The only accessory uses or structures related to this application will be ground equipment cabinets, future generator and future propane storage tank of NTELOS, and/or any equipment cabinets or shelters of any future collocators or Montgomery County.
28. The area of the proposed use is addressed on the attached concept plan.
29. The site will be unmanned, with approximately one vehicular trip per month by a site technician for preventive maintenance, except in the event of an emergency or unscheduled maintenance issue.
30. The location and screening of parking and other areas is shown on the concept plan.
31. To provide security, the site will be fenced by a six (6) foot high chain link fence with strands of barbed wire at the top. The gate to the fenced compound will be locked.
32. There will be no employees on site except for a site technician who will perform preventive maintenance from time to time.
33. No other off site infrastructure is required for the proposed use.
34. No odors will be generated by uses on site.
35. NTELOS will provide sufficient measures to mitigate the impact of construction traffic on the surrounding area.

For all of the foregoing reasons, NTELOS respectfully requests approval for and the issuance of a special use permit for the proposed 120' monopole, with a five (5) foot lightning rod, at this location.

Affidavit by Diana Kaye Holland for the proposed 120' monopole located at Stroubles Creek Road, Blacksburg, VA 24060

I do hereby swear that my name is Diana Kaye Holland and I am above the age of 21.

I have a Bachelor of Science from the University of Tennessee Knoxville in Finance with a minor in Economics.

For over ten years I have worked in the wireless industry to qualify properties and structures suitable for wireless broadcasting facilities. I have leased and zoned over 800 sites in Virginia, North Carolina, South Carolina, Tennessee, Georgia, Alabama, Iowa, Nebraska, New Mexico, Colorado, Arizona and California for multiple companies involved in the wireless industry.

Site qualification is a very involved process. A property owner must be willing to lease property. The property also must be eligible to meet all zoning criteria for the local jurisdiction. The property must meet all criteria set forth by the Federal Communications Commission (FCC) to comply with historical, environmental and species standards as dictated by the FCC. Finally the property must be viable from both a radio frequency and a construction standpoint.

NTELOS assigned me three search areas to locate a viable property for a wireless facility to cover a void that exists along Prices Fork Road between the Longshop and Walton areas of Montgomery County.

I first studied the zoning code for Montgomery County to see what was required to zone a wireless facility. I learned that wireless facilities may be approved with a Special Use Permit in certain zones. I also met with staff, Dari Jenkins and Steve Sandy, on several occasions to clarify the Special Use Permit process to zone a tower in Montgomery County and also to see if any towers were in the review process or had been approved and not yet built. No new towers had been proposed in this region of the county.

The search area is solely zoned A-1 which allows wireless facilities with a Special Use Permit if certain conditions are met. There were two structures in existence in the assigned search area (exhibit A, search area). One structure is owned by Cumulus Broadcasting LLC and the other is a county owned water tank. A structural analysis was done on the Cumulus Broadcasting tower to see if it could be modified to accommodate the proposed NTELOS antennas. The determination was that the tower could not be modified and extended. Existing contracts with the current tenants would prohibit building a stronger 120' tower to replace the existing Cumulus Broadcasting tower. Also due to contractual interference separation requirements a new tower at this location would have to be 140'. The county water tank was deemed to be at too low an elevation by the NTELOS' Radio Frequency Engineers to accommodate the coverage objective.

At the request of Steve Sandy three other existing structures were evaluated which were miles outside of the search area (exhibit B, alternate structures). All three structures were

rejected by the NTELOS' Radio Frequency Engineers as being too far outside the search area or too close to existing NTELOS sites.

I located 8 potential properties which would meet the zoning criteria for a wireless facility. I sent proposals to the landowners and visited each site for which I had an indication of interest by the landowner.

Historical concerns, conservation easements, proximity to high density residential areas, distance to the existing sites, elevation and viability of construction were considered in choosing the best property to pursue.

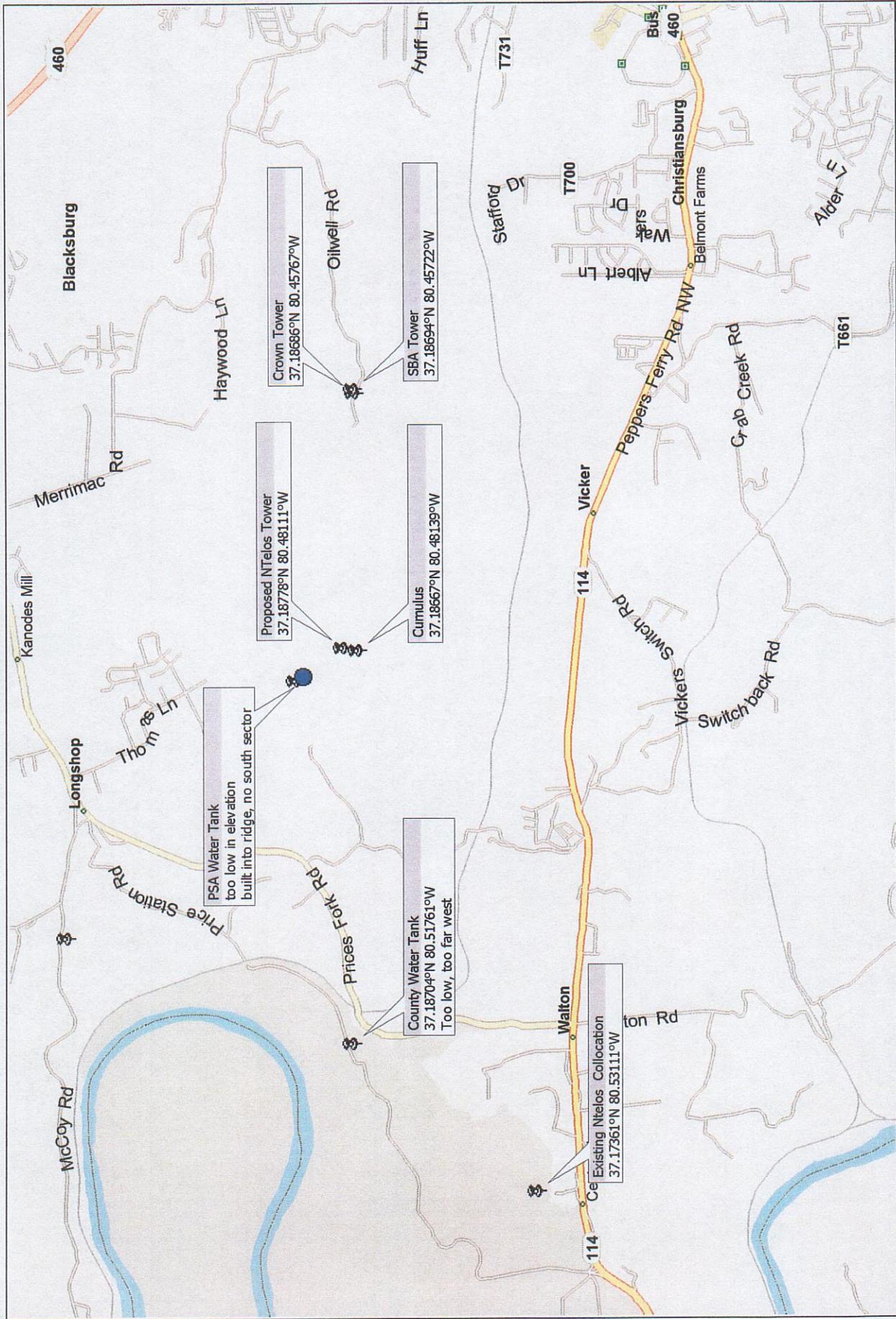
The property owned by the Virginia Tech Foundation was determined to be the best location to pursue. The property is a 50 acre tract with existing broadcasting and utility uses which abuts other A-1 zoned property, much of which is also owned by Virginia Tech. The proposed location is a good distance from any residential structure on adjacent parcels and is buffered on all sides by existing mature trees. A lease agreement has been entered into with the landowner for a 100' x 100' area which will meet the required 100' setback in the A-1 zone for a new wireless facility. Because of good elevation only a 120' wireless facility is needed at this location.

Exhibit A



Copyright © and (P) 1988-2007 Microsoft Corporation and/or its suppliers. All rights reserved. <http://www.microsoft.com/streets/>
Certain mapping and direction data © 2007 NAVTEQ. All rights reserved. The Data for areas of Canada includes information taken with permission from Canadian authorities, including © Her Majesty the Queen in Right of Canada, © Queen's Printer for Ontario, NAVTEQ and NAVTEQ ON BOARD are trademarks of NAVTEQ. © 2007 Tele Atlas North America, Inc. All rights reserved. Tele Atlas and Tele Atlas North America are trademarks of Tele Atlas, Inc.

Exhibit B



Copyright © and (P) 1988-2007 Microsoft Corporation and/or its suppliers. All rights reserved. <http://www.microsoft.com/streets/>
 Certain mapping and direction data © 2007 NAVTEQ. All rights reserved. The Data for areas of Canada includes information taken with permission from Canadian authorities, including: © Her Majesty the Queen in Right of Canada. © Queen's Printer for Ontario. NAVTEQ and NAVTEQ ON BOARD are trademarks of NAVTEQ. © 2007 Tele Atlas North America, Inc. All rights reserved. Tele Atlas and Tele Atlas North America are trademarks of Tele Atlas, Inc.

Alternative Sites Considered
For RN514 Stroubles Creek
Virginia Tech Foundation, Inc. Property
Tax Map ID: 65-A-5
Parcel ID: 021713

Tax Map ID: 64-5-9 Parcel ID: 022032
Martha J. Johnson

Comments: No response.

Tax Map ID: 64-5-8 Parcel ID: 022031
Raymond C. Sira

Comments: No response.

Tax Map ID: 64-A-11,12 Parcel ID: 013848
Coal Hollow Brothers, LLC

Comments: Ridgeline site and required bridge over creek.

Tax Map ID: 64-A-13 Parcel ID: 017064
Andrea Langston and Phillip D. Beever

Comments: No response.

Tax Map ID: 64-A-10 Parcel ID: 013849
Johnnie L. Alderman

Comments: No response.

Tax Map ID: 64-6-6 Parcel ID: 090689
Cappy Ray Gallimore

Comments: HOA covenants prohibit towers.

Tax Map ID: 64-6-5 Parcel ID: 022038
Gerald R. Klein & Vicki L. Klein

Comments: HOA covenants prohibit towers.

Tax Map ID: 65-A-5 Parcel ID: 021713
Virginia Tech Foundation, Inc.

Comments: Property under consideration.

RN514 STROUBLES CREEK – VIRGINIA TECH FOUNDATION, INC. PROPERTY

TAX MAP ID: 65-A-5

PARCEL ID: 021713

ADJACENT PROPERTY OWNER LIST

Tax Map ID: 65-A-86 Parcel ID: 120215
Anne Hayden Yates & Edmund A. Schwesinger, Jr.
4138 NW Cleek Place
Portland, OR 97229

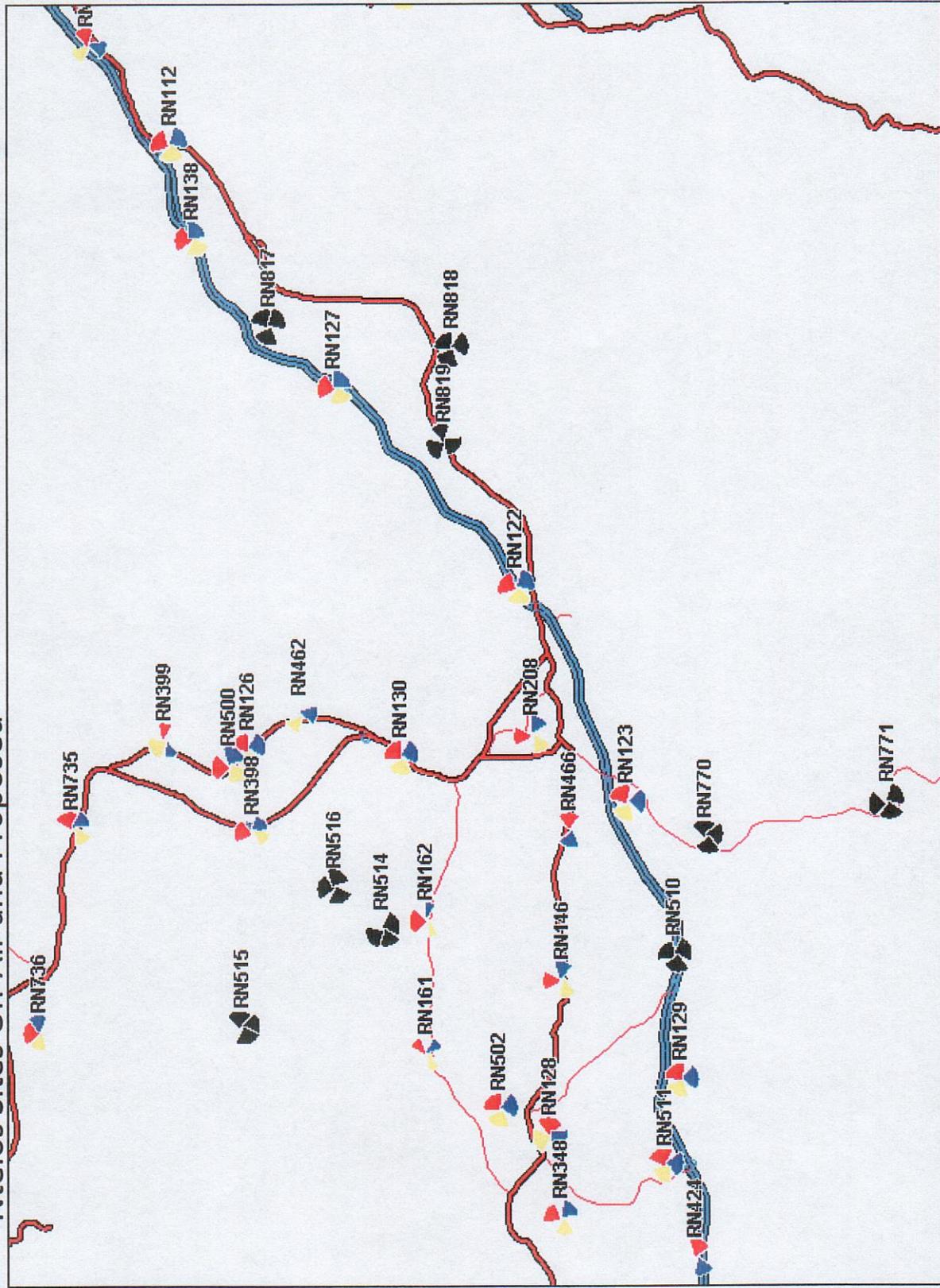
Tax Map ID: 65-A-82 Parcel ID: 031835
N. M. Orr
3009 Sheppard Drive
Blacksburg, VA 24060

Tax Map ID: 65-A-5A Parcel ID: 021712
Virginia Tech Foundation, Inc.
Attention: Real Estate Management
902 Prices Fork Road
Blacksburg, VA 24060

Tax Map ID: 65-A-9 Parcel ID: 070900
Virginia Polytechnic Institute
No address given

