



531 E. Third Street
Siler City, NC 27344
919.742.3333 PH | 919.742.1333 FX
info@ccucc.net | www.ccucc.net

October 18, 2013

Hillary Pace, Planner
Chatham County Planning Department
P.O. Box 1809
Pittsboro, NC 27312

Dear Ms. Pace:

On behalf of the Chatham Chamber of Commerce, I would like to offer a letter of support in favor of changes being made to the Wireless Telecommunication Facilities Ordinance. We understand that a change in this ordinance will assist in the deployment of towers in Chatham County, improving and providing a more favorable infrastructure, which will facilitate more opportunity for business growth in our county.

We appreciate the support of the Planning Department on this important issue.

Sincerely,

A handwritten signature in cursive script that reads "Cindy Poindexter".

Cindy Poindexter
Executive Director

From: [Lindsay Ray](#)
To: [boc; sallykost@gmail.com](mailto:boc@sallykost@gmail.com); DUCKDOGCROSS@aol.com; chathamcommissioner@gmail.com; [Charlie Horne](#); [Hillary Pace](#); [Jason Sullivan](#); [Kimberly Tyson](#)
Cc: [Sandra Sublett](#); [Lindsay Ray](#)
Subject: FW: Cell tower comment
Date: Thursday, September 26, 2013 8:51:58 AM

Comments from Dr. John Dykers

Lindsay K. Ray
Deputy Clerk
Chatham County
PO Box 1809
Pittsboro, NC 27312
919.545.8302 Office
919.542.8272 Fax
lindsay.ray@chathamnc.org



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From: Dr John R Dykers [mailto:jdykers@centurylink.net]
Sent: Wednesday, September 25, 2013 5:11 PM
To: Lindsay Ray
Subject: Cell tower comment

Towers in "Major Wildlife Areas" should take into consideration cellular access for hikers, hunters, scientists, etc. who may need connectivity for function and SAFETY!

As you are probably way ahead of me on this anyway, I won't ask to be a speaker, but will rely on you to see that this is part of the ordinance.

Thank you,
John R. Dykers, Jr. MD

From: Hausmann, John

Sent: Friday, November 22, 2013 2:40 PM

To: 'walter.petty@chathamnc.org'; 'brian.bock@chathamnc.org'; 'mike.cross@chathamnc.org'; 'sally.kost@chathamnc.org'; 'pam.stewart@chathamnc.org'; 'jason.sullivan@chathamnc.org'; 'karl.ernst@chathamnc.org'

Subject: Wireless Telecommunications Facilities Ordinance 13-0332

Ladies & Gentlemen:

I wish to add additional comments for your consideration of the proposed ordinance. There are 3 elements which I wish to address: (1) surface views; (2) height issues; and (3) the bird cages to be attached to the pole. I am attaching some rough sketches to assist in your analysis and understanding. My perceptions come from the ordinance for the 199' monopole on Poythress.

The site is approximately 13,000 sf consisting of a 100' x 100' box with a 30' x 100' drive from Poythress. Inside the box there will be a smaller fenced area.

First, surface views. There is no need to see the fenced area from the street. Drawing 1-A is a T. The drive would go straight into the fence which would be visible from the street. Drawing 1-B is a flag. The drive is offset so that the fence is not visible. Evergreens should be planted so the fence would never be visible, regardless of the season. The site should only be in a woody forest like setting. The more deciduous trees between the road and the fenced area would require more evergreens to be planted, in inverse proportions.

Second, height issues. The height of the surrounding trees, including cypress trees, is important, with a peripheral requirement of site and neighborhood preservation of trees. Drawing 2-A is a sideview showing height is less of an issue when the site is surrounded by taller trees. Drawing 2-B shows smaller trees where height is an issue. And the angle may be viewed from anywhere. When the site is near an open field, like on Poythress, the monopole will clearly be visible from the north. However it will be less visible when looking from the south and looking east because of the angles and trees.

