



Chatham County Planning Department
Po Box 54
Pittsboro, NC 27312
(Ph) 919-542-8285 (Fax) 919-542-2698
www.chathamnc.org/planning

APPLICATION ACCEPTANCE POLICY

Wireless
Telecommunications Permit
(WTP)

Chatham County understands that clear expectations make the application and development review processes easier for both applicants and staff. The policies outlined below will enable Planning Department staff to move the process along in a way that ensures that each application receives the attention it deserves. Staff desires to complete review of projects in an accurate and timely manner. Due to the preparation, reviews, and public hearing schedules, working with incomplete materials detracts from the timely review of applications.

Wireless Telecommunication permits are granted by the Board of Commissioners in accordance with the standards for granting Conditional Use Permits set forth in the Chatham County Zoning Ordinance Section 17 and in accordance with Section 2-3 of the Wireless Telecommunication Facilities Ordinance. Applications for Wireless Facilities and/or Wireless Support Structures not subject to Administrative Review and Approval that are located within the unzoned portions of the county shall be permitted upon the granting of a Wireless Telecommunications Permit processed in the same manner as Conditional Use Permits, as described in Section 2-3 of the Wireless Telecommunication Facilities Ordinance.

1. Applications are to be reviewed for completeness by staff prior to being officially accepted for review. Applications that are dropped off or mailed in cannot be accepted without prior approval from the Planning Department.
2. Checklists are provided with each application package. If the application does not contain all required items on the checklist, it will be considered incomplete and shall not be accepted. **PLEASE REVIEW SECTION 2-3 OF THE WIRELESS TELECOMMUNICATIONS ORDINANCE FOR WIRELESS TELECOMMUNICATION PERMIT APPLICATION SUBMITTAL REQUIREMENTS.**
3. Upon determination by staff that an application is complete, it will be officially accepted by the Planning Department by accepting payment and issuing receipt. Staff will not hold materials for incomplete applications or any monies associated with the submittal of an application. Application fees must be paid at the time an application is submitted for acceptance.
4. In order to allow time to process fees, applications will not be accepted after 4:00 pm each day.
5. For your convenience, applicants may schedule an appointment with staff to review the application package before the official submission.

The Planning Department staff looks forward to working with you during the application process. If you have questions or need further assistance, please call 919-542-8204.

Wireless Telecommunications
Permit

**APPLICATION FOR
NEW WTP**

Chatham County
Planning Department

P. O. Box 54, 80-A East St, Pittsboro, NC 27312
Telephone: (919) 542-8204 FAX: (919)542-2698

Section A. APPLICANT INFORMATION

NAME OF APPLICANT: Baker Donelson on behalf of Cellco Partnership d/b/a Verizon Wireless

MAILING ADDRESS OF APPLICANT: 1600 West End Avenue, Suite 2000, Nashville, TN 37203

PHONE NUMBER/E-MAIL OF APPLICANT: 615.726.5757 / ltaylor@bakerdonelson.com

PROPERTY OWNER INFORMATION (If different from the applicant): **Owner Authorization Signature Required; See page 6 of application.**

Name(s) Jerry R. Justice

Address: 2654 NC Highway 87 North, Pittsboro, North Carolina

ZIP _____

Telephone: 919.755.4914

FAX: N/A

E-Mail Address: N/A

PROPERTY INFORMATION: The following information is required to provide the necessary information to process the rezoning request.

* **Items with an asterisk pertain solely to applications within the zoned portions of the county.**

ADDRESS OF SUBJECT SITE: 5914 ~~5684~~ NC Highway 87 North, Pittsboro, NC 27312

CHATHAM COUNTY PROPERTY PARCEL NUMBER (AKPAR #): 0010843

***CURRENT ZONING DISTRICT(S):** R-1

.75 acres total

TOTAL SITE ACRES/SQUARE FEET: Lease Area – 0.23 acres; Access/Utility Easement - 0.52 acres; Parent Parcel - 39.79 acres

PROPOSED USE(S) AND PROPOSED CONDITIONS FOR THE SITE: Wireless Telecommunications Facilities and Wireless Support Structures – Wireless Support Structures that are greater than one hundred ninety-nine (199) feet, but no more than three hundred (300) feet in height

It is important that the applicant provide information to explain how the permit request satisfies the following required five findings. **All applications shall contain the following information.** Please use attachments if necessary. If there is a finding that you feel does not apply to this submittal, please mark with "N/A" for not applicable.