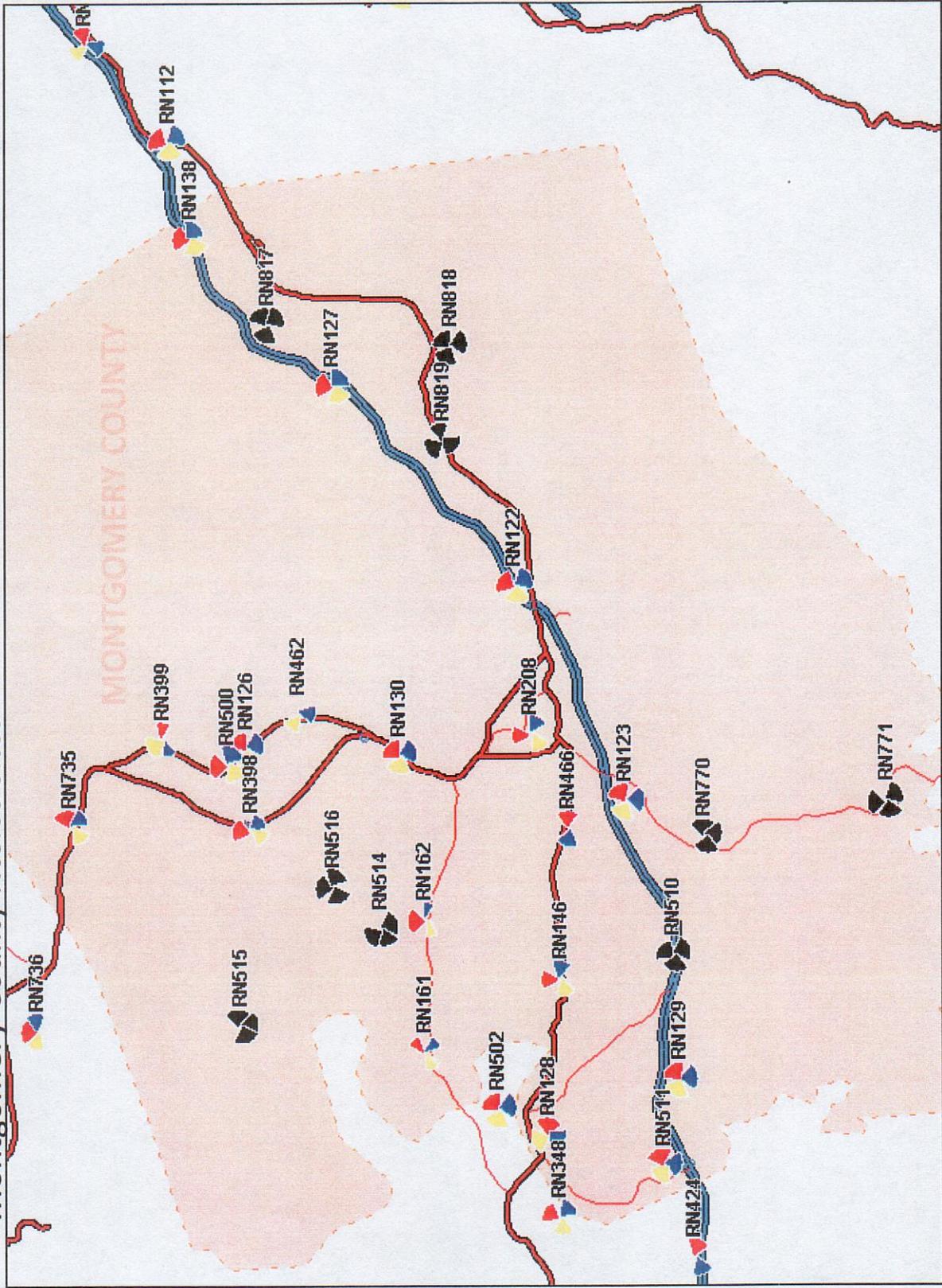
Ntelos Sites On-Air and Proposed

Proposed OnAir

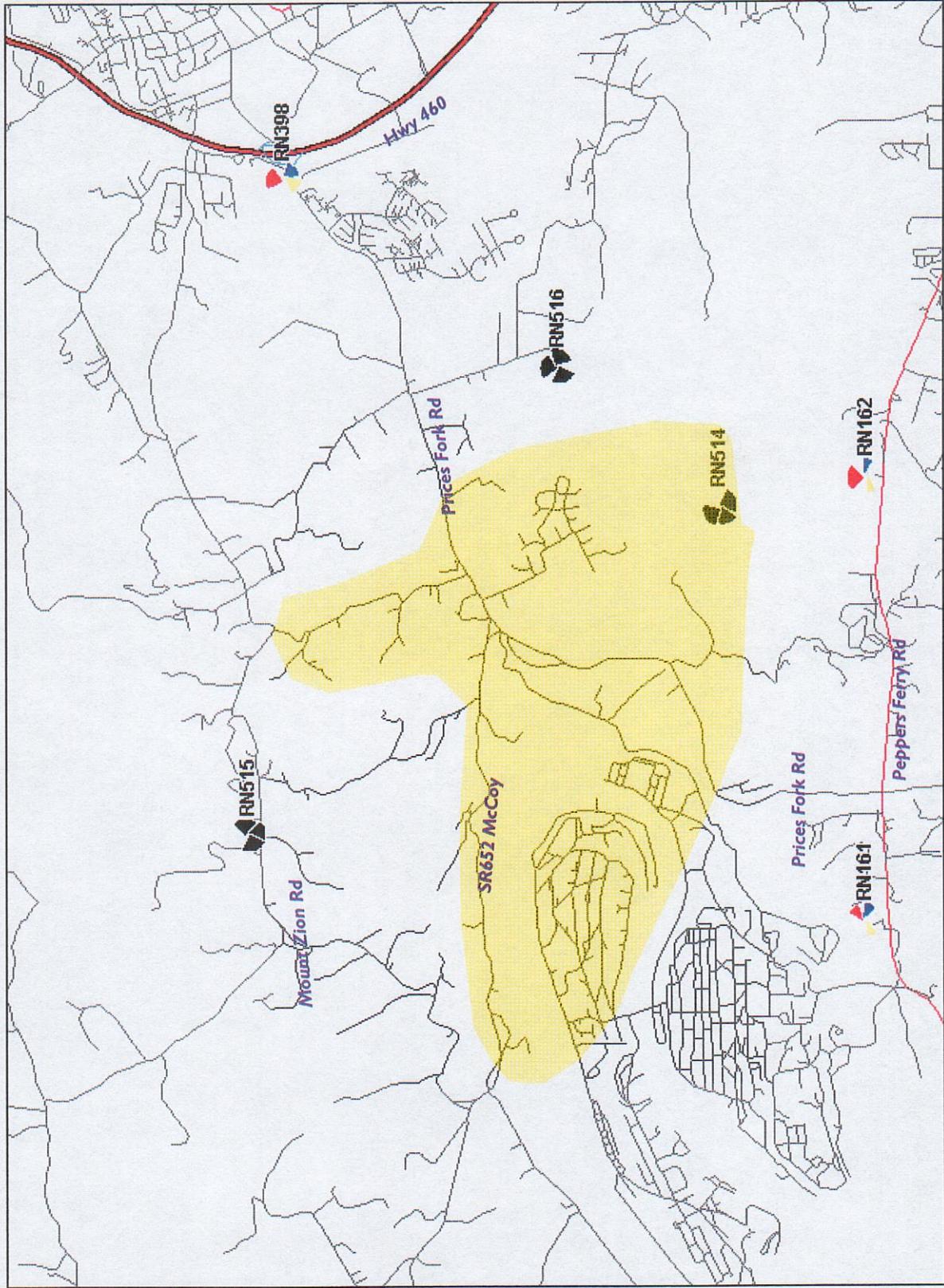


Montgomery County Ntelos Sites

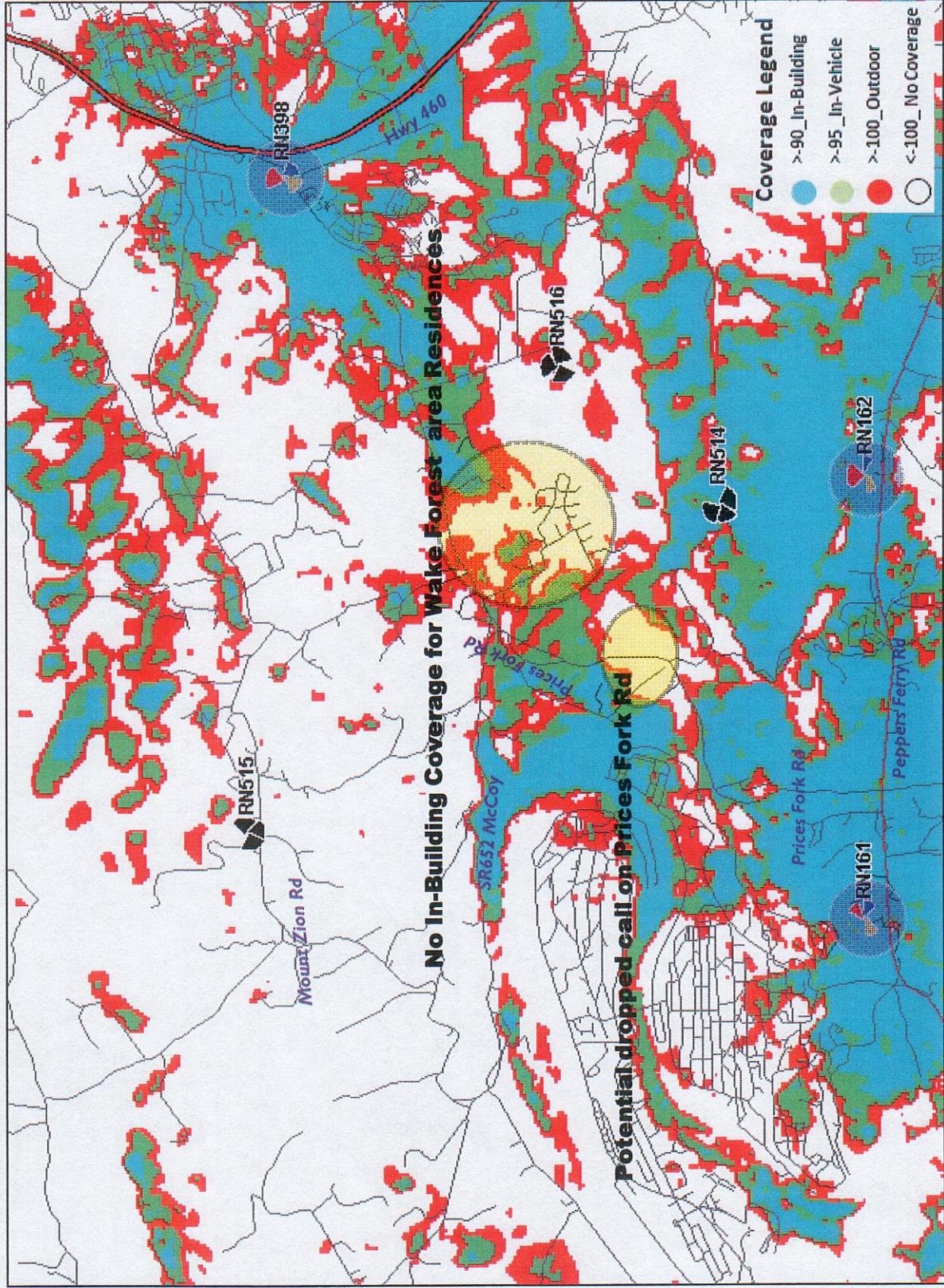
Proposed OnAir



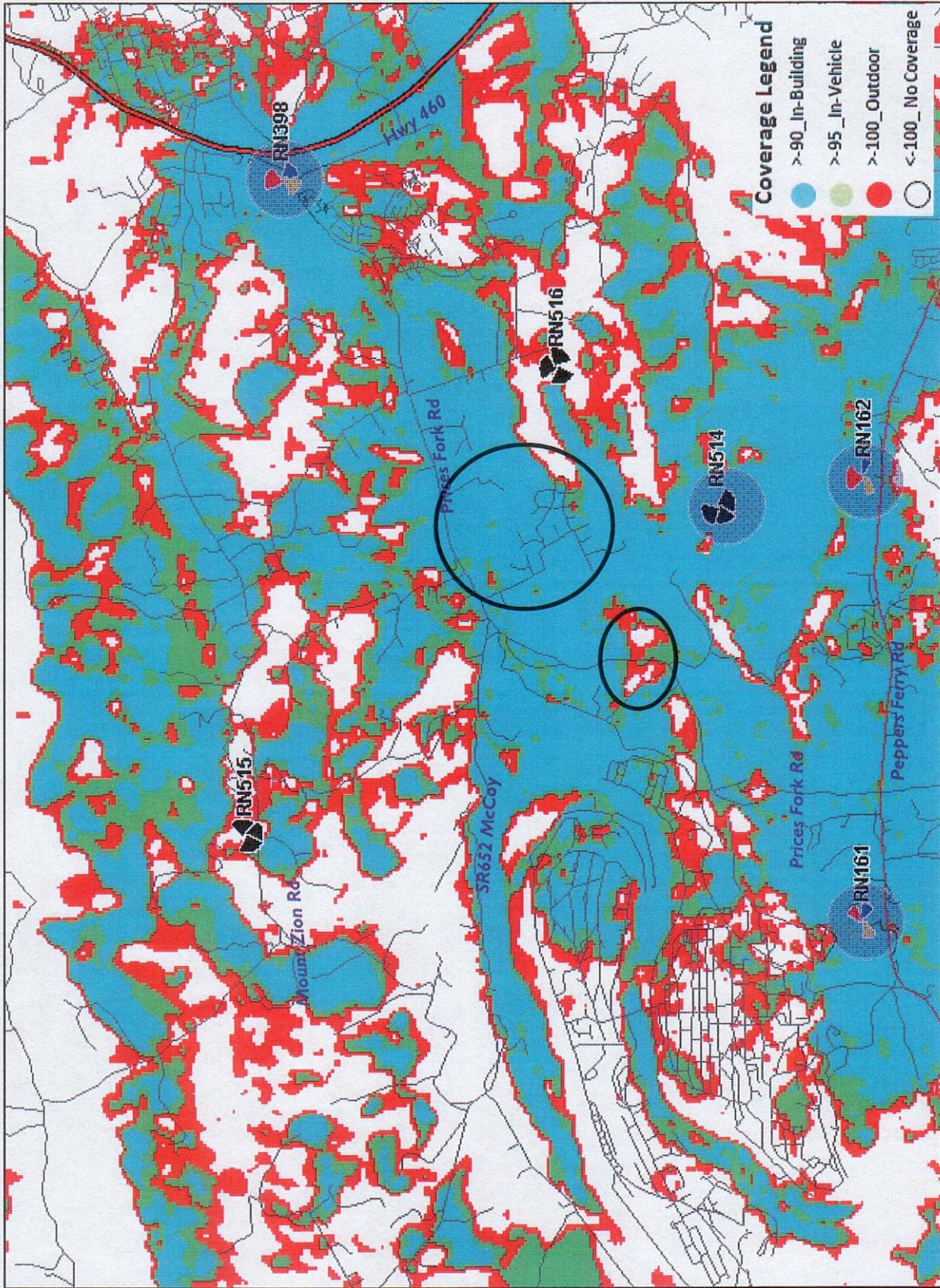
RN514 Coverage Objective



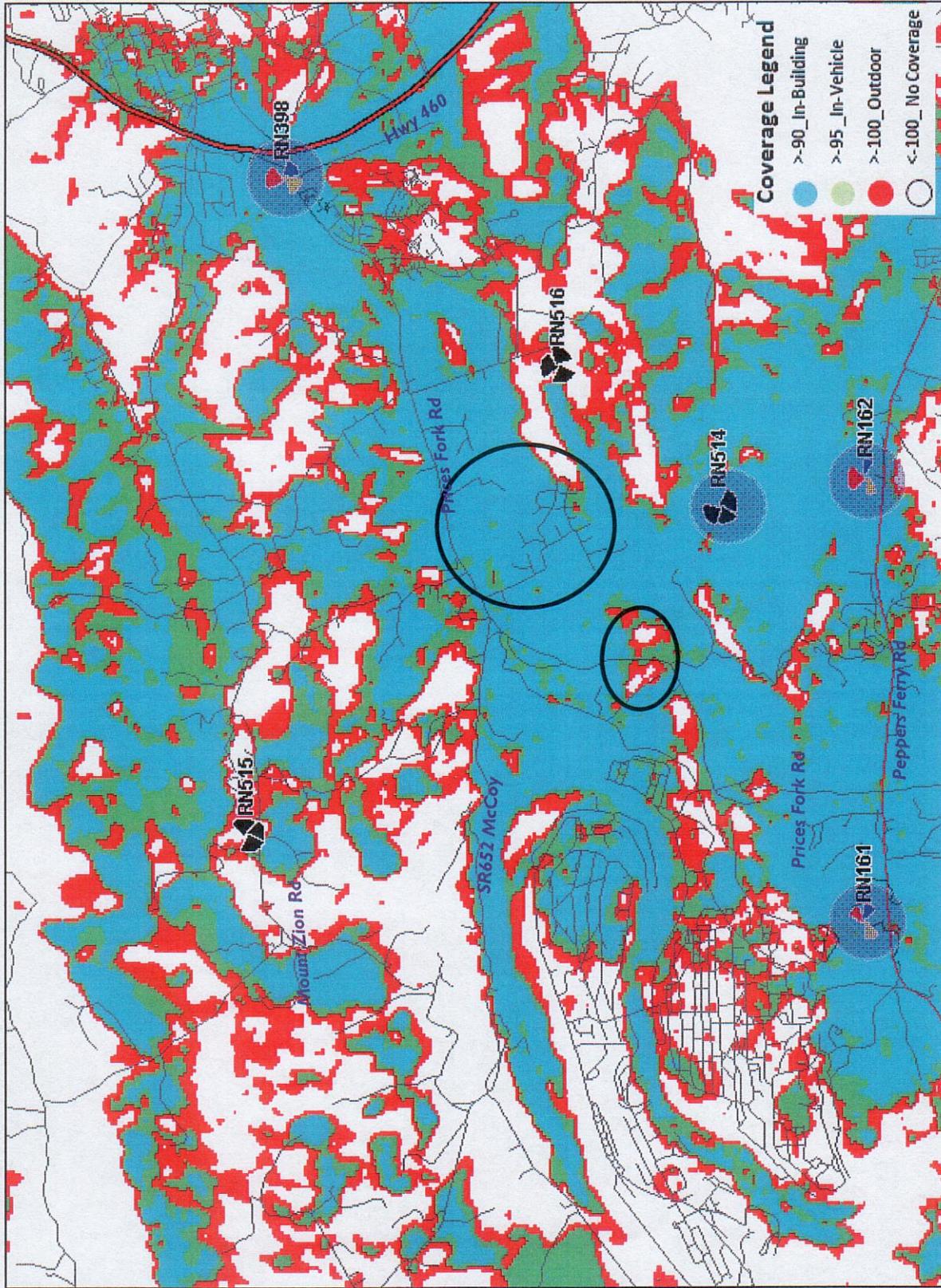
Current On Air



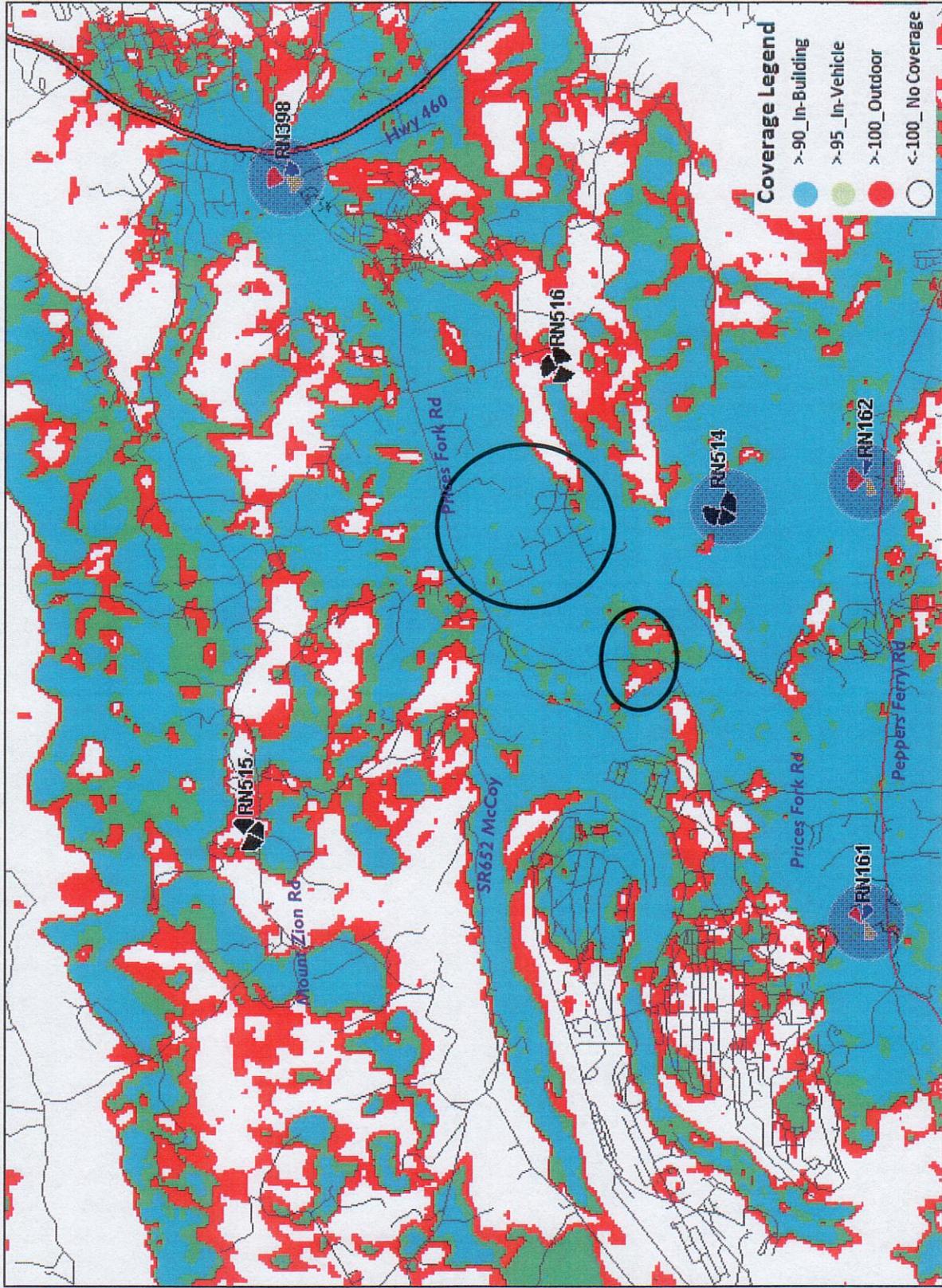
RN514 (80FT) + On Air



RN514 (100FT) + On Air



RN514 (120FT) + On Air





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

Aeronautical Study No.
2008-AEA-4541-OE

Issued Date: 11/12/2008

Kent Henderson
NTELOS (KH)
147 Daleville Center Drive
Daleville, VA 24083

**** 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 Stroubles Creek RN514
Location:	Blacksburg, VA
Latitude:	37-11-12.29N NAD 83
Longitude:	80-28-56.67W
Heights:	125 feet above ground level (AGL) 2488 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.

While the structure does not constitute a hazard to air navigation, it would be located within or near a military training area and/or route.

This determination expires on 05/12/2010 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE.

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 (817) 838-1994. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2008-AEA-4541-OE.

Signature Control No: 603093-103662210

(DNE)

Linda Steele
Technician

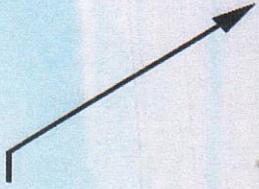
Attachment(s)
Frequency Data

Frequency Data for ASN 2008-AEA-4541-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

Photo 1

Proposed 120' Monopole
w/ Flush mount antennas.



Picture taken from the intersection of SR 685
(Prices Fork Road) and SR 657 (Merrimac road)
looking Southwest towards site.

Prepared By:

TERRADON
CORPORATION
Engineering Surveying Landscape Architecture
P.O. Box 519