Third, bird cages. These should be hidden in the trees and within the angles described in 2-A and 2-B. There are 2 basic costs for a cell tower: hard costs of construction for the tower and fencing, and lease costs for the land. One applicant subleases to other providers for access to the pole and to add their bird cage. The greater the number of bird cages, the lower the effective cost per provider. This may also be an opportunity for Chatham County to have "participating approvals" or "impact fees" similar to what happens in California and many other jurisdictions. These impact fees may be a function of revenue generated or a function of costs, and may be one time fees or annual fees. They may be directed towards public security, like radios for police, or fire trucks. They may be directed towards a county park fund. They may be directed towards schools. Any tower has an impact on its neighborhood, and to say otherwise is ludicrous. However, the impact may be lessened if the tower and bird cages are properly shielded.

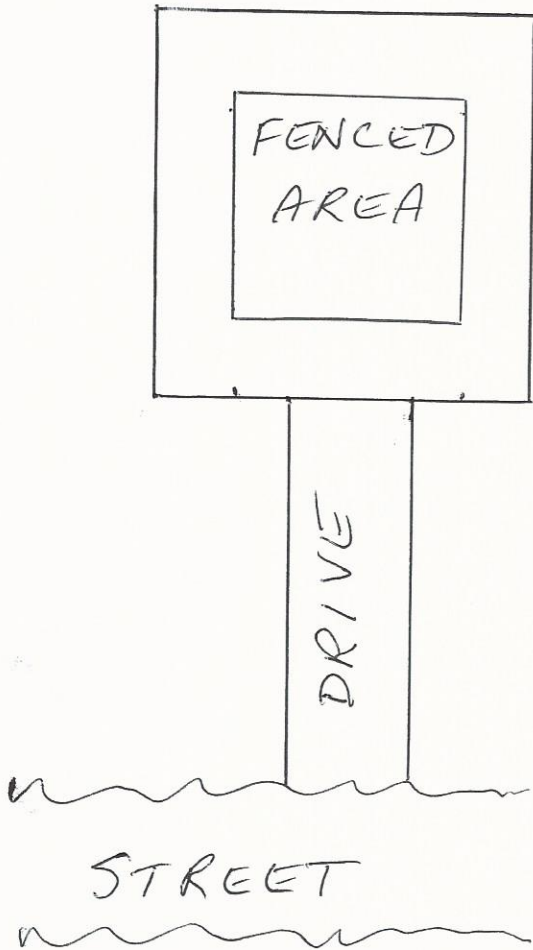
In my opinion, no one is disputing the need for towers and enhanced cell phone reception. The question is location which must be individually reviewed. A tower with bird cages in an open field is not acceptable under any circumstances. A tower hidden among tall trees in a dense woods may be acceptable.

Thank you for your consideration.

