

Planning Commission Meeting
July 20, 2011
Verbatim Excerpt

2232-B08-7 – COMMONWEALTH SWIM CLUB, INC
SE 2009-BR-020 – T-MOBILE NORTHEAST LLC

After the Close of the Public Hearing

Commissioner Harsel: Okay, thank you, Mr. Chairman. I think as we have said throughout the whole hearing and Ms. Hall has kept reinforcing the idea that we are here to look at a land-use issue. And as the rest of us have entered into the thing is also the fact that with inventions and with us moving forward in progress of different things, we are having to put up more and more cell towers. I have to say, we no longer are able to do them on buildings. We're no longer able to do them in industrial sites. We're starting now to move into a residential area. I thank the industry and I commend the industry very much for trying to disguise them as flag poles, as steeples, and in this particular case, as a tree pole. When we first started this in 2007, it was 150 feet high and it was visible for quite a large distance around. It was also – I don't know where the engineers of the South Company came from because it was like a good wind would be – like Mr. Anderson said – it would blow it down into the – it was teetering right on the edge of this ravine. But they have moved it in. They have – they're landscaping it. They're landscaping the parking lot. It is close to the RPA – not as close to the houses as at one time it had met. I will say this, that we have had two citizen meetings under two Supervisors and we had a nice, healthy turnout at both of them and fortunately or unfortunately it was always at the end – the feeling of the groups assembled was split down the middle as you can tell by the letters we have received. We have seven letters that we have received in favor of this application and we have six letters that came in to us against this application. Mr. Chairman, and I would like all of these letters entered into the record and – in favor of this is a letter by Susan Susanke; in favor is a letter by Ms. Miller; and we have testimony by Mr. Buckley that he brought, plus he also sent us a letter; we have in favor I want entered into the record by David Shade, by Mark Balderson, by Sarah Caponie, by Patricia Bozell. I would like those entered into the record and I also would like the record to show we had an outstanding turnout from citizens both for and against, but the Swim Club answered and heeded Mr. Joyce's letter, which said, "You show by coming that you are in favor of it." No means does that talk against the six letters I want entered into the record that are opposed to this application; the one by Charles Anderson and he did speak very eloquently on the landscaping problem; the letter against it by Ronald and Katherine Shell; by Chris Howell; and by the Simmons, Mr. and Mrs. Simmons entered quite a lengthy letter in opposition; and finally by Paul Albertson, the letter is in opposition; and Mary Lou and Harry Wolfkill. I would like all those letters for and against entered into the application. We are looking to do the 2232 first where we look at character, extent, and location. Mr. Chairman, I – when looking at this, the character is a tree pole. The location is in a – I hate to say this and I'm not offending the Swim Club – in a deserted parking lot with an unused tennis compound, which will be beefed up and people will look into it. We're going to have landscaping, but that's the location as opposite of Laurel Ridge School. And I think we have heartburn about putting these things on elementary schools. It's bad enough on a high school. We're trying to avoid the elementary school. There are – T-Mobile is located very close. They've tried as much as they can. They're in a church steeple. They're in a high school. They're in the State Police. They've extended their options for commercial and non-commercial spots. As far as extent, it's an interpretation problem. I say they

meet the extent. They've gone from 150 feet down to 120 feet and it's a very fluffy tree rather than a plain pole. Therefore, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION APPROVE 2232-B08-7 AS IT MEETS THE CRITERIA OF CHARACTER, LOCATION, AND EXTENT AS SPECIFIED IN SECTION 15.2-2232 OF THE *CODE OF VIRGINIA* AND IT IS IN ACCORD WITH THE ADOPTED COMPREHENSIVE PLAN.

Commissioners Hall and Sargeant: Second

Chairman Murphy: Seconded by Ms. Hall and Mr. Sargeant. Is there a discussion of the motion? All those in favor of the motion to approve 2232-B08-7, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Mrs. Harsel.

Commissioner Harsel: Thank you, Mr. Chairman. Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SPECIAL EXCEPTION 2009-BR-020, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS CONTAINED IN APPENDIX 1 AS MODIFIED AND AGREED UPON BY THE APPLICANT. CONDITION NUMBER 17 WILL NOW READ: "ANY COMPONENTS OF THE TELECOMMUNICATION FACILITY SHALL BE REMOVED BY THE OPERATOR OF THE FACILITY WITHIN 120 DAYS AFTER SUCH COMPONENTS ARE NO LONGER IN USE."

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Is there a discussion of that motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve SE 2009-BR-020, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Mrs. Harsel.

Commissioner Harsel: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS A REAFFIRMATION OF THE PREVIOUSLY APPROVED MODIFICATIONS OF THE TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS TO ALLOW THE EXISTING AND THE ADDED VEGETATION TO REMAIN AND IN FAVOR OF THE SUPPLEMENTAL PLANTINGS DEPECTED ON THE SE/SP PLAT, ESPECIALLY THE ONES THEY'RE TALKING ABOUT ON Z-6.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Is there a discussion of that motion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

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(The motions carried unanimously.)

JLC