Nitro, West Virginia 25143
(304) 755-8291 Fax 755-2636
www.terradon.com

Photo 2



PHOTO TAKEN FROM SR114 NEAR PINE VIEW CHURCH
LOOKING NORTHEAST TOWARD SITE

PREPARED BY:
TERRADON CORPORATION
Engineering Surveying Landscape Architecture
P.O. Box 519
Nitro, West Virginia 25143
(304) 755-8291 Fax 755-2636
www.terraddon.com

Photo 3



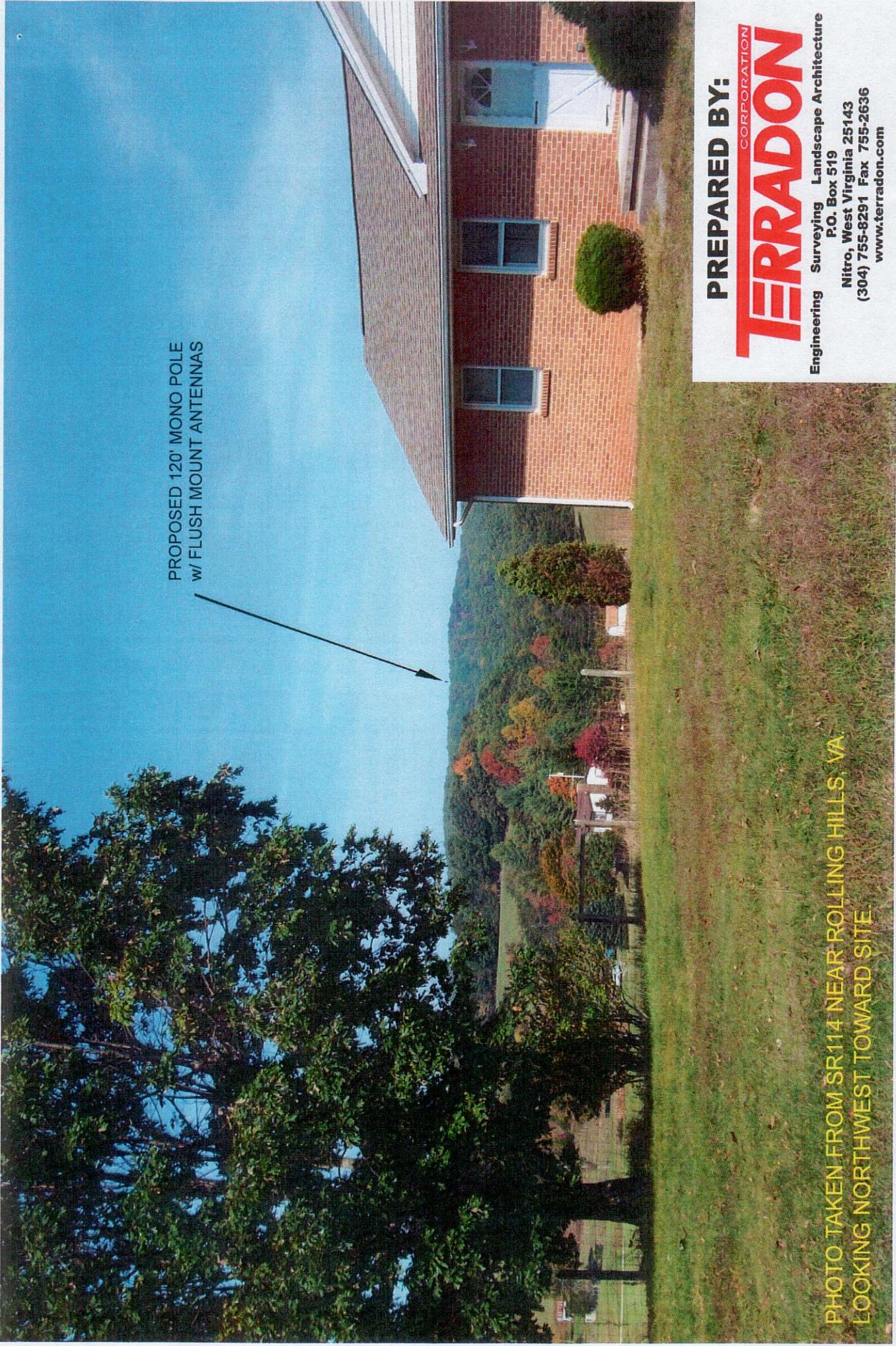
PHOTO TAKEN FROM SR114 LOOKING
NORTH TOWARD SITE

PREPARED BY:

TERRADON
CORPORATION

Engineering Surveying Landscape Architecture
P.O. Box 519
Nitro, West Virginia 25143
(304) 755-8291 Fax 755-2636
www.terradon.com

Photo 4



PROPOSED 120' MONO POLE
w/ FLUSH MOUNT ANTENNAS

PHOTO TAKEN FROM SR114 NEAR ROLLING HILLS, VA
LOOKING NORTHWEST TOWARD SITE.

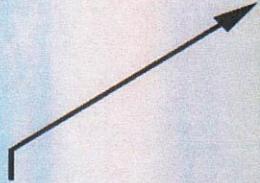
PREPARED BY:

TERRADON
CORPORATION

Engineering Surveying Landscape Architecture
P.O. Box 519
Nitro, West Virginia 25143
(304) 755-8291 Fax 755-2636
www.terraddon.com

Photo 5

Proposed 120' Monopole
w/ Flush mount antennas.



Picture taken from SR 685 (Prices Fork Road)
looking Southwest towards site.

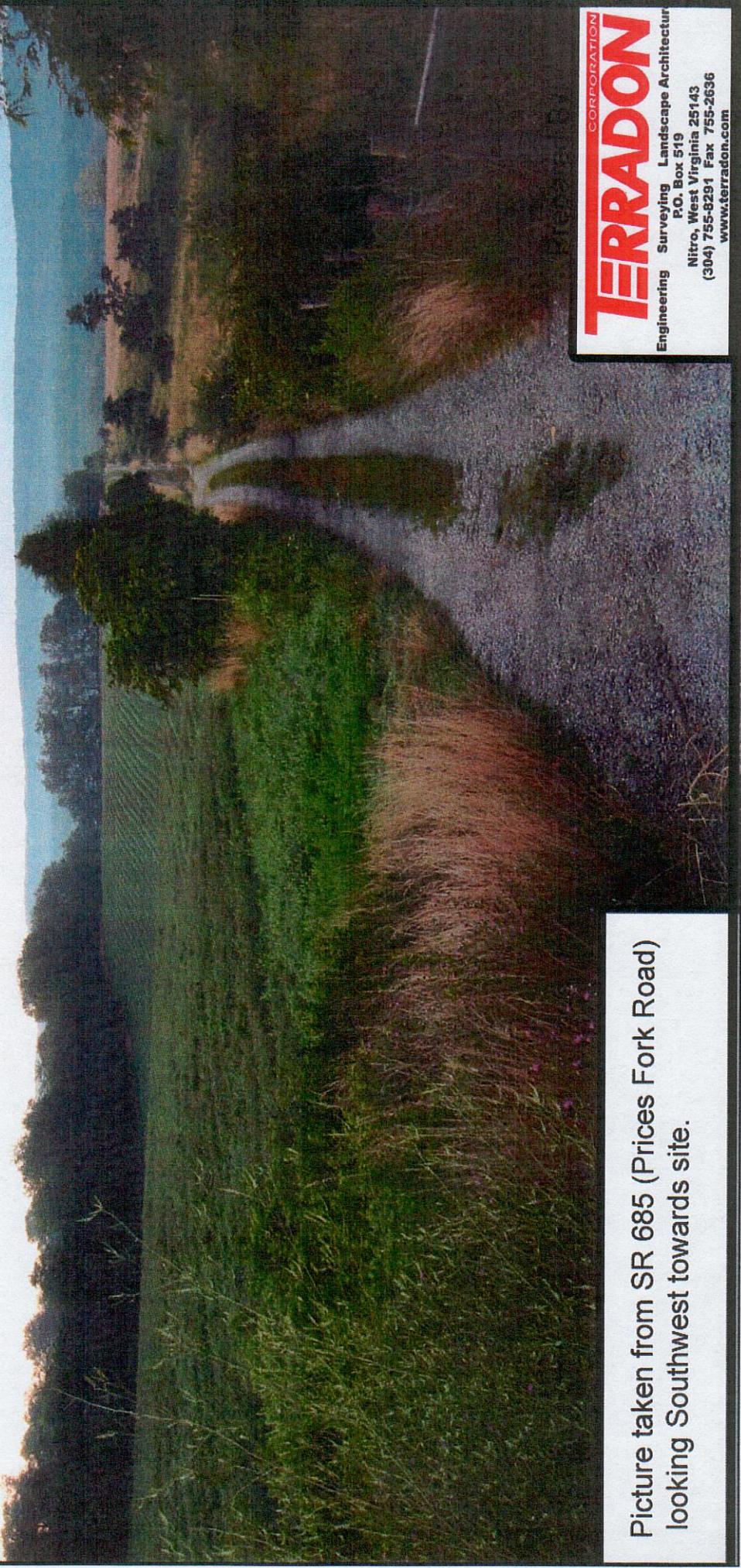
Prepared By:

TERRADON
CORPORATION

Engineering Surveying Landscape Architecture
P.O. Box 519
Nitro, West Virginia 25143
(304) 755-8291 Fax 755-2636
www.terraron.com

Photo 6

Proposed 120' Monopole
w/ Flush mount antennas.

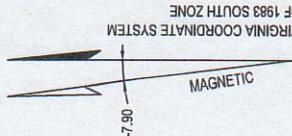
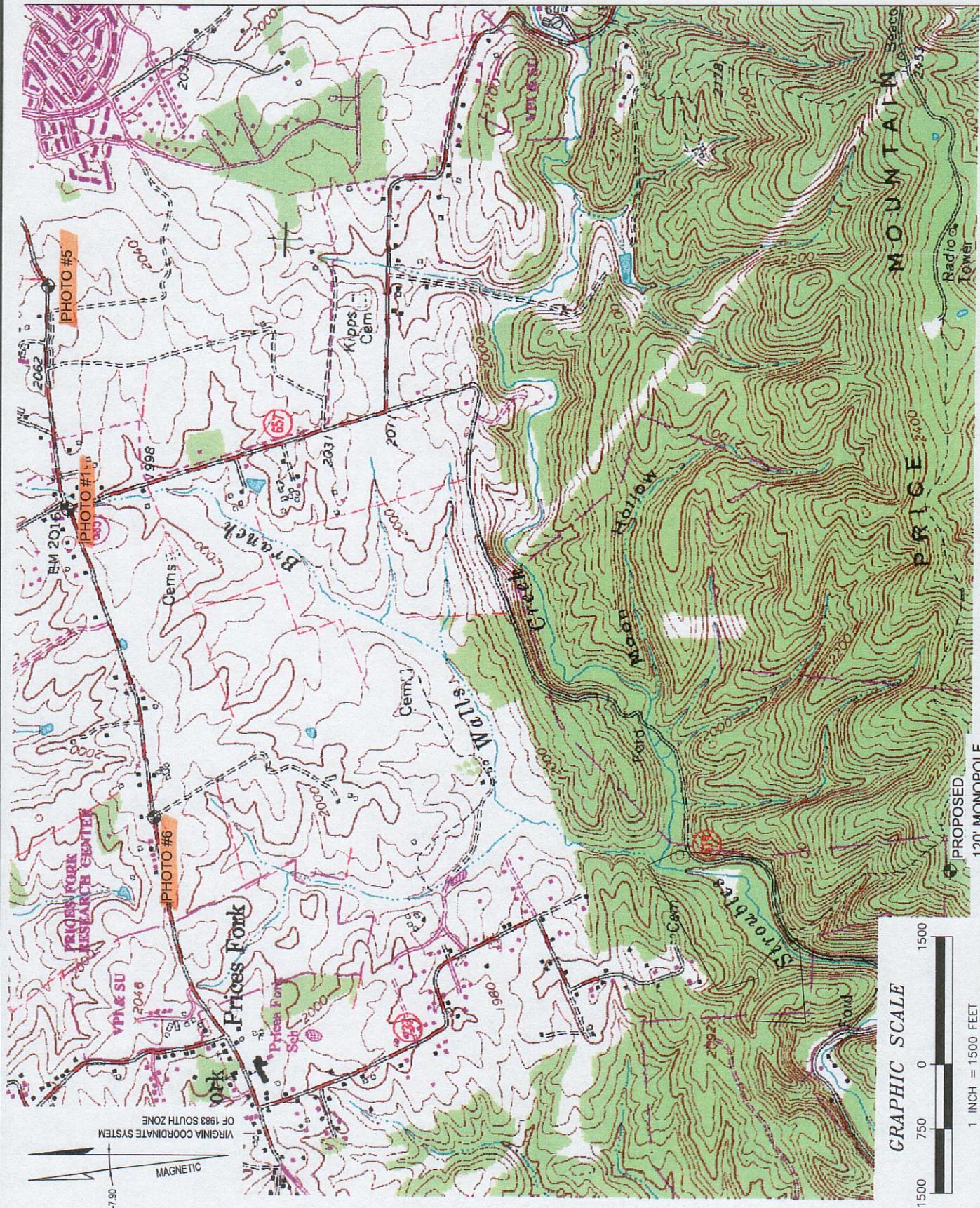


Picture taken from SR 685 (Prices Fork Road)
looking Southwest towards site.

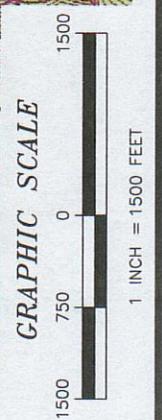
TERRADON CORPORATION
Engineering Surveying Landscape Architecture
P.O. Box 519
Nitro, West Virginia 25143
(304) 755-8291 Fax 755-2636
www.terraddon.com



RNS14-PHOTO
CAD File No.
WKM
Drawn
Checked
CGP
CGP
Approved
1" = 1500'
Scale
10-08-06
Date
RNS14
Project No.