John E. Hausmann
135 Glen Ridge Drive
Chapel Hill, NC 27516

(919) 929-2442
(630) 470-5280 cell
jhausmann@bfrc.com

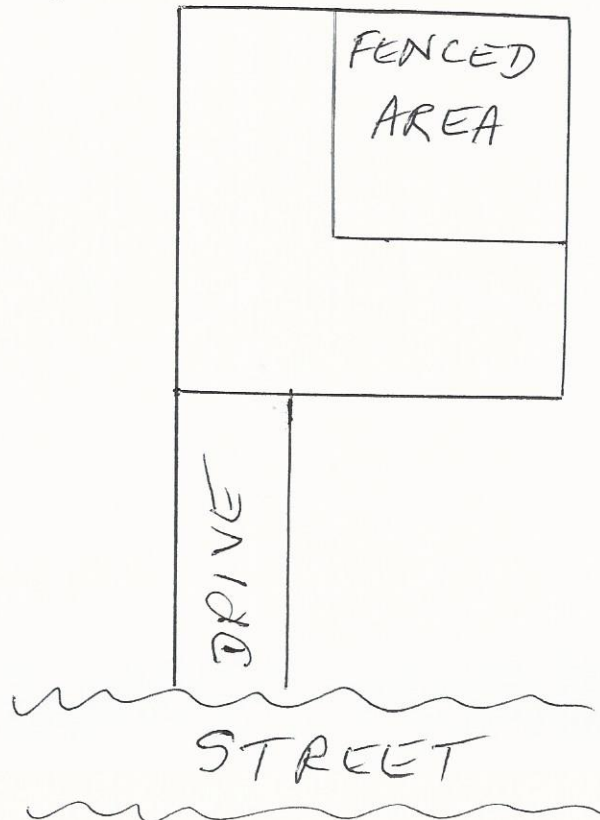
1-A



FENCED AREA &
MONOPOLE VISIBLE.

FENCED AREA CAN BE
SCREENED WITH
EVERGREENS, BUT
MONOPOLE CAN NOT.

1-B

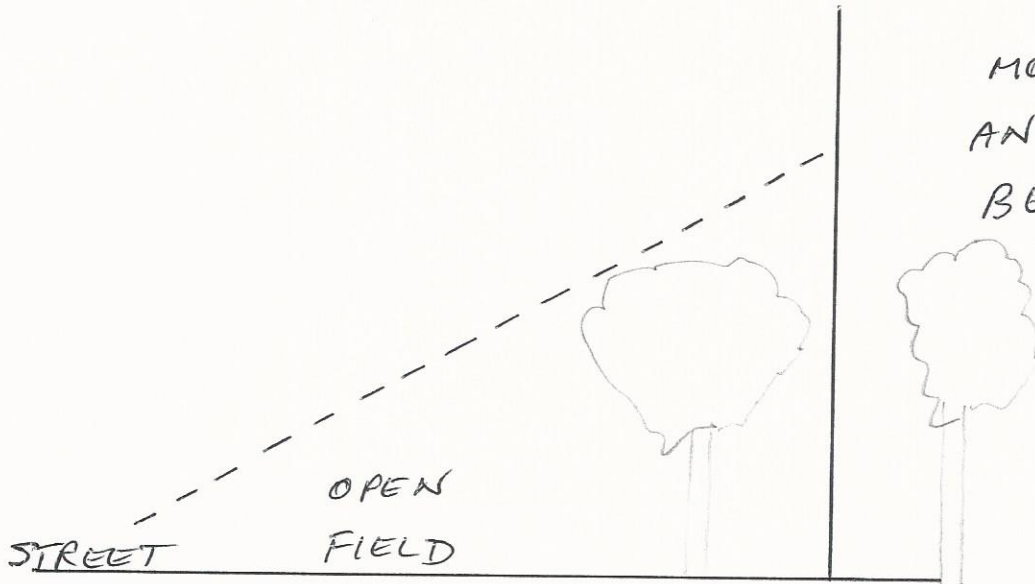


FENCED AREA &
MONOPOLE NOT
VISIBLE FROM
STREET.

2-A



MONOPOLE IN
A DENSE WOODS,
NOT VISIBLE



MONOPOLE IN
AN OPEN FIELD
BECOMES VERY
VISIBLE

STYERS, KEMERAIT & MITCHELL

attorneys+counselors@law

1101 Haynes Street, Suite 101
Raleigh, North Carolina 27604
919.600.6270

StyersKemerait.com

October 18, 2013

Ms. Hillary Pace
Planner II
Chatham County Planning Department
80-A East Street
Pittsboro, North Carolina 27312

RE: Proposed New Wireless Telecommunications Facilities Ordinance

Dear Ms. Pace:

kkemerait@StyersKemerait.com
919.600.6275

On behalf of AT&T Mobility (“AT&T”) and American Towers LLC (“American Tower”), I am writing to express AT&T’s and American Tower’s support for the proposed Ordinance Regulating Wireless Telecommunications Facilities (“proposed Wireless Telecommunications Ordinance”). We believe that the proposed Wireless Telecommunications Ordinance represents a vast improvement over the current Ordinance Regulating Communication Towers, and we support the County’s adoption of the proposed Wireless Telecommunications Ordinance.