- *1. **The use requested is among those listed as an eligible conditional use in the district in which the subject property is located or is to be located.**
The requested use for the property as a site for a Wireless Support Structure greater than 199' but no more than 300' in height is listed as a Conditional Use in the R-1 zoning district. Please also see enclosed Exhibit 1.

2. **The requested Wireless Telecommunications Permit is either essential or desirable for the public convenience or welfare.**
The requested conditional use permit is essential for coverage gap fill in Verizon Wireless' wireless network. The resulting additional coverage will benefit the surrounding area with increased coverage and capacity.
Please also see enclosed Exhibit 1.

3. **The requested permit or revision to the existing permit will not impair the integrity or character of the surrounding or adjoining districts, and will not be detrimental to the health, safety or welfare of the community.**
The requested permit will not impair the integrity of the surrounding area and will not result in negative health or safety impacts. The increased coverage for the area will increase the safety and welfare of the community by providing additional coverage in the event of any emergencies within the area. Please see enclosed exhibits for Photo Simulations and NIER Statement.

4. **The requested permit will be or remain consistent with the objectives of the Land Conservation and Development Plan.**
Agreed and acknowledged. Verizon Wireless is seeking relief from strict application of Section 2-4.6(a) of the Wireless Telecommunication Facilities Ordinance to allow for additional tower height above 199 foot height limitation. Please see enclosed Exhibit 1.

5. **Adequate utilities, access roads, storm drainage, recreation, open space, and other necessary facilities have been or are being provided consistent with the County's plans, policies and regulations.**
Agreed and acknowledged. All necessary access roads, storm drainage, utilities and other necessary facilities will be provided in accordance with the County's plans, policies, and regulations.

Section B. SUBMITTAL INFORMATION AND PROCEDURE

- (1) Sixteen (16) completed application packets and all supporting information shall be submitted to the Planning Department at least forty-five (45) days prior to the Public Hearing. **(PLEASE SEE ATTACHED CALENDAR FOR ALL SUBMITTAL AND DEADLINE DATES)** A digital copy of the application packet shall be submitted pursuant to the Planning Department Digital Document Submission Guidelines.

***(2) PLEASE NOTE:** A Community Meeting is required to be held PRIOR to the submittal of your application. Please see Section 2-3 (2) of the Wireless Telecommunication Facilities Ordinance.

Date Community Meeting Held: 09/01/2021

- (3) The Planning Department shall have fifteen (15) days from the date of submittal to notify the applicant that the application is complete for scheduling the public hearing.
 - a. If the Planning Department determines the information is not sufficient for review, the Department shall notify the applicant of the specific information that is required for review.
 - b. The Planning Department shall take no further action on the application until the applicant submits the required information.
 - c. Once the applicant corrects the identified deficiencies, the applicant shall resubmit to the Planning Department at least 45 days prior to the next Public Hearing meeting, and the Department shall have 15 days to review the information and notify the applicant that the information is sufficient for review.
 - d. A determination that an application contains sufficient information for review as provided in this subsection (b) does not limit the ability of other county agencies, the Planning Board or the Board of Commissioners to request additional information during the review process.
- (4) The application is reviewed by the Technical Review Committee prior to the Public Hearing for comments and recommendations from other agencies.