VIRGINIA COORDINATE SYSTEM
OF 1983 SOUTH ZONE



PROPOSED
120' MONOPOLE



TERRADON

P.O. Box 819
 1875, New Virginia 23143
 (804) 752-8281 FAX 752-8288

TERRADON PROJECT #01165-0021
 ALL DIMENSIONS AND BEARING ANGLES, COORDINATES AND THE PROPERTY OF TERRADON ARE THE PROPERTY OF TERRADON AND WILL BE FURNISHED WITHOUT THE WRITTEN CONSENT OF TERRADON.

REVISION	NO.	DATE	BY	DESCRIPTION
	1	10-16-00	PRELIMINARY	
	2	1-16-03	SUBMITTED	
	3	1-25-03	FINAL	

THIS DRAWING IS UNPUBLISHED AND IS THE SOLE PROPERTY OF TERRADON. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. ANY REUSE OF THIS DRAWING FOR ANY OTHER PROJECT WITHOUT THE WRITTEN CONSENT OF TERRADON IS STRICTLY PROHIBITED.

DRAWN BY: MKU
 CHECKED BY: CGP

SITE NAME
**STROUBLE'S CREEK
 PMS14**

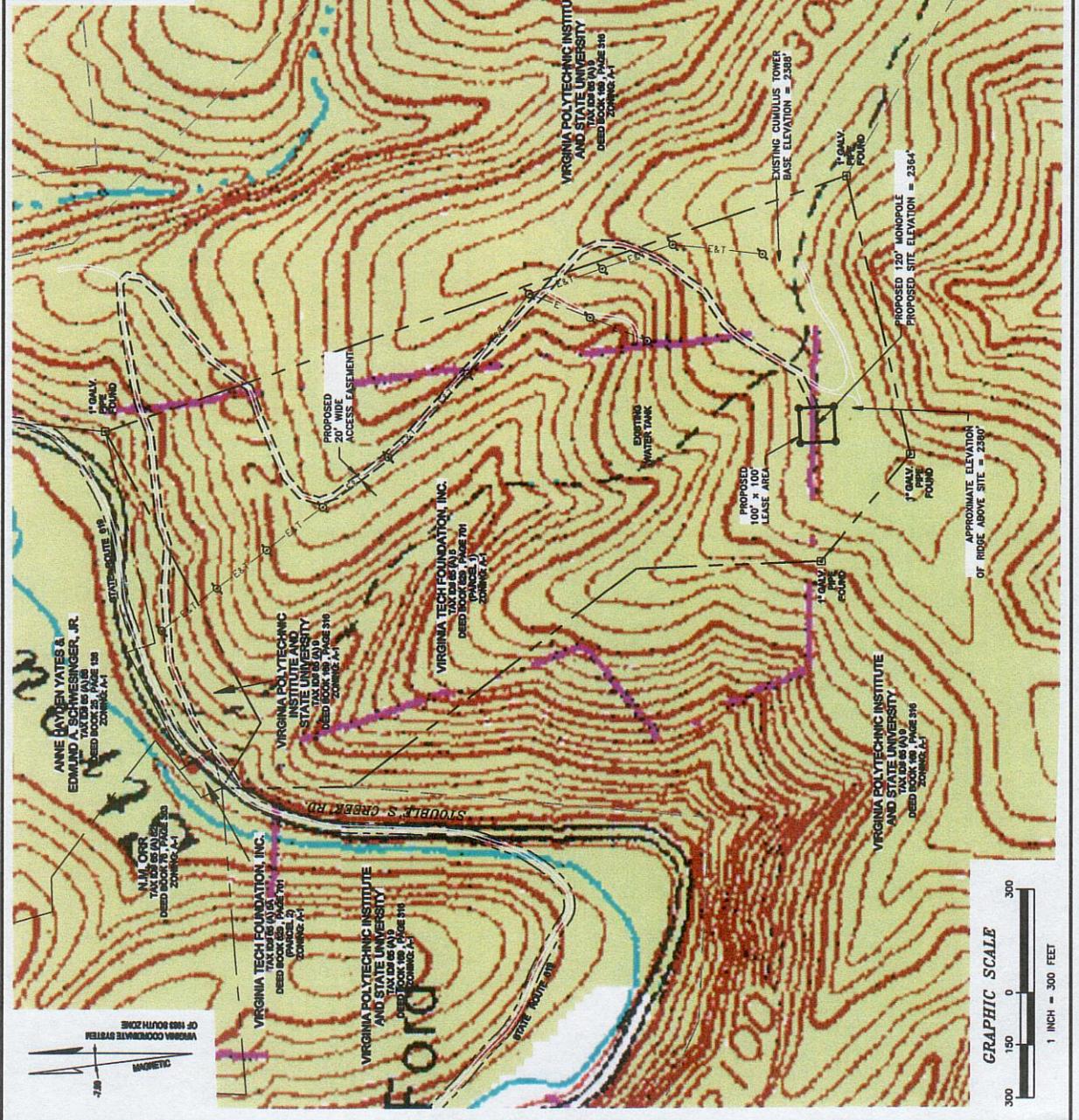
SITE ADDRESS
**STROUBLE'S CREEK RD.
 BLACKSBURG, VA 24060**

SHEET TITLE
TOPOGRAPHIC EXHIBIT M11

SHEET NUMBER
L-3
 PLOT SCALE
N/A

LEGEND

---	PROPERTY LINE
---	TRACT LINE
---	LEASE LINE
---	ROW LINE
---	EXISTING POWER LINE
---	OVERHEAD TELEPHONE
---	UNDERGROUND TELEPHONE
---	OVERHEAD ELECTRIC
---	UNDERGROUND ELECTRIC
---	5/8" REBAR W/CAP SET
---	FOUND MONUMENTATION
---	UTILITY POLE



GRAPHIC SCALE
 300 150 0 300
 1 INCH = 300 FEET



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

PO BOX 3071

SALEM, VA 24153-0560

DAVID S. EKERN, P.E.
COMMISSIONER

January 15, 2009

Dari Jenkins
Montgomery County Zoning Administrator
755 Roanoke St., Suite 2A
Christiansburg VA 24073-3177

Re: nTelos special use permit
Route 619 - Stroubles Creek Road

Dear Ms Jenkins:

Since the applicant intends to use an existing entrance, we have no requirements regarding this item.

If there are any questions contact John Thompson at 540-381-7200.

Sincerely,

A handwritten signature in black ink, appearing to read "John C. Thompson", with a long, sweeping horizontal line extending to the right.

John C. Thompson, PE
Staff Engineer, Christiansburg Residency

C: Debbie Balser, nTelos

MEMORANDUM

TO: Planning Commission

FROM: Planning Staff

DATE: March 4, 2009

RE: **Staff Analysis (SU-2009-06485)**

A request by **Walter T. & Sherry K. Saville, (Agent: NTELOS)** for a Special Use Permit (SUP) on approximately 7.74 acres in an Agriculture (A1) zoning district to allow a 152' telecommunication tower. The property is located adjacent to 2416 Poverty Creek Road, and is identified as Tax Parcel No(s). 38-A-153 (Acct No. 016650), in the Prices Fork Magisterial District (District E). The property currently lies in an area designated as Rural in the Comprehensive Plan.

I. Nature of Request

Walter T. & Sherry K. Saville, (Agent: NTELOS) requests a Special Use Permit (SUP) on approximately 7.74 acres in an Agriculture (A1) zoning district to allow a 152' telecommunication tower.

II. Location

The property is located adjacent to 2416 Poverty Creek Road, and is identified as Tax Parcel No(s). 38-A-153 (Acct No. 016650), in the Prices Fork Magisterial District (District E). The property currently lies in an area designated as Rural in the Comprehensive Plan. To the northwest of the property, not immediately adjacent, the Comprehensive Plan designates parcels nearby as Resource Stewardship.

The average parcel size in the surrounding area, taking into account the ten (10) immediately adjacent parcels, for the area is approximately 6.68 acres. All immediately adjacent or adjoining parcels are zoned Agriculture (A-1), and designated as Rural in the Comprehensive Plan.

III. Impacts

The impacts associated with this request, for a 150' telecommunications tower with 2' lightning rod, are discussed below. Traffic for the site is expected to be limited to one trip per month, except in the case of an emergency, after construction of the tower is completed.

NTELOS plans to access the site using an existing driveway off of Route 725 (Poverty Creek Road) that runs from Rt. 725 up to the existing home on the adjacent Saville Property. NTELOS will construct a twenty (20') foot wide access/utility easement from the existing home to the telecommunications tower site. The tower site is approximately 210 feet from the existing home. NTELOS has contacted VDOT regarding the proposed entrance and sent them a concept plan showing the proposed entrance location. According to the applicant, VDOT will be doing a site inspection on the tower entrance, upon construction of the tower.

Noise should not be a factor with this request. There will be no lighting mounted on the pole unless required by FAA. The proposed tower will be a monopole structure with flush mounted antennas. The proposed new tower will be used by NTELOS and be available for possible use by two (2) additional cellular providers and Montgomery County police, fire and rescue services.

The tower will be painted in a matte paint of the color brown, umbra, helping it to blend with the color of the surrounding trees. The parcel where the proposed tower will be located is approximately 7.74 acres, in a relatively open space. The proposed lease area is approximately 100' x 100' for a total of 10,000 sq. feet. The applicant is proposing an eight foot (8) high wooden privacy fence to screen the tower. NTELOS initially proposes fencing 50' x 50' (2,500 sq. feet) portion of the lease area. The proposed coverage will yield improved in-building coverage to the County residents in the Mt. Zion and Keister's Branch Roads in Montgomery County. More detailed information on proposed coverage area is depicted in maps submitted by the applicant on January 29, 2009.

IV. Comprehensive Plan

The specific location of the proposed tower is in the northern portion of a pasture land parcel owned by Walter T. & Sherry K. Saville and is in an area designated as Rural in the Comprehensive Plan.

In 2001, Montgomery County, along with neighboring jurisdictions, adopted the Regional Approach to Telecommunications Towers. In October 2004, Montgomery County adopted a more detailed approach which applied the 2001 hierarchical framework to the new future land use categories as specified in **UTL 2.2.2 Uniform Approach to Siting of New Towers.**

Based on a preliminary review of the proposal and of the proposed location, the tower would be located in an area that can be characterized as "non-ridge-open" (Location F) under the established guidelines. The site is in close proximity to a non-ridge, wooded area of the Jefferson National Forest. NTELOS is proposing a 152 ft. monopole with flush mounted antennas. While the tower will be visible from Mt. Zion Rd. and portions of Keister's Branch, existing buffering and topography should minimize potential impacts on the majority of the surrounding area. While non-ridge, open lands are not the most preferred sites as designated within the Comprehensive Plan for siting new towers, the applicant has demonstrated a significant effort to collocate and limit impacts as much as possible as specified in UTL 2.2.1.

V. Analysis

According to Montgomery County Code section 10-21(4)(i)(pp) a "telecommunications tower, freestanding may be permitted by the Board of Supervisors as a special use, subject to the requirements of chapter 10-21 and all other applicable regulations". The zoning of and around the parcel is A-1, Agriculture. The Comprehensive Plan designation of the subject parcel is Rural.

This request presents a need to balance the aesthetic desires of citizens with the need for adequate cellular telephone coverage in the County. If the need for a new tower in this area is determined, the Planning Commission and Board of Supervisors must try to mitigate negative impacts for the newly constructed tower to comply with the County's policy on communications towers. There are several ways in which to mitigate the visual impacts of the structure.

The ordinance currently requires the structure be non-reflective or painted with a neutral paint to be less visible. The antennae can be mounted inside the pole or "flush mounted" on the pole. Conditions must be placed on the Special Use Permit (SUP) to ensure the least visual impact is achieved. NTELOS

proposes to construct a monopole tower and paint both the tower and the flush mounted antennas brown to decrease the visibility of the structure.

The Commission should consider the height of the structure because the height will also affect visibility. A view shed analysis of the proposed tower location has been performed using the County's LIDAR data and digital imagery. This information will be shown electronically at both public hearings. It appears the height of the proposed tower could be reduced and still achieve the applicant's coverage goals. The Emergency Services Coordinator has reviewed the SUP application and requested that space be made available for police, fire and rescue services equipment if needed.

VI. Staff Recommendations

Planning staff preliminarily recommends approval of the special use permit. Planning staff has drafted the following conditions consistent with previous approvals in an attempt to balance the need for wireless service in the area with the policies of the Comprehensive Plan and view sheds in the area.

1. Tower shall not exceed a total overall height of 130 feet inclusive of the proposed lightening rod with a ground elevation of 1,928 ft. Tower shall not have lighting unless required by the FAA. Tower shall have a base diameter not to exceed forty (40) inches and a top diameter of twenty-two (22) inches.
2. Site development shall be in substantial conformance with the plans entitled, "NTelos Site # RN515, Site Name: Brookfield" prepared by Balzer and Associates, Inc., dated November 12, 2008 and received by Montgomery County on January 29, 2009.
3. NTelos shall access the site using an existing driveway off of Route 725 (Poverty Creek Road) that runs from Rt. 725 up to the existing home on the Saville Property.
4. NTelos shall construct a twenty (20') foot wide access/utility easement from the existing home to the telecommunications tower site.
5. Tower shall be of a "monopole stealth design" and all antennae shall be flush mounted (distance between face of pole and outer face of antennas not to exceed 12 inches) on the structure. Tower shall be painted brown (Umbra). All wiring and cables shall be located inside the pole structure.
6. Engineering plans signed and sealed by a licensed engineer in the State of Virginia shall be submitted to and approved by the Building Official prior to issuance of a building permit.
7. No platforms or dishes shall be permitted on the structure above the tree line.
8. Tower shall meet all regulations found in Section 10-48(6) of the Montgomery County Zoning Ordinance.
9. Backup generator, if applicable, shall not be fueled by any liquid fuel source.
10. Owner/agent shall provide police, fire and rescue services antennae space on the proposed tower for the agreed upon rental rate of \$1 per year subject to the structural capacity of the tower and provided that emergency service antennae do not provide radio frequency interference to other antennae located upon the tower. Emergency service providers shall provide equipment. Tower owner/agent shall install the antennae at market rate. The second highest space on the pole shall be made available to the County. In the event that Montgomery County has not used this space and another cellular carrier wishes to co-locate on the same tower, the tower owner shall give the Montgomery County Administrator fourteen (14) days notice by Certified Mail of their intent to occupy this location.

Enclosures: Current Zoning Map
Concept Plan

Aerial Photo Map
Site Photos

Application materials

**Montgomery County
Special Use Permit Application**

**To Construct a New 120 Foot Wireless Telecommunications Monopole
(With a Five (5) Foot Lightning Rod)
With Associated Ground Equipment Cabinets**

**RN514 Stroubles Creek
Virginia Tech Foundation, Inc. Property**

**Applicant:
Virginia PCS Alliance, L. C., d/b/a**



**1150 Shenandoah Village Drive
Waynesboro, Virginia 22980**

TABLE OF CONTENTS

Cover Letter

Application

Special Use Permit Justification

Affidavit from Site Acquisition Agent & Alternative Sites Considered

Adjacent Property Owners List

Propagation/Coverage Maps

FAA Determination

Photo Simulations and Vicinity Map

Topography Map

VDOT Approval Letter

Concept Plan

NTELOS

Debbie Balsler, Site Acquisition Manager
1150 Shenandoah Village Drive
Waynesboro, Virginia 22980
Phone: (540) 946-1851
Email: balserd@ntelos.com



February 2, 2009

Ms. Dari Jenkins
Zoning Administrator
Montgomery County Department of Planning & GIS Services
755 Roanoke Street, Suite 2A
Christiansburg, VA 24073-3177

RE: Virginia PCS Alliance, L.C., d/b/a NTELOS – Application for Special Use Permit
Virginia Tech Foundation, Inc. Property
Parcel ID: 021713
Tax Map ID: 65-A-5
Stroubles Creek Road
Prices Fork Magisterial District

Dear Dari:

Enclosed is the application for Special Use Permit and Justification, with supporting information, filed by Virginia PCS Alliance, L.C., d/b/a NTELOS for the above mentioned site.

NTELOS proposes to construct and operate a wireless telecommunications facility on a portion of the property that is zoned A-1 Agricultural which is currently vacant and wooded. The wireless telecommunications facility will consist of a one-hundred twenty (120) foot monopole, with a five (5) foot lightning rod, and associated ground equipment cabinets. The proposed monopole will be painted brown and will have flush mounted antennas, also painted brown, and will not (a) have a demand on public services or utilities, (b) change the character of the zoning district, or (c) adversely affect adjacent properties.

The proposed facility is located on property that falls in a Resource Stewardship land use planning area on the County's Future Policy map. UTL 2.2.2 provides for a uniform approach to siting new telecommunications facilities, and establishes in priority order preferred areas when considering their siting (A-L). This property falls under Category E "Non-ridge, wooded lands" (Rural/Resource Stewardship) which is one the more preferred areas.

NTELOS has combed this part of Montgomery County looking for structures on which to collocate its antennas and has found that none exist, or are not available for access or other reasons. Whenever possible, NTELOS has collocated with other wireless telecommunication carriers on all structures available for collocation that connect with this coverage area. Even so, other carriers are able to provide continuous, uninterrupted coverage to their customers while NTELOS has a significant gap in service in this part of Montgomery County.

Dari Jenkins
February 2, 2009
Page 2

Accordingly, we believe that this application not only satisfies all of the requirements of the County's applicable zoning ordinances, but also is consistent with the intent and substance of its Comprehensive Plan. We therefore ask that you evaluate the application in this light, that the Planning Commission recommend approval to the Board of Supervisors, and that the Board of Supervisors grant a Special Use Permit for the proposed 120 foot monopole, with five (5) foot lightning rod, which will permit NTELOS to complete its service in this significant part of Montgomery County.