While we support the proposed Wireless Telecommunications Ordinance, we have three suggestions of ways to clarify the proposed Wireless Telecommunications Ordinance so that the County’s intent of ensuring that “the County has sufficient wireless infrastructure to support its public safety communications and to ensure access to reliable wireless communications services throughout all areas of the County” is furthered. Our suggestions are as follows:

1. The language contained in Section 2-1(1)(d) should be revised for clarification purposes only. Currently, Section 2-1(1)(d) provides that “[c]onced Wireless Facilities that are one hundred fifty (150) feet or less in height in any zoning district *except* residential districts and unzoned portions of the county” are subject to administrative review and approval. In order to clarify the meaning and intent of Section 2-1(1)(d), we suggest that Section 2-1(1)(b) be revised as follows: “[c]onced Wireless Facilities that are one hundred fifty (150) feet or less in unzoned portions of the county and in any zoning district *except* residential districts” are subject to administrative review and approval. We believe that the revised language will ensure that there is no confusion about the intent of the provision.

2. An additional requirement should be added to Section 2-2(1) and Section 2-3(2). In order to prevent “spec” towers from being built in the County and to ensure that a proposed tower is being constructed for immediate use by a telecommunications carrier, we suggest that all

M. Gray Styers, Jr.
Karen M. Kemerait
Charlotte A. Mitchell

Ms. Hillary Pace
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Administrative Review application packages and Conditional Use Permit application packages require the applicant to provide a letter of intent or a lease from a telecommunications carrier licensed by the FCC. That additional application requirement will ensure that "spec" towers are never constructed in the County.

3. Section 2-3(2)(g) should be modified to add additional language. As background to this suggestion, AT&T's typical search ring size is about 0.5 miles in diameter or smaller. By requiring the people who perform site acquisition services for the tower company to identify all towers within one and one-half (1.5) miles of the proposed tower location, the applicant will be required to locate and identify towers well outside of the area that is being considered for the proposed tower. While we have no problem with providing information about towers within 1.5 miles of the proposed tower location, we request that language be added to require the applicant's best efforts to locate other towers, as the applicant will be required to locate towers well outside the search ring. Accordingly, we request that Section 2-3(2)(g) be amended to state: "Using best efforts and employing readily available databases, the Applicant shall provide a map of all other towers located within one and one-half (1.5) miles of the proposed tower location, along with information as to the heights of all such other towers." (Please note that I have also reworded the provision for clarification purposes.)

We appreciate your consideration of our suggestions for the proposed Wireless Telecommunications Ordinance. We also appreciate the County's efforts to improve and amend the current telecommunications ordinance.

Sincerely yours,



Karen M. Kemerait

Cc: AT&T Mobility
American Towers LLC



Carolinas Wireless
ASSOCIATION

November 15, 2013

VIA ELECTRONIC DELIVERY

Commissioner Walter Petty, Chair
P.O. Box 1809
Pittsboro, NC 27312

Commissioner Sally Kost
P.O. Box 1809
Pittsboro, NC 27312

Commissioner Brian Bock, Vice-Chair
P.O. Box 1809
Pittsboro, NC 27312

Commissioner Pam Steward
P.O. Box 1809
Pittsboro, NC 27312

Commissioner Allen Michael Cross
388 Cross Point Road
New Hill, NC 27562

Ms. Hillary Pace, Planner II
80-A East Street
Pittsboro, NC 27312

Re: Proposed Wireless Telecommunications Facilities Ordinance

Dear Commissioners and Ms. Pace:

PCIA – The Wireless Infrastructure Association¹ and the Carolinas Wireless Association² write to urge your support for the proposed text amendment. This proposed amendment enacts new provisions into Chatham County’s laws to facilitate the deployment of the essential infrastructure that supports wireless broadband services. Wireless broadband is a major driver of economic development, particularly in rural areas.³ But wireless service providers face numerous challenges in the course of deploying their networks in response to a consumer demand that, by all projections, will continue to rise exponentially. By streamlining the process of siting wireless facilities, the proposed amendment paves the way for wireless providers to meet this demand while also improving public safety.

