Caswell County Planning Board Meeting

September 27, 2022

**Members Present***:*

Chairman Russell Johnston, Scott Oakley, Steven Harris, Michael Poteat, Antonio Foster, Jason Daniel, Ron Richmond, Planning Director Matthew Hoagland, Development Services Coordinator Amy Lyle

**Members Absent**: Stephen Thompson, Commissioner Steve Oestreicher

**Called to Order**

Chairman Johnston called the September 27, 2022 Planning Board to order at 1:02 p.m.

**Approval of the Agenda**

Mr. Harris made a motion to approve the September 27th, 2022 Planning Board agenda. The motion carried unanimously.

**Approval of August 23, 2022 Meeting Minutes**

Mr. Foster made a motion to approve the August 2022 Planning Board minutes. The motion carried unanimously.

**Public Comments**

Mr. George Davis, Mr. Frank Longest, Ms. Robin Clement, and Mr. Ron Willis made clear they were present for the cell tower hearing. Mr. Willis thanked the Planning Board members for their service.

**Unfinished Business**

**A) Watershed Review Board legal consultation**

Attorney Bob Hornick told the board he thought it would be appropriate to discuss certain issues regarding the upcoming appeals hearing and cited N.C. General Statute 143-318.11(a)(3). Mr. Harris made a motion to go into closed session. The motion carried unanimously.

**B) Watershed Review Board pending appeals**

Mr. Johnston read aloud the following motion: “I move to adopt the resolution from the August 23, 2022 Planning Board meeting as written with the following amendment: Now therefore, be it resolved by the Caswell County Watershed Review Board as follows: 1. The WRB hearing with respect to the Sunrock appeals now scheduled on September 27, 2022 shall be and hereby is continued until the next WRB meeting scheduled for 1pm on Tuesday, November 15th, 2022.” Mr. Johnston made a motion to continue the watershed appeal to the November 15th, 2022 special meeting. The motion carried.

**New Business**

1. **Wireless Communication Tower public hearing**

Mr. Hoagland shared the following information:

“Applicant TowerCom is proposing to develop a 300-foot guyed style Verizon Wireless tower on a roughly 42-acre parcel of land on Stephentown Road in the Leasburg area. The specific tower location would be near the middle of an agricultural plot of land and approximately 4/10ths of a mile northeast of the intersection of Stephentown Road and US Highway 158 East. In the application packet before you today you’ll find a detailed Ordinance Compliance Narrative, a set of Engineered Plans, a Structural Integrity Letter, a Tower Proximity Map, an FAA Notice of Proposed Construction, an Engineered Design Package, a Colocation Compliance Letter, a copy of the Redacted Lease, a Tower Removal Agreement, a map of RF Coverage Plats (before and after), an FCC License List, a Property Owner Letter of Authorization, and an RF Emission Compliance Report. I’ll be glad to display any of those documents on the screen today.

I also want to note that a public hearing notice ran twice in the Caswell Messenger newspaper on September 14th and 21st, and signs were posted at the property on Tuesday, September 13th. Notification letters were also mailed to the owners of the property under review as well as all adjoining and adjacent property owners. These actions satisfy the public notice requirements of Subsection 9.28.2.2. of the Wireless Communication Facilities Ordinance.

In my review of the tower application package, I have found that it meets all of the standards set forth in our ordinance.

At the conclusion of this public hearing, the Planning Board shall take one of the following actions: 1) Approve the application as submitted; 2) Approve the application with conditions or modifications; 3) Refer the application for additional information or neighborhood input; or 4) Deny the application in writing.

Mr. Jonathan Yates is with us today; he’s an attorney with Hellman Yates Attorneys and Counselors at Law in Charleston, South Carolina. We’re also joined by George Davis and Robiin Clement from TowerCom as well as Attorney Frank Longest. They are prepared to answer any questions you may have about the tower application package, and I’ll be glad to answer any other questions you may have before hearing from Mr. Yates.”

Mr. Harris made a motion to go into a public hearing. The motion carried unanimously.

Mr. Frank Longest, Jr, attorney at law introduced Mr. Jack Yates. Mr. Yates presented information about Ms. Amy Walker’s property, the land owner of the proposed cell tower location. He stated that the property is about 42 acres, and the proposed cell tower is 300-foot tall, and will be designed for five carriers, with Verizon being on top. He stated that the engineer working on the tower is Kirk Hall.

Mr. Longest asked that the tower application package be public record. Mr. Johnston stated that it would be admitted as public record.

Mr. Foster asked what the completion time would be for the tower if approved. Mr. Davis stated that they would like to get the construction started in December or January, with completion by first quarter, or March 2023. Chairman Johnston asked if there were any other questions or if a member would like to make a motion. Mr. Harris made a motion to approve the cell tower, motion carried unanimously.

**Planning Department Updates**

1. **Broadband**

Mr. Hoagland stated that there is a new provider, ZiTel, that has been granted $4 million from the NC GREAT Grant funding for Caswell County. He stated that the county has already passed a resolution to dedicate $250,000 to whoever won the next round of GREAT grant funding with ZiTel dedicating $3.75 million dollars to match the total cost. He stated that from what he understood, ZiTel would run along existing lines that are not being utilized to extend service to customers and tap into what is known as “dark fiber.” He showed a map to the board which projected connecting more than 4,000 total addresses.

Mr. Hoagland also stated that Spectrum would be coming to the county on October 4th to give updates.

1. **Cell towers**

Mr. Hoagland stated that he recently drove by the Prospect Hill cell tower, and there appeared to be a new antenna. He also stated that he had reached out to Mr. Doug Barker not long before the meeting but had not yet heard back from him.

**Adjournment**

Mr. Foster made a motion to adjourn the September 27, 2022 Planning Board Meeting. The motion carried unanimously.