Sincerely,



Debbie Balsler

Site Acquisition Manager, VA West

Cc: G. Michael Pace, Gentry Locke Rakes & Moore
Master Lease File

Montgomery County, Virginia: Application to Planning Commission and Board of Supervisors

Application for: (check appropriate boxes)

<input type="checkbox"/> Rezoning	<input type="checkbox"/> Rezoning & Special Use Permit
<input checked="" type="checkbox"/> Special Use Permit	<input type="checkbox"/> Comprehensive Plan Amendment

Applicant Information:

Owner: <u>Virginia Tech Foundation, Inc.</u>	Agent: <u>Debbie Balsler, NTELOS</u>
Address: <u>Attn: Real Estate Management</u>	Address: <u>1150 Shenandoah Village Dr.</u>
<u>902 Prices Fork Rd., Suite 2400</u>	<u>Waynesboro, VA 22980</u>
<u>Blacksburg, VA 24060</u>	Telephone 3: <u>540-946-1851</u>
Telephone 1: <u>Kevin Sullivan</u>	Telephone 4: _____
Telephone 2: <u>540-231-2875</u>	Email: <u>balserd@ntelos.com</u>
Email: _____	

Location of Property: _____

Legal Record of Property: Total Area: 50.54 Acres Magisterial District: Prices Fork
 Account I.D. 021713 Tax Parcel Number(s): 65-A-5

Rezoning Details: Current Zoning District: _____ Requested New Zoning District: _____
 Desired Use(s): _____

Special Use Permit: Current Zoning District: A1 Total Area: 100' x 100' Acres
 Desired Use(s): Construct a 120' monopole, 5' lightning rod & associated ground equipment for wireless telecommunications facility. (10,000 S.F.)

Comprehensive Plan Amendment (Description): _____

I certify that the information supplied on this application and on the attachments provided (maps and other information provided) is accurate and true to the best of my knowledge. In addition, I hereby grant permission to the agents and employees of Montgomery County and State of Virginia to enter the above property for the purposes of processing and reviewing the above application.

<u>Virginia Tech Foundation, Inc.</u>	<u>10/13/08</u>	<u>Debbie Balsler</u>	<u>2/2/09</u>
Owner's Signature	Date	Agent's Signature	Date

FOR OFFICE USE ONLY

Date Received: _____ Fee Paid: _____ Reviewed by: _____

COMPLETE request. Schedule for _____ Planning Commission Meeting.

INCOMPLETE request. Applicant has until _____ to re-submit application to be considered for _____ meeting.

VIRGINIA PCS ALLIANCE, L.C., d/b/a NTELOS
SPECIAL USE PERMIT JUSTIFICATION
VIRGINIA TECH FOUNDATION, INC. PROPERTY
Parcel ID: 021713
Tax Map ID: 65-A-5
NTELOS Site ID: RN514 Stroubles Creek

In accordance with the provisions of Section 10-21(4)(i)(oo) of the Montgomery County Zoning Ordinance, Virginia PCS Alliance, L.C., d/b/a "NTELOS" submits this Application for Special Use Permit for a 120 foot monopole, with a five (5) foot lightning rod, telecommunications tower, the justification for which is as follows:

Background and Current Zoning:

NTELOS is requesting a special use permit in order to construct a new freestanding 120 foot telecommunications steel monopole, with a five (5) foot lightning rod, with flush mounted antennas and associated ground equipment cabinets contained within a 10,000 square foot (100' x 100') leased area on land located in the Prices Fork Magisterial District of Montgomery County, as shown on the attached concept plan. The bottom diameter of the proposed monopole will not exceed thirty (30) inches and the top diameter of the proposed monopole will not exceed twenty-two (22) inches.

The property is zoned A-1 Agricultural District, which allows telecommunications towers (attached) by right, and telecommunications towers (freestanding) by special use permit (Section 10-21).

At 120', the monopole will permit NTELOS, Montgomery County Emergency Services and possibly one (1) other wireless telecommunications carriers to collocate their antennas on the structure. NTELOS proposes to paint the monopole and flush mounted antennas Umbra in order to decrease the visibility of the monopole and antennas. NTELOS proposes to initially fence a 40' x 50' (2,000 square feet) portion of the leased area with a six (6) foot high chain fence. There is an existing access road off of Route 619 (Stroubles Creek Road). NTELOS plans to utilize the existing access road for access to the proposed facility. NTELOS has made contact with VDOT regarding the proposed entrance and sent them the concept plan showing the proposed location of the entrance. VDOT indicated that they would be doing a site visit and contact us regarding what will be required for the proposed entrance. The wireless telecommunications facility will be unmanned, requiring approximately one vehicular trip per month, except in the event of an emergency.

This request complies with all applicable regulations concerning telecommunications towers found in Section 10-48(6)(a-f) of the Montgomery County Zoning Ordinance and Comprehensive Plan. The proposed use is not part of a subdivision request, will not change the character of the zoning district, will not increase demand on public roads, services or facilities, and will have no adverse impact on surrounding properties.

Alternate Sites Considered:

NTELOS has made an exhaustive search of this area of the County, as evidenced by the attached affidavit and information provided by the contract employee of NTELOS who was assigned to work this search area. The site under consideration is the only location that will meet the desired coverage objectives. The attached affidavit, map and list of alternate sites considered show the other properties that were considered and/or evaluated, none of which meet NTELOS' coverage objectives based on drive test data or propagation studies, or were not available for use by NTELOS for other reasons. The existing tower on this property is not structurally capable of accommodating NTELOS' proposed loading.

Additional Special Use Permit Requirements under Section 10-54(3)(g)(1)-(35):

1. The request is consistent with the County's Comprehensive Plan because:
 - The County's Comprehensive Plan contains guidelines to be used in setting land use policy. One of the primary goals of the Comprehensive Plan is to provide for the orderly extension of telecommunication service (including wireless) in a manner that supports growth and development without negatively impacting the natural environment (Sec. UTL 2.0). To do so, the County has adopted a regional approach to siting new telecommunications structures, and encourages the uses of monopole and/or "stealth" design in new construction (Sec. UTL 2.2.2).
 - NTELOS has maximized the use of all existing collocation opportunities in Montgomery County. As a result, NTELOS proposes to build a new monopole painted Umbra, with flush mounted antennas to camouflage and minimize its visibility. The proposed use will not require public or private water or sewer facilities, and will otherwise have no adverse impact on the nature or character of the zoning district.
 - Section UTL 2.2.2 also provides that newly constructed towers should be built in locations which provide the least negative impact to the citizens in the County and neighboring jurisdictions. The proposed site is designated on the Comprehensive Plan as Rural/Resource Stewardship area.
 - Section PLU 1.2.1(f) provides that the County may permit new non-agriculturally related institutional uses by special use permit provided the use is compatible in scale and intensity with agricultural and rural residential uses, poses no threat to public health, safety and welfare, and if the use helps preserve farmland, open space or historic, scenic or natural resources.
 - Wireless telecommunications service is institutional in nature, similar to other services provided to the citizens. It is not an intensive use, is compatible in scale with this agricultural and rural residential part of the County. The proposed use poses no meaningful threat of any type to

public health, safety or welfare. In fact, it promotes and is supportive of agriculture, forest and outdoor recreational uses by providing a reliable means of communications for outdoor enthusiasts, travelers and anyone living and working in the area by providing them with a safety net for direct access to help in the event of an accident or emergency. Wireless telecommunications facilities are quiet, peaceable and very helpful neighbors and they provide a significant (and often overlooked) public safety benefit to residents, tourists and sportsmen.

2. NTELOS will adequately provide for safety from fire hazards and have effective measures of fire control.
3. The only noise that will be generated from the site will be from air coolers within the ground equipment cabinets, which will be almost non-detectible from any adjacent properties.
4. There will be no glare or light generated from the proposed use in relation to uses in the immediate area. The only light will be over the ground equipment cabinets to allow a site technician to see inside the cabinets if there is a maintenance problem at night.
5. The monopole will not be lit and the only signs located at the proposed site will be those required by the Federal Communications Commission.
6. The proposed use will be compatible with other existing uses on adjacent lands. Surrounding properties are zoned A-1 (Agricultural District), which allows telecommunications facilities by special use permit. The monopole is of a limited height and is a completely passive use that will not adverse impact on the surrounding land.
7. See attached concept plan.
8. NTELOS is proposing to flush mount the antennas and paint the monopole and antennas Umbra. No additional screening or landscaping is planned unless required by the County.
9. If approved, the proposed monopole will be constructed and operational before the end of 2009.
10. NTELOS requested a Phase I Environmental Site Assessment from Froehling & Robertson on September 5, 2008, to study the potential impact the proposed use may have on environmental, archaeological or historic features of significant importance. This report will be submitted to the County, if required, upon its completion. The estimated completion date is mid-February 2009.
11. The proposed special use will contribute to and promote the welfare and convenience of the public by improving in-building coverage to the County residents in the coverage area and by providing continuous, uninterrupted wireless telecommunications to County residents and

others traveling in and around the Prices Fork and Stroubles Creek Roads in this part of the County. The proposed use will also provide an enhancement for the County's E-911 services.

12. The proposed special use will require one vehicular trip per month by a site technician, unless there is an emergency or maintenance issue, for which the proposed access road is more than adequate.
13. There are no existing structures that will be converted for the proposed use. All new structures will meet all code requirements of Montgomery County.
14. The proposed special use will only require telephone and electrical services. It will require no other essential public facilities or services.
15. The proposed special use will not effect on ground water supply.
16. NTELOS will have geotechnical soil evaluations done prior to construction/installation of the proposed monopole. No adverse effect on the structural capacity of soils is expected.
17. The proposed use will have no impact on road development or transportation.
18. See answer to #10 above.
19. The expansion of NTELOS' network will have a positive and direct effect on employment and economic development opportunities in the County as a result of an expanded customer base and rising demand. Employers and their employees depend on reliable wireless coverage to reach their business objectives. In addition, the County will benefit from taxes on the sale of mobile phones and on rents from land leases for NTELOS' wireless facilities located in the County.
20. Future residential and business growth in the County will require and be dependent upon wireless telecommunications coverage, which is the purpose of the proposed use.
21. The proposed use will have no effect in enhancing affordable shelter opportunities for residents in the County.
22. Ground equipment cabinets will be outside but located within a fenced compound area as shown on the attached concept plan.
23. Because the proposed use is so limited, the only ground area that will be disturbed will be the area for the 2,000 square foot lease area to be fenced.
24. Flood plain information is shown under "Flood Note", on Page L-1 of the attached concept plan.

25. To our knowledge, there are no existing non-conforming uses or structures on the proposed site.
26. NTELOS proposes a future propane storage tank for this site. See Page C-2 of the attached concept plan.
27. The only accessory uses or structures related to this application will be ground equipment cabinets, future generator and future propane storage tank of NTELOS, and/or any equipment cabinets or shelters of any future collocators or Montgomery County.
28. The area of the proposed use is addressed on the attached concept plan.
29. The site will be unmanned, with approximately one vehicular trip per month by a site technician for preventive maintenance, except in the event of an emergency or unscheduled maintenance issue.
30. The location and screening of parking and other areas is shown on the concept plan.
31. To provide security, the site will be fenced by a six (6) foot high chain link fence with strands of barbed wire at the top. The gate to the fenced compound will be locked.
32. There will be no employees on site except for a site technician who will perform preventive maintenance from time to time.
33. No other off site infrastructure is required for the proposed use.
34. No odors will be generated by uses on site.
35. NTELOS will provide sufficient measures to mitigate the impact of construction traffic on the surrounding area.

For all of the foregoing reasons, NTELOS respectfully requests approval for and the issuance of a special use permit for the proposed 120' monopole, with a five (5) foot lightning rod, at this location.

Affidavit by Diana Kaye Holland for the proposed 120' monopole located at Stroubles Creek Road, Blacksburg, VA 24060

I do hereby swear that my name is Diana Kaye Holland and I am above the age of 21.

I have a Bachelor of Science from the University of Tennessee Knoxville in Finance with a minor in Economics.

For over ten years I have worked in the wireless industry to qualify properties and structures suitable for wireless broadcasting facilities. I have leased and zoned over 800 sites in Virginia, North Carolina, South Carolina, Tennessee, Georgia, Alabama, Iowa, Nebraska, New Mexico, Colorado, Arizona and California for multiple companies involved in the wireless industry.

Site qualification is a very involved process. A property owner must be willing to lease property. The property also must be eligible to meet all zoning criteria for the local jurisdiction. The property must meet all criteria set forth by the Federal Communications Commission (FCC) to comply with historical, environmental and species standards as dictated by the FCC. Finally the property must be viable from both a radio frequency and a construction standpoint.

NTELOS assigned me three search areas to locate a viable property for a wireless facility to cover a void that exists along Prices Fork Road between the Longshop and Walton areas of Montgomery County.

I first studied the zoning code for Montgomery County to see what was required to zone a wireless facility. I learned that wireless facilities may be approved with a Special Use Permit in certain zones. I also met with staff, Dari Jenkins and Steve Sandy, on several occasions to clarify the Special Use Permit process to zone a tower in Montgomery County and also to see if any towers were in the review process or had been approved and not yet built. No new towers had been proposed in this region of the county.

The search area is solely zoned A-1 which allows wireless facilities with a Special Use Permit if certain conditions are met. There were two structures in existence in the assigned search area (exhibit A, search area). One structure is owned by Cumulus Broadcasting LLC and the other is a county owned water tank. A structural analysis was done on the Cumulus Broadcasting tower to see if it could be modified to accommodate the proposed NTELOS antennas. The determination was that the tower could not be modified and extended. Existing contracts with the current tenants would prohibit building a stronger 120' tower to replace the existing Cumulus Broadcasting tower. Also due to contractual interference separation requirements a new tower at this location would have to be 140'. The county water tank was deemed to be at too low an elevation by the NTELOS' Radio Frequency Engineers to accommodate the coverage objective.

At the request of Steve Sandy three other existing structures were evaluated which were miles outside of the search area (exhibit B, alternate structures). All three structures were

rejected by the NTELOS' Radio Frequency Engineers as being too far outside the search area or too close to existing NTELOS sites.

I located 8 potential properties which would meet the zoning criteria for a wireless facility. I sent proposals to the landowners and visited each site for which I had an indication of interest by the landowner.

Historical concerns, conservation easements, proximity to high density residential areas, distance to the existing sites, elevation and viability of construction were considered in choosing the best property to pursue.

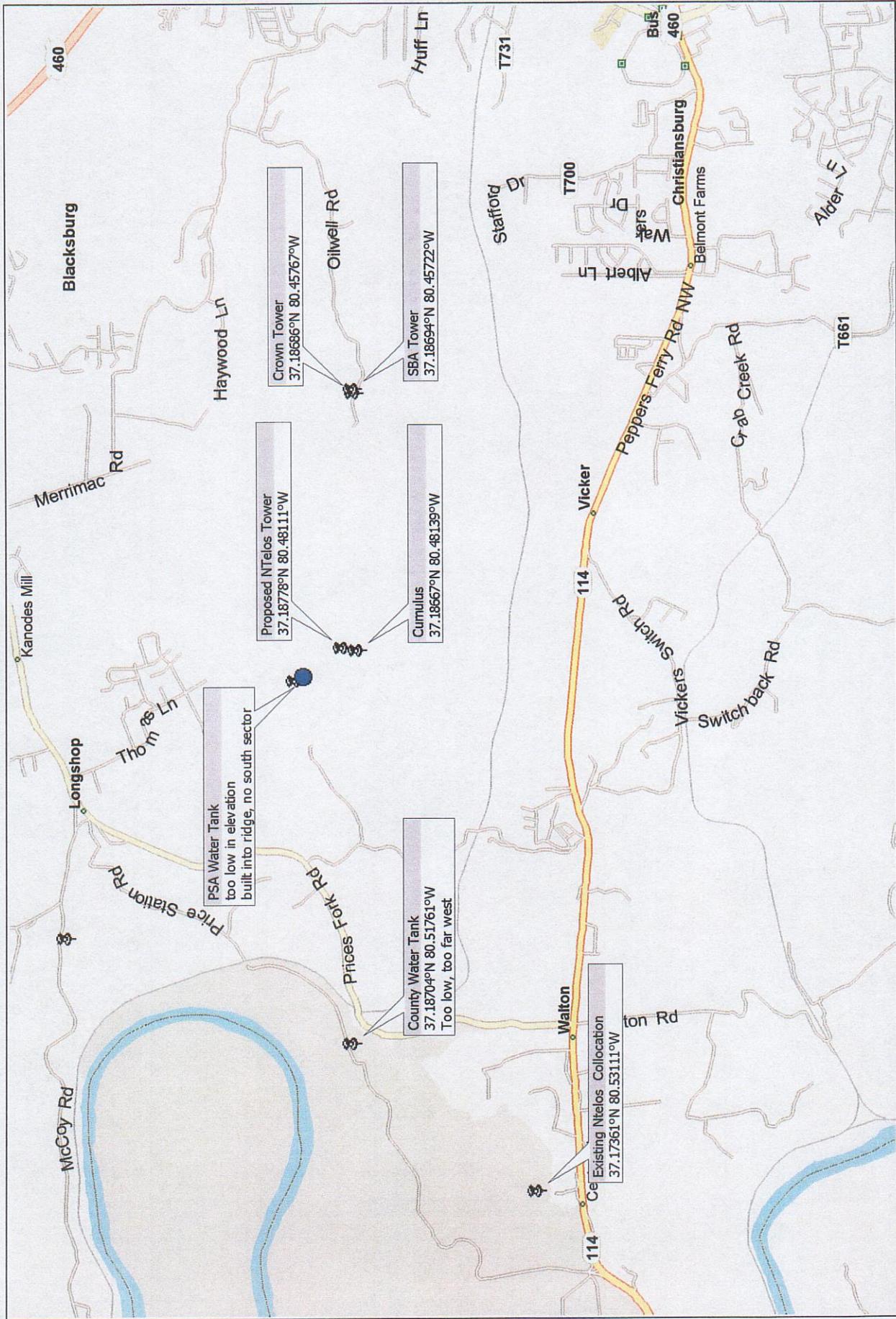
The property owned by the Virginia Tech Foundation was determined to be the best location to pursue. The property is a 50 acre tract with existing broadcasting and utility uses which abuts other A-1 zoned property, much of which is also owned by Virginia Tech. The proposed location is a good distance from any residential structure on adjacent parcels and is buffered on all sides by existing mature trees. A lease agreement has been entered into with the landowner for a 100' x 100' area which will meet the required 100' setback in the A-1 zone for a new wireless facility. Because of good elevation only a 120' wireless facility is needed at this location.