Section C. SUPPLEMENTAL INFORMATION REQUIRED WITH THE APPLICATION and REQUIRED INFORMATION TO BE INCLUDED ON THE SITE PLAN

PLEASE INCLUDE ALL OF THE FOLLOWING (CHECK OFF). Please check the list below carefully before you submit:

- (1) All Wireless Telecommunication permit application packages for any applicable wireless facility or wireless support structures must contain the following items, consistent with Section 2-3 (2) of the Wireless Telecommunication Facilities Ordinance:
 - a. Copy of lease or letter of authorization from the property owner evidencing applicant's authority to pursue zoning application. Such submissions need not disclose financial lease terms;
 - b. Written description and scaled drawings of the proposed Wireless Support Structure or Wireless Facility, including structure height, ground and structure design, and proposed materials;
 - c. Number of proposed Antennas and their height above ground level, including the proposed placement of Antennas on the Wireless Support Structure;
 - d. Line-of-sight diagram or photo simulation, showing the proposed Wireless Support Structure set against the skyline and viewed from at least four (4) directions within the surrounding areas;
 - e. A statement that the proposed Wireless Support Structure will be made available for Collocation to other service providers provided space is available and consistent with Article 2 of this Ordinance. (*acknowledge requirement with a statement below*)
Please see enclosed Exhibit 7 - Shared Use Letter.

Signature	Title	Date
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- f. Proposed towers may not be located closer than one and one-half (1.5) miles from an existing tower unless need can be demonstrated. The Applicant shall provide a map of all other towers located within three (3) miles of the proposed tower location, along with information as to the heights of all such other towers.
- g. All requests for new towers shall identify at least one wireless tenant that intends to locate on the proposed tower at time of application for building permit. If a wireless tenant is not identified, then the building permit shall not be issued.

Acknowledgment of Requirement: W. L. S. Taylor Applicant 09/28/2021
 Signature Title Date

- h. A statement that the proposed Telecommunication tower may not be placed in any "Major Wildlife Areas" identified in the "Inventory of the Natural Areas and Wildlife Habitats of Chatham County, North Carolina", 1992. (*acknowledge requirement with a statement below*)
 Please see enclosed Exhibit 1 and Exhibit 9 - Report of Major Wildlife Areas.

 Signature Title Date

(2) The application shall include a **site plan**, drawn to scale, with supporting information and any rules, regulations, and conditions that, in addition to the predetermined ordinance requirements, will govern the development and use of the property. The following information must be provided, if applicable:

- a. Information showing the boundaries of the proposed property as follows:
 1. A GIS or survey map and parcel number of the subject property.
 2. If only a portion of the parcel is being proposed for the Wireless Telecommunications Permit, a boundary survey and vicinity map showing the property's total acreage, parcel number, current zoning classification(s) and the general location in relation to major streets, railroads, and/or waterways,
- b. Engineered fall zone of the proposed wireless facility.
- c. Legal Description of proposed Wireless Telecommunications Permit subject area;
- d. All existing and proposed easements, reservations, and rights-of-way;
- e. Proposed number and general location of all building sites, their approximate location, and their approximate dimensions;
- f. All yards, buffers, screening, and landscaping required by these regulations or proposed by the applicant; (**SECTION 2-4 (11) WIRELESS TELECOMMUNICATION ORDINANCE LANDSCAPING REQUIREMENTS**)
- g. All existing and proposed points of access to public and/or private streets;
- h. Stream buffers required through this or other Chatham County Ordinances or Regulations, and other Local, State, or Federal regulatory agencies. Delineation of areas within the regulatory floodplain as shown on the Official Flood Insurance Rate Maps for Chatham County;
- *i. Generalized traffic, parking, and circulation plans; (**SECTION 14 ZONING ORDINANCE- OFF STREET PARKING**)
- j. Proposed provision of utilities;
- k. The location of known sites of historic or cultural significance within or adjacent to the project area, including any structure over 50 years old;
- l. The approximate location of any cemetery;

*m. Proposed number, location, and size of signs; (**SECTION 15 ZONING ORDINANCE- SIGN REGULATIONS**)

n. Location and description of any proposed lighting on the project site with a note that any lighting will comply with the Chatham County Lighting Ordinance.

o. The location of existing and/or proposed storm drainage patterns and facilities intended to serve the proposed development, and impervious surface calculations; and

N/A*p. Environmental Impact Assessment pursuant to **Section 11.3** of the Zoning Ordinance, if applicable. If you are or will be disturbing two or more acres in connection with this application, you are required to submit and EIA with this application. Failure to do so will result in the delay of scheduling your request for public hearing or may be returned completely for re-submission.