Exhibit A



Copyright © and (P) 1988-2007 Microsoft Corporation and/or its suppliers. All rights reserved. <http://www.microsoft.com/streets/>
Certain mapping and direction data © 2007 NAVTEQ. All rights reserved. The Data for areas of Canada includes information taken with permission from Canadian authorities, including © Her Majesty the Queen in Right of Canada, © Queen's Printer for Ontario, NAVTEQ and NAVTEQ ON BOARD are trademarks of NAVTEQ. © 2007 Tele Atlas North America, Inc. All rights reserved. Tele Atlas and Tele Atlas North America are trademarks of Tele Atlas, Inc.

Exhibit B



Copyright © and (P) 1988-2007 Microsoft Corporation and/or its suppliers. All rights reserved. <http://www.microsoft.com/streets/>
 Certain mapping and direction data © 2007 NAVTEQ. All rights reserved. The Data for areas of Canada includes information taken with permission from Canadian authorities, including: © Her Majesty the Queen in Right of Canada. © Queen's Printer for Ontario. NAVTEQ and NAVTEQ ON BOARD are trademarks of NAVTEQ. © 2007 Tele Atlas North America, Inc. All rights reserved. Tele Atlas and Tele Atlas North America are trademarks of Tele Atlas, Inc.

Alternative Sites Considered
For RN514 Stroubles Creek
Virginia Tech Foundation, Inc. Property
Tax Map ID: 65-A-5
Parcel ID: 021713

Tax Map ID: 64-5-9 Parcel ID: 022032
Martha J. Johnson

Comments: No response.

Tax Map ID: 64-5-8 Parcel ID: 022031
Raymond C. Sira

Comments: No response.

Tax Map ID: 64-A-11,12 Parcel ID: 013848
Coal Hollow Brothers, LLC

Comments: Ridgeline site and required bridge over creek.

Tax Map ID: 64-A-13 Parcel ID: 017064
Andrea Langston and Phillip D. Beever

Comments: No response.

Tax Map ID: 64-A-10 Parcel ID: 013849
Johnnie L. Alderman

Comments: No response.

Tax Map ID: 64-6-6 Parcel ID: 090689
Cappy Ray Gallimore

Comments: HOA covenants prohibit towers.

Tax Map ID: 64-6-5 Parcel ID: 022038
Gerald R. Klein & Vicki L. Klein

Comments: HOA covenants prohibit towers.

Tax Map ID: 65-A-5 Parcel ID: 021713
Virginia Tech Foundation, Inc.

Comments: Property under consideration.

RN514 STROUBLES CREEK – VIRGINIA TECH FOUNDATION, INC. PROPERTY

TAX MAP ID: 65-A-5

PARCEL ID: 021713

ADJACENT PROPERTY OWNER LIST

Tax Map ID: 65-A-86 Parcel ID: 120215
Anne Hayden Yates & Edmund A. Schwesinger, Jr.
4138 NW Cleek Place
Portland, OR 97229

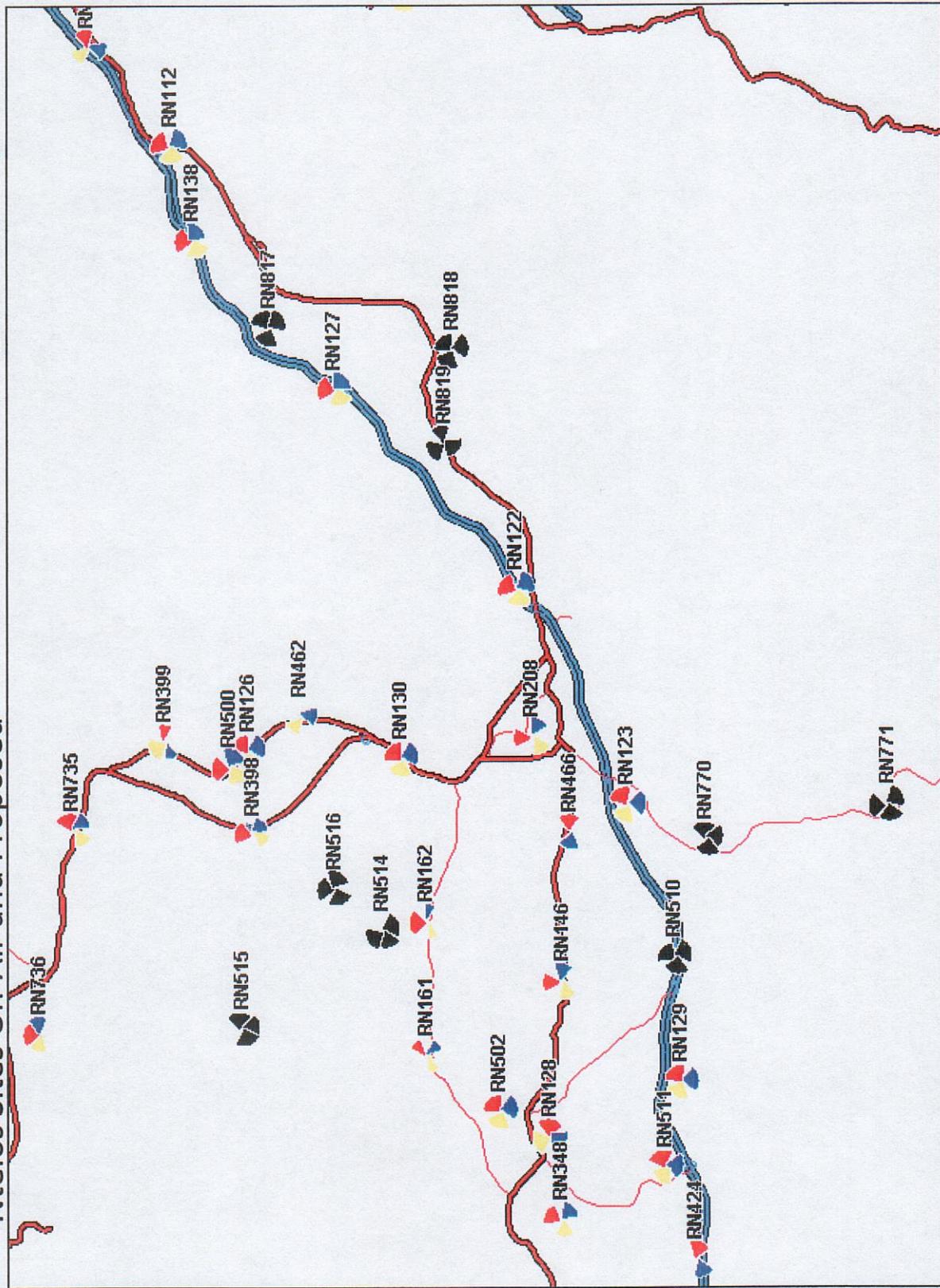
Tax Map ID: 65-A-82 Parcel ID: 031835
N. M. Orr
3009 Sheppard Drive
Blacksburg, VA 24060

Tax Map ID: 65-A-5A Parcel ID: 021712
Virginia Tech Foundation, Inc.
Attention: Real Estate Management
902 Prices Fork Road
Blacksburg, VA 24060

Tax Map ID: 65-A-9 Parcel ID: 070900
Virginia Polytechnic Institute
No address given

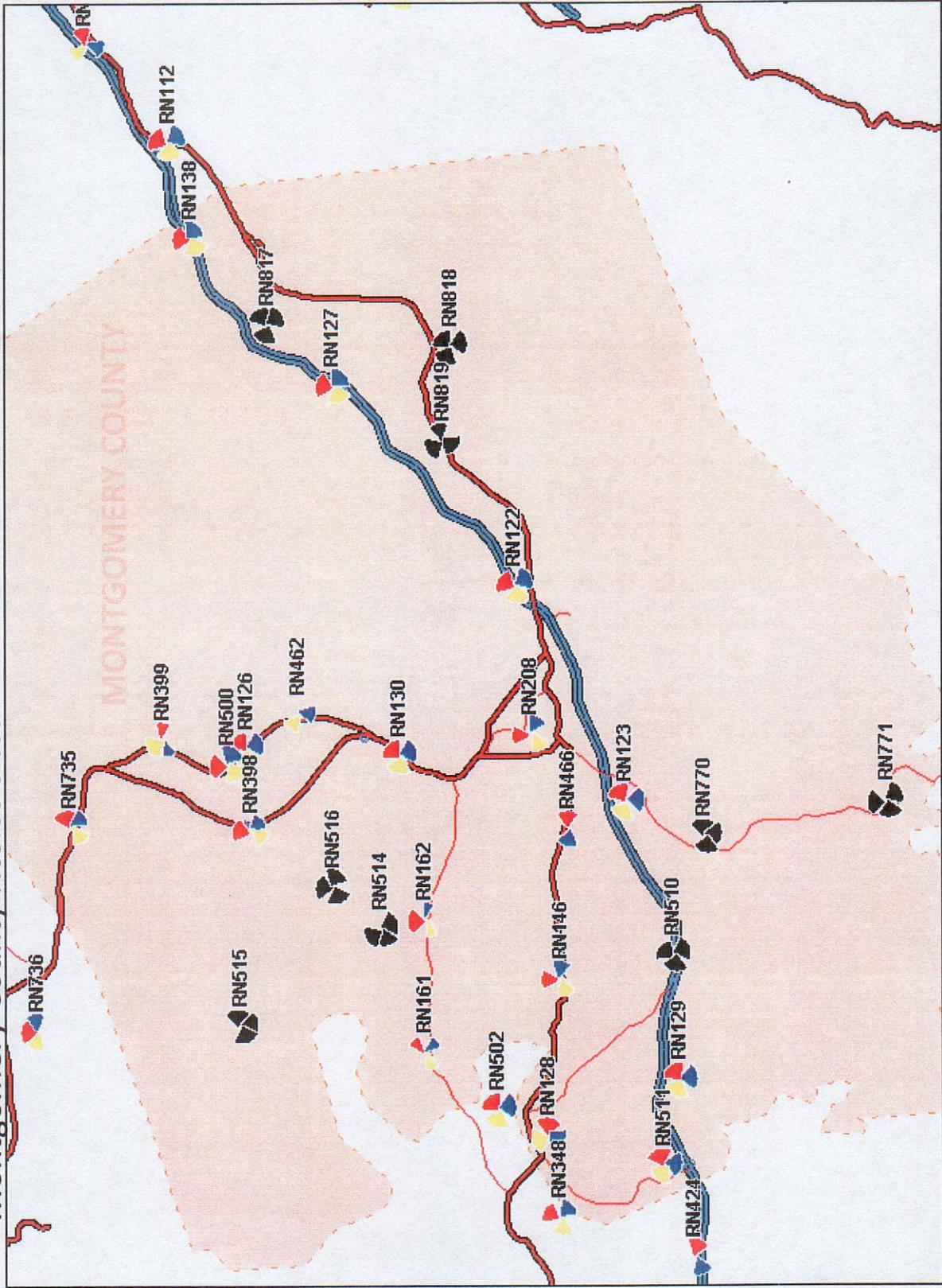
Ntelos Sites On-Air and Proposed

Proposed OnAir

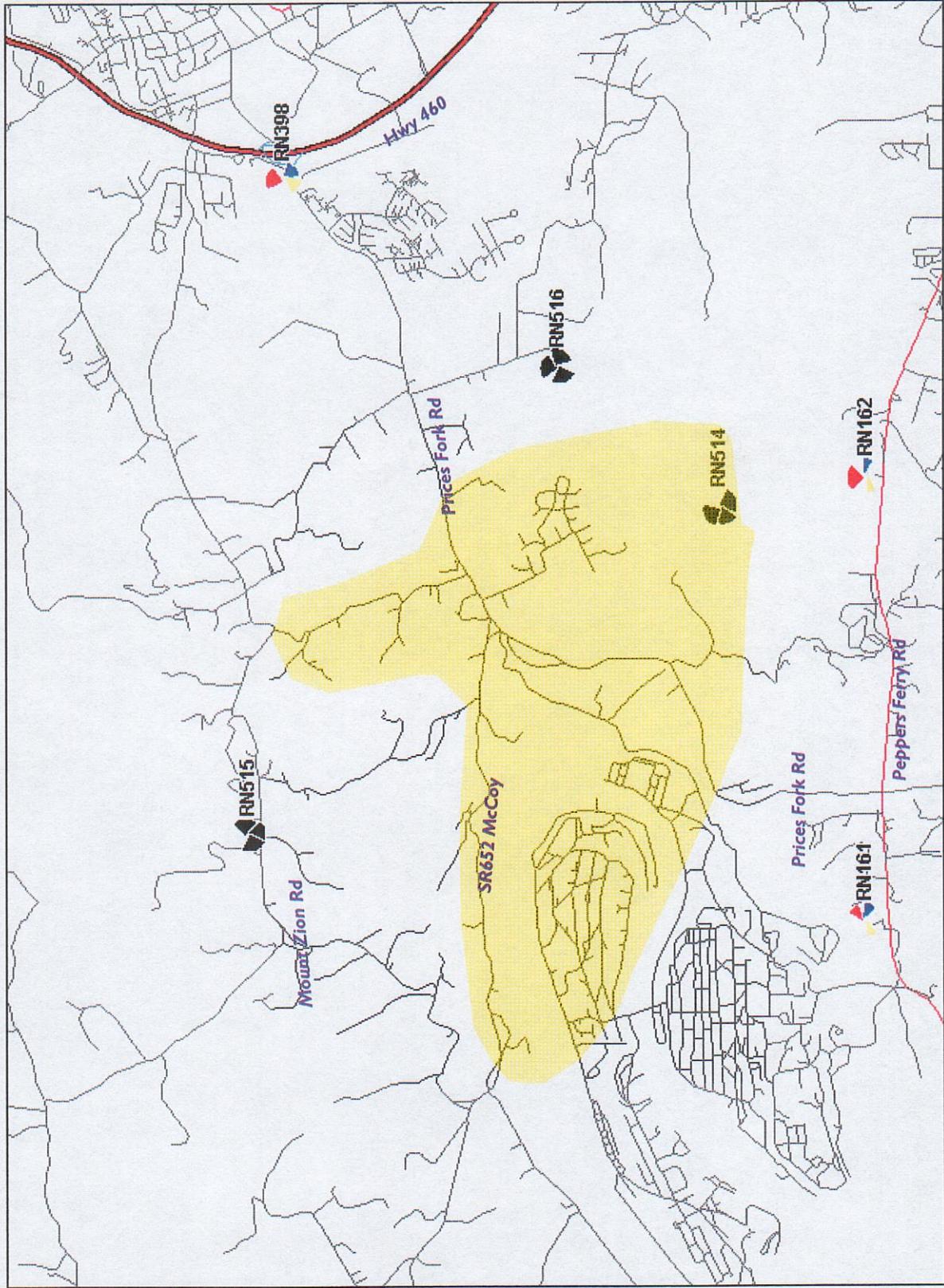


Montgomery County Ntelos Sites

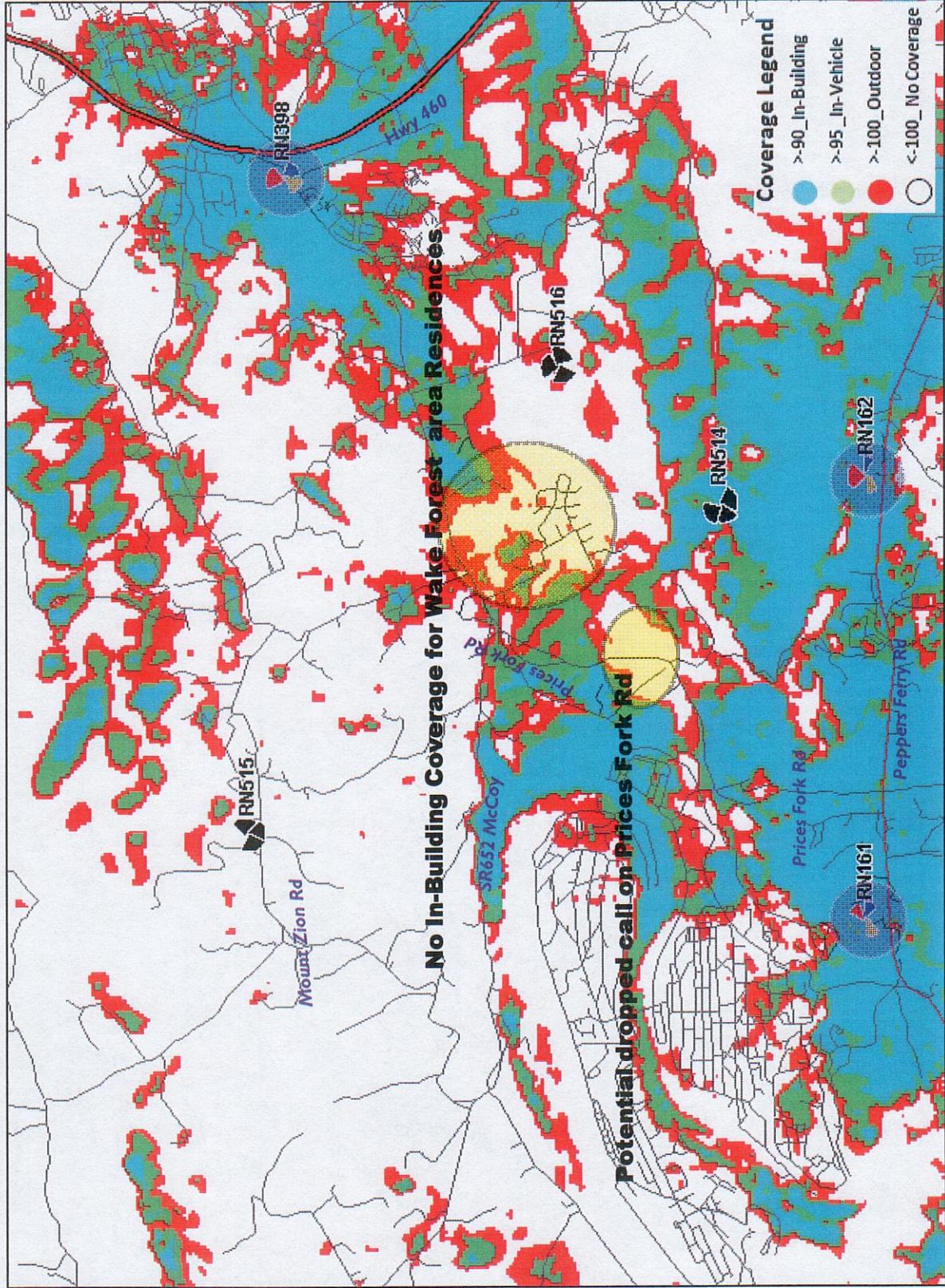
Proposed OnAir



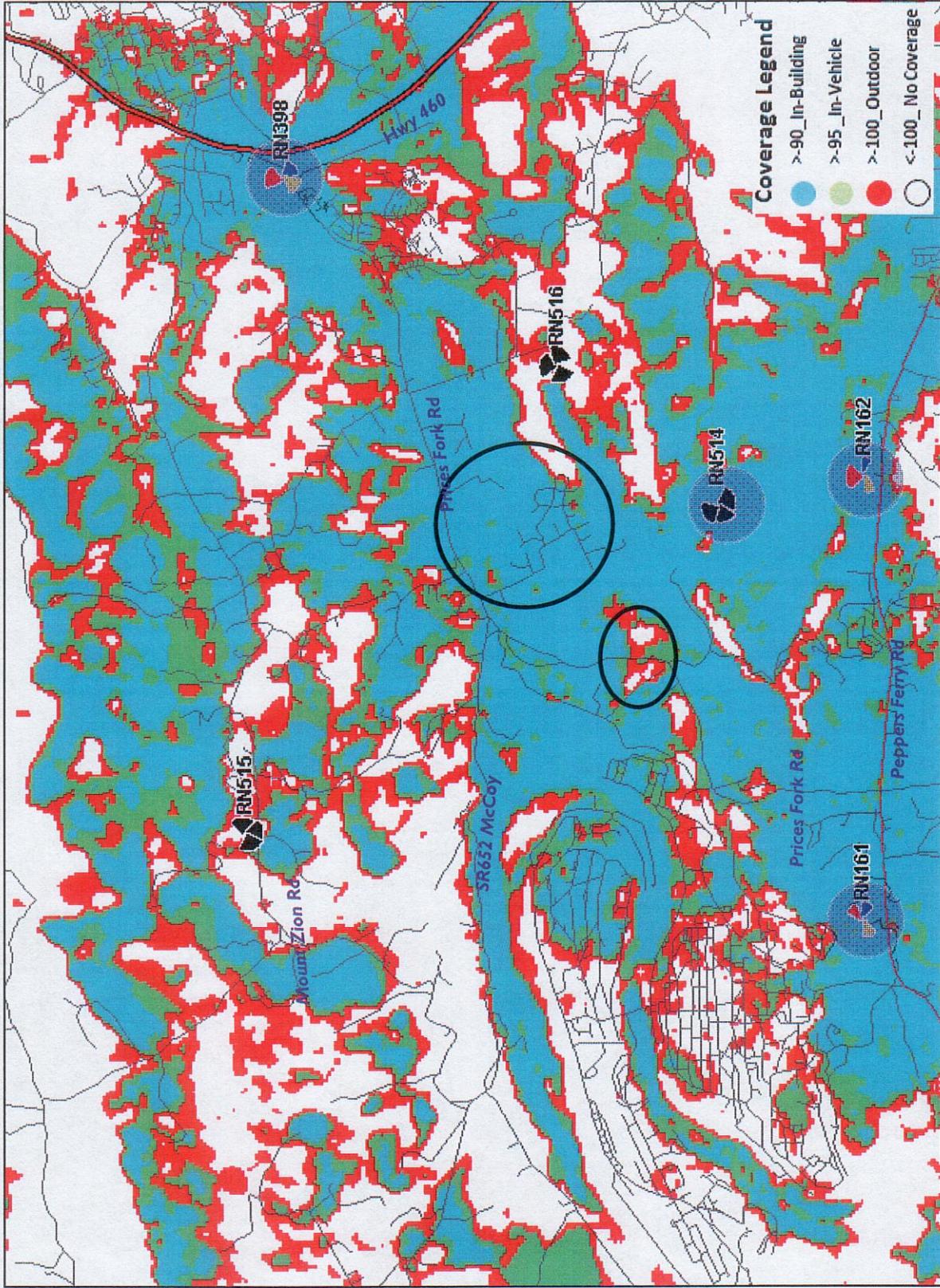
RN514 Coverage Objective



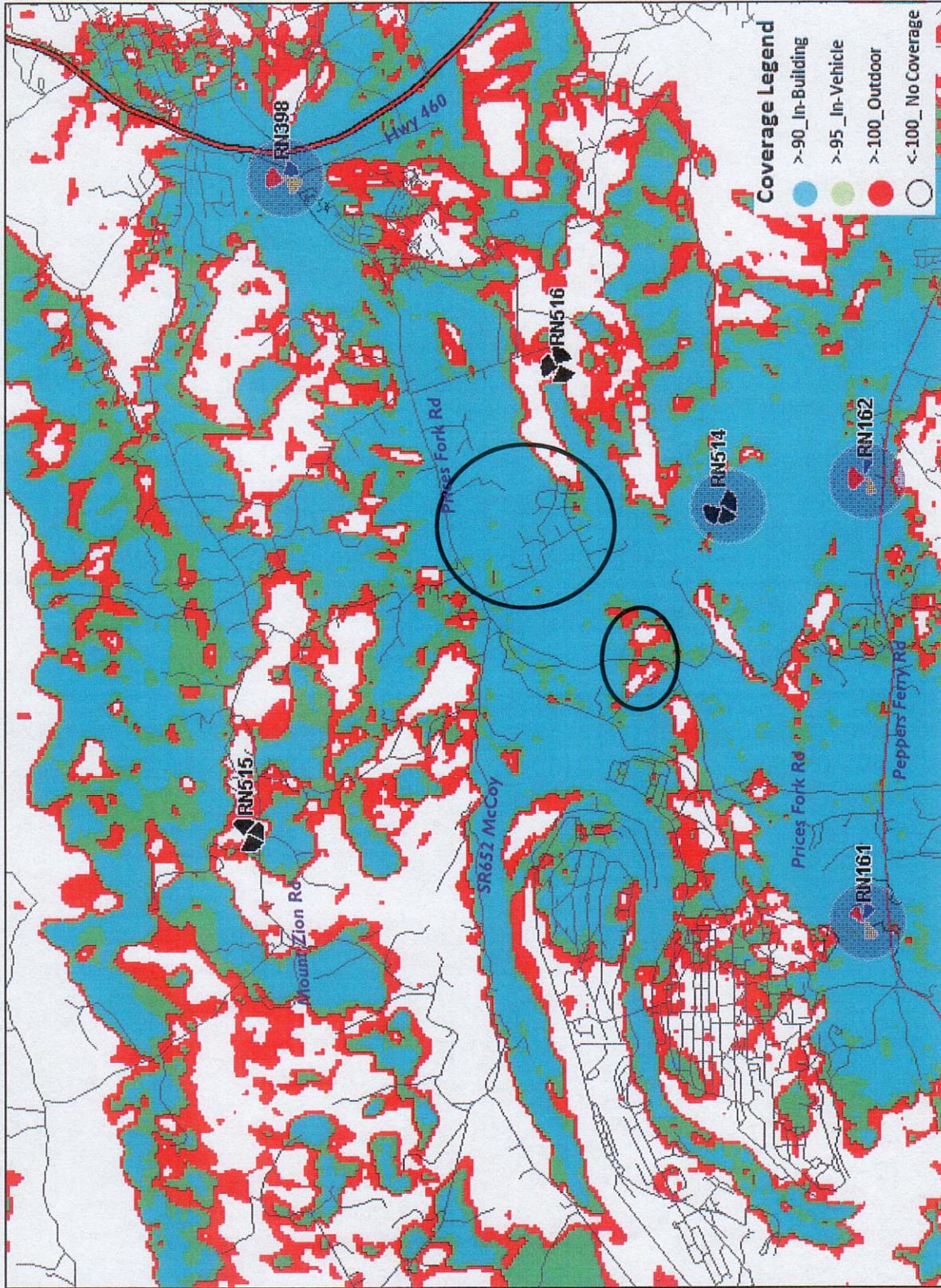
Current On Air



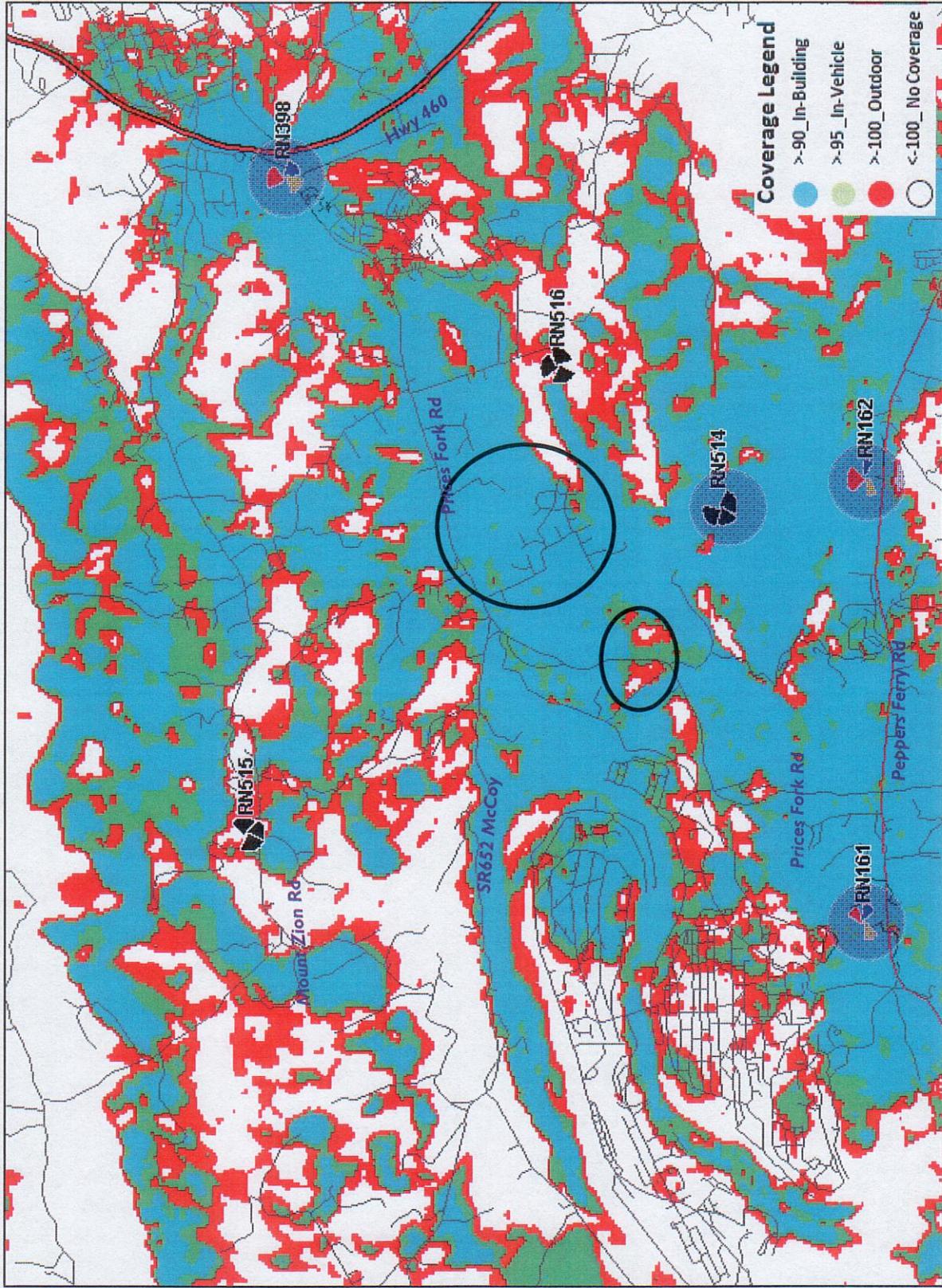
RN514 (80FT) + On Air



RN514 (100FT) + On Air



RN514 (120FT) + On Air





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

Aeronautical Study No.
2008-AEA-4541-OE

Issued Date: 11/12/2008

Kent Henderson
NTELOS (KH)
147 Daleville Center Drive
Daleville, VA 24083

**** 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 Stroubles Creek RN514
Location:	Blacksburg, VA
Latitude:	37-11-12.29N NAD 83
Longitude:	80-28-56.67W
Heights:	125 feet above ground level (AGL) 2488 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.

While the structure does not constitute a hazard to air navigation, it would be located within or near a military training area and/or route.

This determination expires on 05/12/2010 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE.

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 (817) 838-1994. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2008-AEA-4541-OE.

Signature Control No: 603093-103662210

(DNE)

Linda Steele
Technician

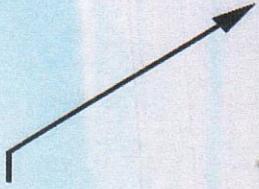
Attachment(s)
Frequency Data

Frequency Data for ASN 2008-AEA-4541-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

Photo 1

Proposed 120' Monopole
w/ Flush mount antennas.



Picture taken from the intersection of SR 685
(Prices Fork Road) and SR 657 (Merrimac road)
looking Southwest towards site.

Prepared By:

TERRADON
CORPORATION

Engineering Surveying Landscape Architecture
P.O. Box 519
Nitro, West Virginia 25143
(304) 755-8291 Fax 755-2636
www.terradon.com

Photo 2



PROPOSED 120' MONO POLE
w/ FLUSH MOUNT ANTENNAS

PHOTO TAKEN FROM SR114 NEAR PINE VIEW CHURCH
LOOKING NORTHEAST TOWARD SITE

PREPARED BY:
TERRADON CORPORATION
Engineering Surveying Landscape Architecture
P.O. Box 519
Nitro, West Virginia 25143
(304) 755-8291 Fax 755-2636
www.terraddon.com

Photo 3



PHOTO TAKEN FROM SR114 LOOKING
NORTH TOWARD SITE

PREPARED BY:

TERRADON
CORPORATION

Engineering Surveying Landscape Architecture
P.O. Box 519
Nitro, West Virginia 25143
(304) 755-8291 Fax 755-2636
www.terradon.com

Photo 4



PROPOSED 120' MONO POLE
w/ FLUSH MOUNT ANTENNAS

PHOTO TAKEN FROM SR114 NEAR ROLLING HILLS, VA
LOOKING NORTHWEST TOWARD SITE.

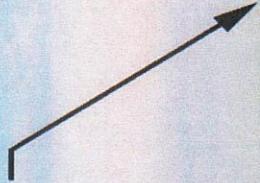
PREPARED BY:

TERRADON
CORPORATION

Engineering Surveying Landscape Architecture
P.O. Box 519
Nitro, West Virginia 25143
(304) 755-8291 Fax 755-2636
www.terraddon.com

Photo 5

Proposed 120' Monopole
w/ Flush mount antennas.



Picture taken from SR 685 (Prices Fork Road)
looking Southwest towards site.