(2) In the course of evaluating this application, the Zoning Administrator, Planning Board, or Board of Commissioners may request additional information from the applicant. This information may include, but not be limited to, the following:

- a. Proposed screening, buffers, and landscaping over and above that required by these regulations, as well as proposed treatment of any existing natural features;
- b. Existing and general proposed topography;
- c. Scale of buildings relative to abutting property;
- d. Height of structures;
- e. Exterior features of the proposed development;
- f. Any other information needed to demonstrate compliance with these regulations.

NOTE: The Zoning Administrator has the authority to waive any application requirement where the type of use or scale of the proposal makes providing that information unnecessary or impractical.



SECTION D. SIGNATURE STATEMENTS

OWNER'S SIGNATURE: In filing this application, I/we as the property owner(s), hereby certify that all of the information presented in this application is accurate to the best of my knowledge, information and belief. I hereby designate Applicants to act on my behalf regarding this application, to receive and respond to administrative comments, to resubmit plans on my behalf and to speak for me in any public meeting regarding this application.

Signature: Jerry R Justice

Date: 9-16-2021

APPLICANT SIGNATURE: I hereby acknowledge that I am making this application on behalf of the above owner's statement or myself as the owner and that all the information presented in this application is accurate to the best of my knowledge, information, and belief. I acknowledge understanding of the requirements set out in this application and in the ordinances and/or guidelines used to determine the completeness of this submittal and to proceed as determined.

Signature: W. W. Burton

Date: 09/28/2021

OFFICE USE ONLY:

DATE RECD: _____
BY: _____
APPLICATION #: PL20 _____
FEE PAID \$: _____

**APPLICATION FOR ZONING APPROVAL BY CELLCO
PARTNERSHIP D/B/A VERIZON WIRELESS FOR THE
CONSTRUCTION OF A WIRELESS COMMUNICATION
TOWER AND RELATED APPURTENANCES**

(LUTTERLOH SITE)

(SITE ADDRESS: NC 87 N, PITTSBORO, NORTH CAROLINA 27312)

**SUBMITTED BY:
BAKER, DONELSON, BEARMAN, CALDWELL & BERKOWITZ, PC
W. LEE TAYLOR, ESQ.
ATTORNEY TO VERIZON WIRELESS
1600 West End Avenue, Suite 2000
Nashville, TN 37203
615.726.5757
LTAYLOR@BAKERDONELSON.COM**

W. LEE TAYLOR, III, ESQUIRE
Direct Dial: 615.726.5757
E-Mail Address: ltaylor@bakerdonelson.com

October 4, 2021

VIA FEDERAL EXPRESS AND EMAIL

Chatham County, North Carolina Planning Department
Attn: Angela Plummer, Zoning Administrator
80-A East Street
Pittsboro, North Carolina 27312

Re: APPLICATION FOR ZONING APPROVAL BY CELLCO PARTNERSHIP D/B/A VERIZON
WIRELESS FOR THE CONSTRUCTION OF A WIRELESS COMMUNICATION TOWER AND
RELATED APPURTENANCES

(LUTTERLOH SITE / 3000001.102605)
(SITE ADDRESS: NC 87 N, Pittsboro, North Carolina 27312)

Dear Ms. Plummer:

I hope this letter finds you well. Please find enclosed Verizon Wireless' Wireless Telecommunications Permit application (the "Application") for the proposed wireless communication facility in Chatham County, North Carolina at the above-referenced location. An electronic version of the Application, site plan, and supporting documents will be sent to you as well. Please advise at your first convenience whether any additional information is needed for the Application to be deemed complete. We will assume it is sufficiently complete unless we hear from you otherwise.

Thank you for your time and attention to this matter. If you have any questions or comments, or need any additional information, please do not hesitate to contact me. I look forward to hearing from you soon

Best regards,

BAKER, DONELSON, BEARMAN,
CALDWELL & BERKOWITZ, PC



W. Lee Taylor, III, Esquires

**APPLICATION FOR ZONING APPROVAL BY CELLCO PARTNERSHIP D/B/A
VERIZON WIRELESS FOR THE CONSTRUCTION OF A TELECOMMUNICATION
TOWER AND RELATED APPURTENANCES**

LUTTERLOH SITE

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