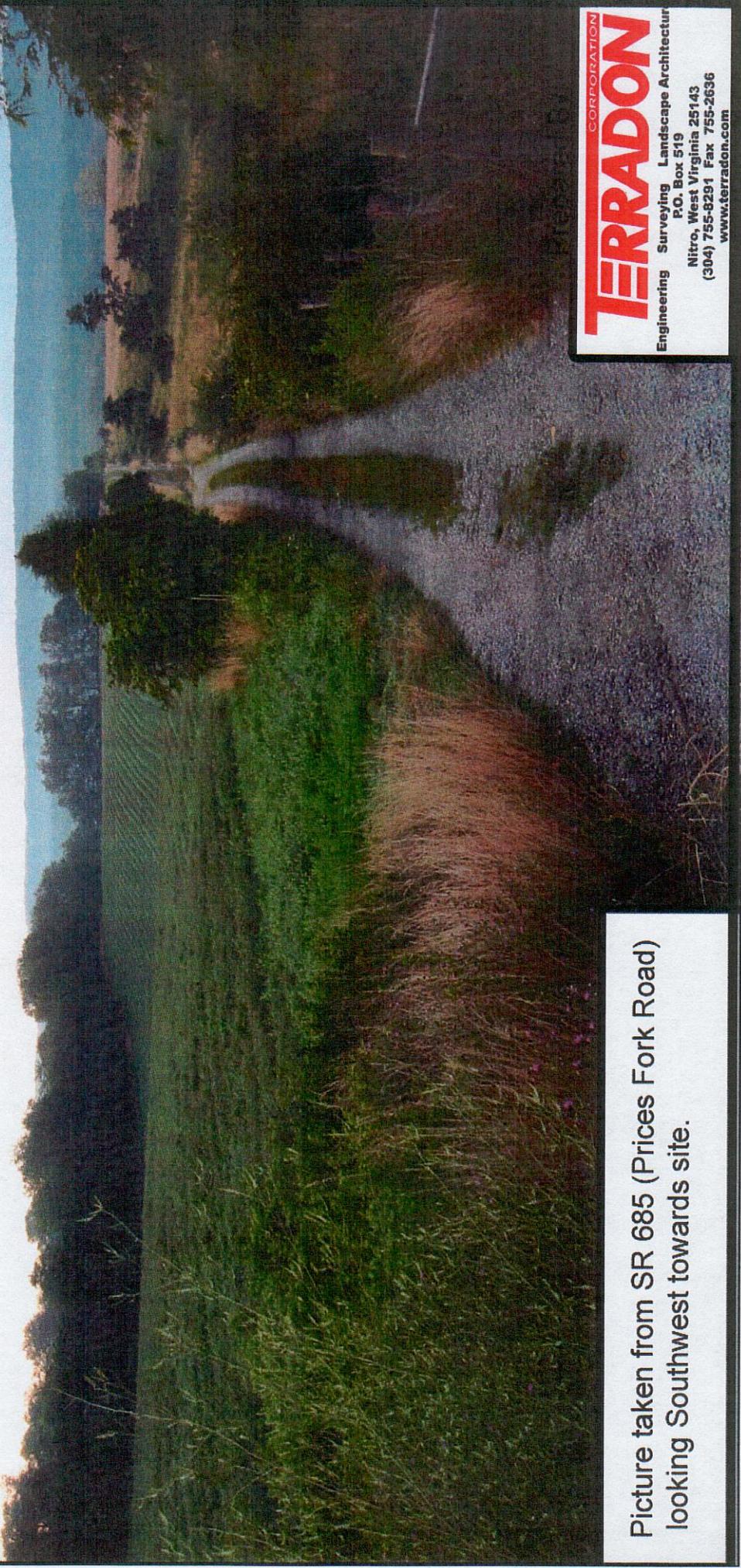
Prepared By:

TERRADON
CORPORATION

Engineering Surveying Landscape Architecture
P.O. Box 519
Nitro, West Virginia 25143
(304) 755-8291 Fax 755-2636
www.terradon.com

Photo 6

Proposed 120' Monopole
w/ Flush mount antennas.

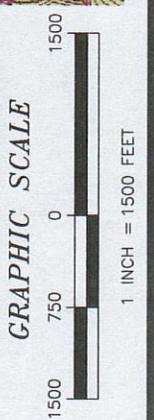
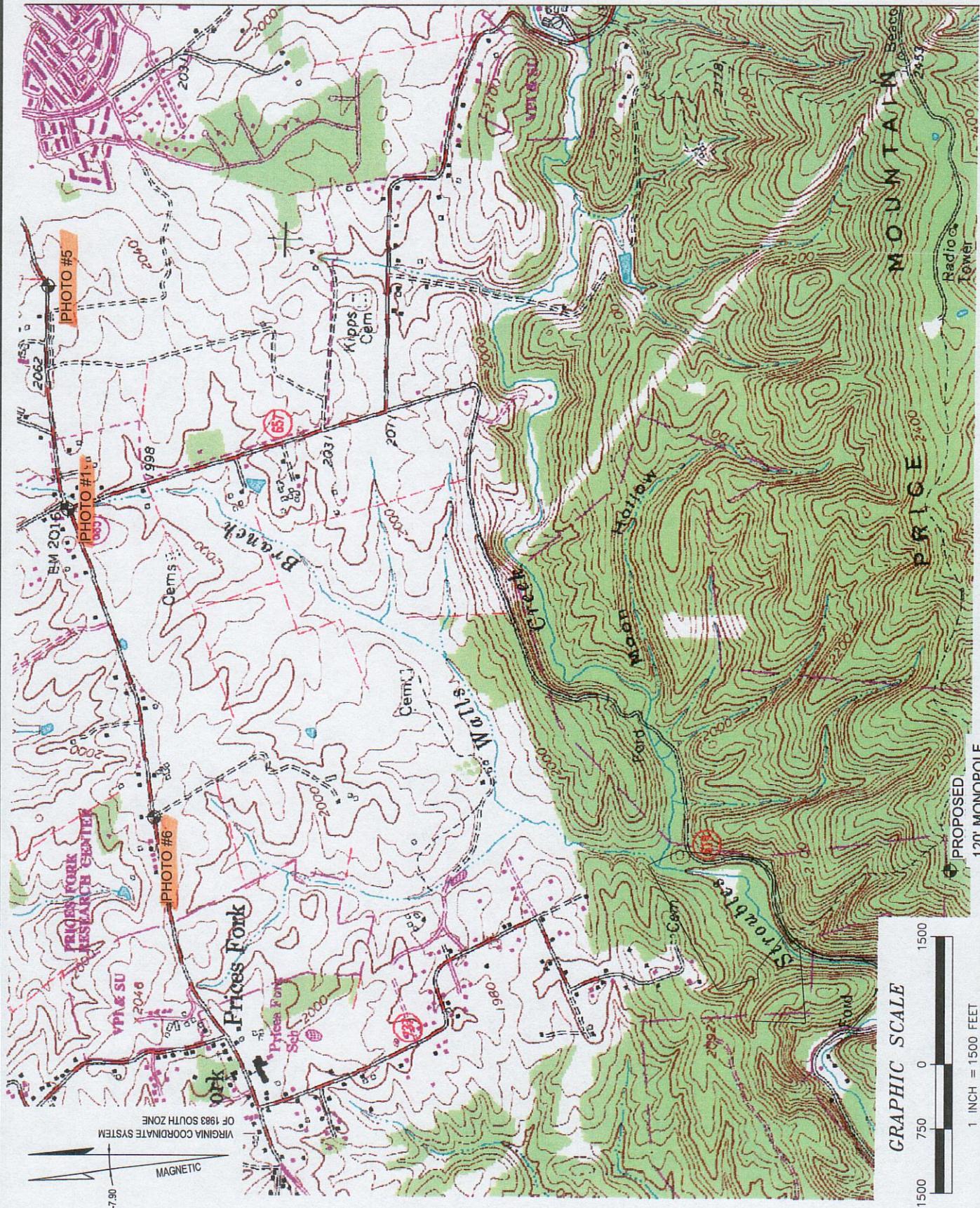


Picture taken from SR 685 (Prices Fork Road)
looking Southwest towards site.

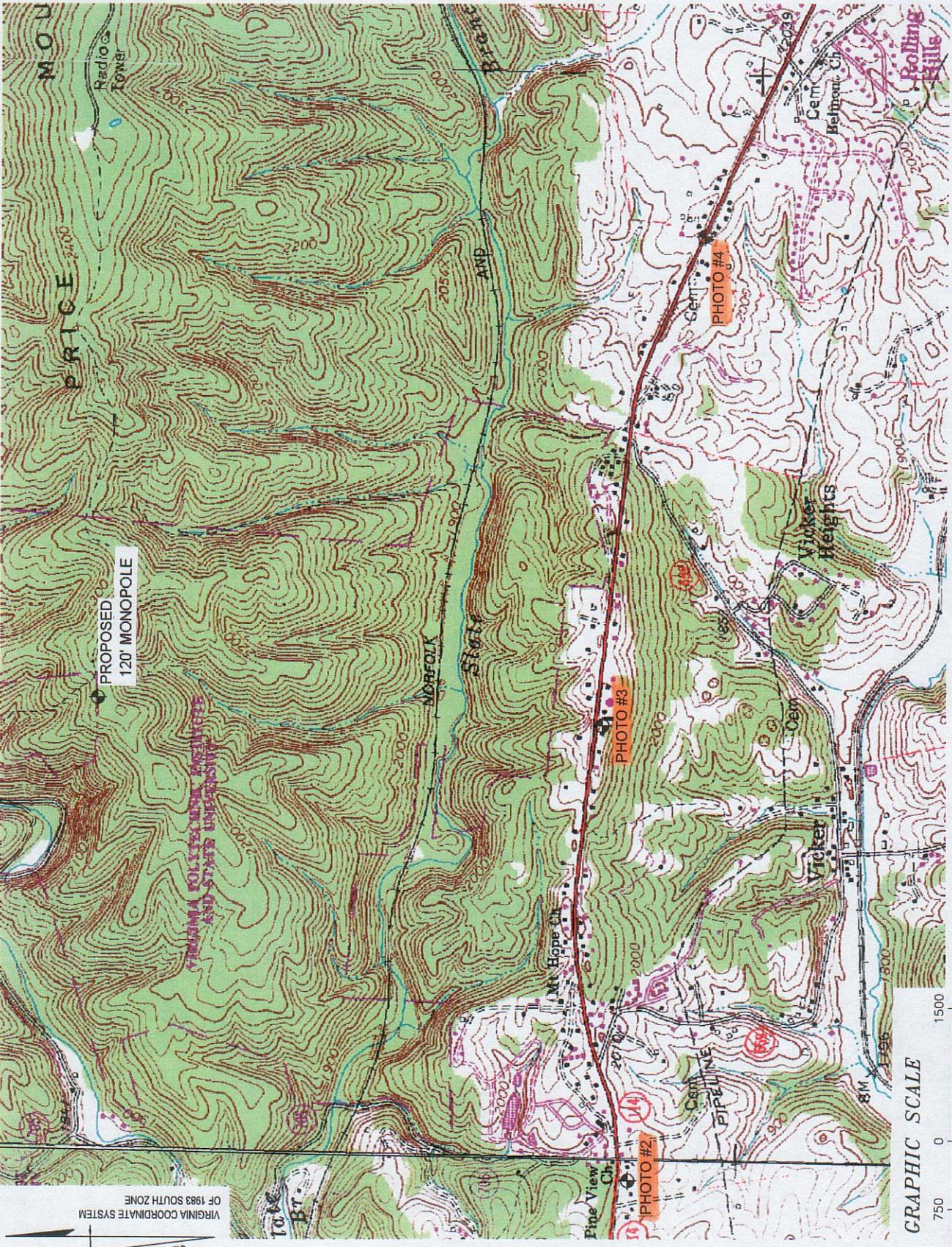
TERRADON CORPORATION
Engineering Surveying Landscape Architecture
P.O. Box 519
Nitro, West Virginia 25143
(304) 755-8291 Fax 755-2636
www.terraddon.com



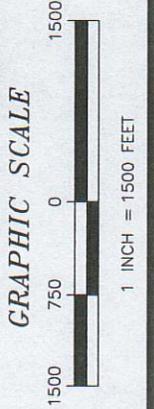
RNS14-PHOTO
CAD File No.
WKM
Drawn
Checked
CGP
Approved
Scale 1" = 1500'
Date 10-08-06
Project No.



MAGNETIC
-7.90
VIRGINIA COORDINATE SYSTEM
OF 1983 SOUTH ZONE



MAGNETIC
 -7.90
 VIRGINIA COORDINATE SYSTEM
 OF 1983 SOUTH ZONE



FERRADON
 P.O. Box 519
 N.Hro, West Virginia 25143
 (304) 755-8291 FAX 755-2636



RNS14
 STROUBLES CREEK
 PHOTO LOCATION MAP

RNS14- PHOTO
 CAD File No.
 WKW
 DGP
 DGP
 Checked
 DGP
 Approved
 1" = 1500'
 Scale
 10-08-08
 Date
 RNS14
 Project No.

01
 Drawing No.



TERRADON

P.O. Box 819
HARRIS, Texas 75458-0819
(214) 752-8281 FAX 752-8288

TERRADON PROJECT #01165-0021
ALL DIMENSIONS AND BEARING ANGLES, COORDINATES AND THE PROPERTY OF TERRADON ARE THE PROPERTY OF TERRADON AND WILL BE FURNISHED WITHOUT THE WRITTEN CONSENT OF TERRADON.

REVISION	NO.	DATE	BY	DESCRIPTION
	1	10-16-00	PRELIMINARY	
	2	1-16-03	SUBMITTED	
	3	1-25-03	FINAL	

THIS DRAWING IS UNPUBLISHED AND IS THE SOLE PROPERTY OF TERRADON. IT IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF TERRADON.

DRAWN BY: HKU
CHECKED BY: CGP

SITE NAME
**STROUBLE'S CREEK
PMS14**

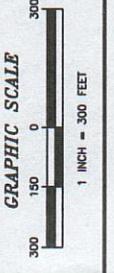
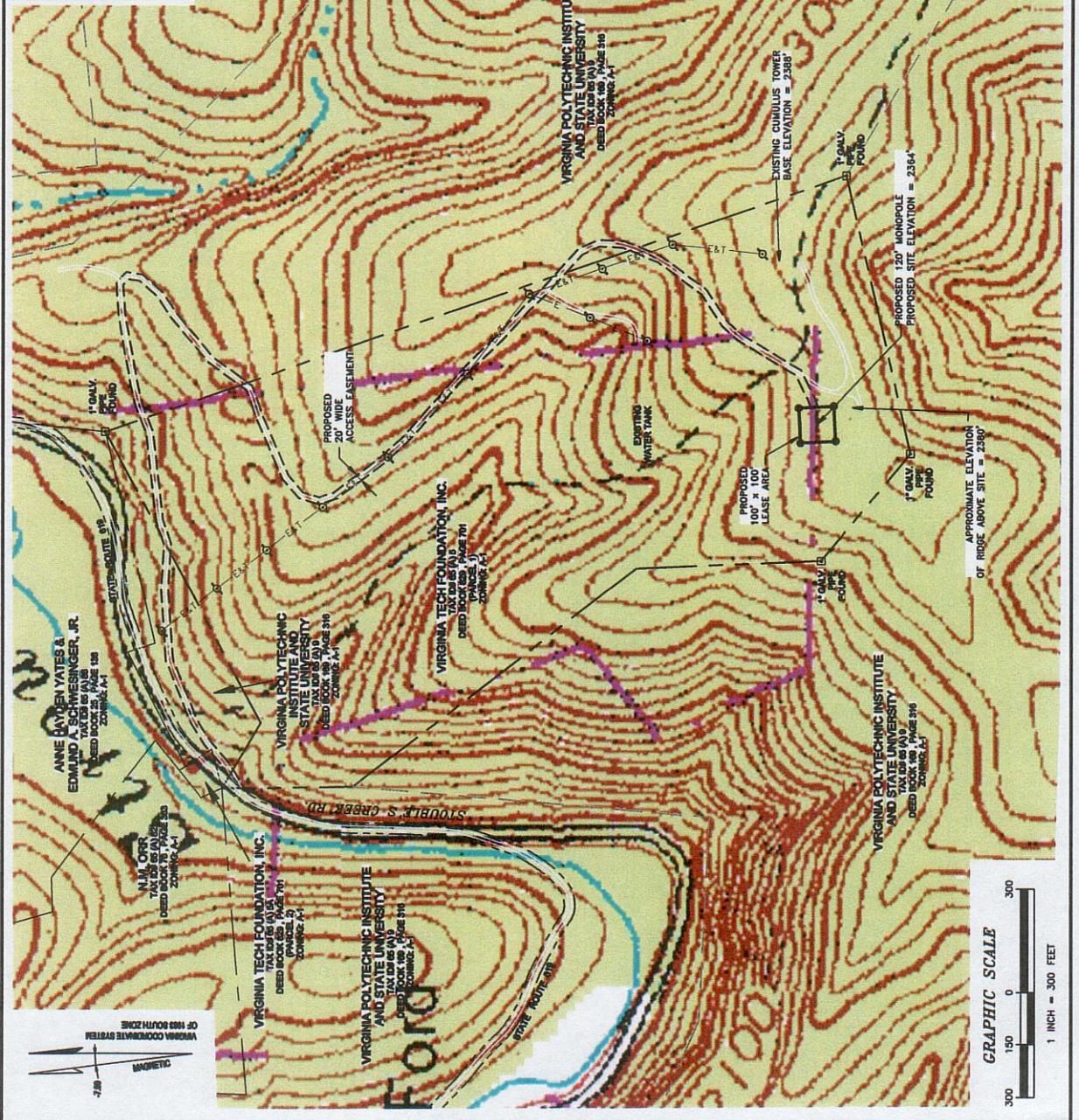
SITE ADDRESS
**STROUBLE'S CREEK RD.
BLACKSBURG, VA 24060**

SHEET TITLE
TOPOGRAPHIC EXHIBIT MA1

SHEET NUMBER
L-3
PLOT SCALE
N/A

LEGEND

---	PROPERTY LINE
- - -	TRACT LINE
- - -	LEASE LINE
- - -	ROW LINE
- - -	EXISTING POWER LINE
- - -	OVERHEAD TELEPHONE
- - -	UNDERGROUND TELEPHONE
- - -	OVERHEAD ELECTRIC
- - -	UNDERGROUND ELECTRIC
- - -	OVERHEAD TELEPHONE
- - -	5/8" REBAR W/CAP SET
- - -	FOUND MONUMENTATION
- - -	UTILITY POLE





COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

PO BOX 3071

SALEM, VA 24153-0560

DAVID S. EKERN, P.E.
COMMISSIONER

January 15, 2009

Dari Jenkins
Montgomery County Zoning Administrator
755 Roanoke St., Suite 2A
Christiansburg VA 24073-3177

Re: nTelos special use permit
Route 619 - Stroubles Creek Road

Dear Ms Jenkins:

Since the applicant intends to use an existing entrance, we have no requirements regarding this item.

If there are any questions contact John Thompson at 540-381-7200.

Sincerely,

A handwritten signature in black ink, appearing to read "John C. Thompson", with a long horizontal flourish extending to the right.

John C. Thompson, PE
Staff Engineer, Christiansburg Residency

C: Debbie Balser, nTelos