¹ PCIA is the national trade association representing the wireless infrastructure industry. PCIA’s members develop, own, manage, and operate towers, rooftop wireless sites, and other facilities for the provision of all types of wireless, telecommunications, and broadcasting services. PCIA and its members partner with communities across the nation to effect solutions for wireless infrastructure deployment that are responsive to the unique sensitivities and concerns of each community.

² CWA is a non-profit industry organization with a membership consisting primarily of individuals and firms who are involved with the deployment, operation, and maintenance of wireless networks, including cellular carriers, tower companies, project management consultants, and architecture and engineering firms.

³ Raul L. Katz, Javier Avila, Giacomo Meille, *Economic Impact of Wireless Broadband in Rural America*, TELECOM ADVISORY SERVICES, LLC (2011).

The overwhelmingly positive impact that wireless broadband has on our nation's economy is well-established.⁴ Reports estimate that the wireless industry is responsible for 3.8 million jobs directly and indirectly, the retention of 146.2 billion in GDP from 2010 to 2011, and is valued at approximately \$195.5 billion.⁵ PCIA estimates that the wireless industry will contribute \$1.2 trillion to the national GDP between now and 2017, and add 1.2 million jobs in the same time frame.⁶ This is larger than many other major sectors of the economy, including agriculture, hotels, air transportation, and automobiles.⁷ Nationwide, citizen adoption of wireless services is staggering. Last year, mobile data usage *doubled*.⁸ Wireless phone penetration exceeded 100% for the first time in 2012,⁹ and now more than half of Americans own smartphones.¹⁰

It is no secret that rural areas of the United States, such as areas of Chatham County, have less broadband availability than urban areas. This is not for lack of trying. Rural geographies are challenging—the cost of laying fiber and copper cable is prohibitive, and recovering those costs is difficult where there are low population densities. Yet, rural areas stand to benefit greatly from better broadband access. The proposed text amendment recognizes these challenges and provides a solution that will have an immediate impact: encourage the development of wireless broadband infrastructure, which can cover more people at lower cost.

Wireless services and the wireless infrastructure that supports them play a crucial public safety role as well. Currently, 32.8 percent of adults in North Carolina have “cut the cord,” relying entirely on wireless phones, up from just 14.8 percent four years ago.¹¹ That increase is

⁴ See, e.g., *id.*; *The Economic Benefits of New Spectrum for Wireless Broadband*, EXECUTIVE OFFICE OF THE PRESIDENT COUNCIL OF ECONOMIC ADVISERS (Feb. 2012); James Prieger, *The Economic Benefits of Mobile Broadband*, PEPPERDINE UNIVERSITY (May 2012); Roger Entner, *The Wireless Industry: The Essential Engine of U.S. Economic Growth*, RECON ANALYTICS (May 2012).

⁵ Entner, *supra* note 5, at 1.

⁶ Alan Pearce, J. Richard Carlson & Michael Pagano, *Wireless Broadband Infrastructure: A Catalyst for GDP and Job Growth 2013-2017*, INFORMATION AGE ECONOMICS (Sept. 2013), http://www.pcia.com/images/IAE_Infrastructure_and_Economy.pdf.

⁷ *Id.*

⁸ *2012 Mobile Year in Review*, MOBILEFUTURE (Dec. 18, 2012), http://www.mobilefuture.org/news/archives/2012_mobile_year_in_review/ (“Year in Review”).

⁹ *Wireless Quick Facts*, CTIA—THE WIRELESS ASSOCIATION, http://www.ctia.org/media/industry_info/index.cfm/AID/10323.

¹⁰ Aaron Smith, *Smartphone Ownership – 2013 Update*, PEW RESEARCH CENTER (June 5, 2013), http://pewinternet.org/~media/Files/Reports/2013/PIP_Smartphone_adoption_2013_PDF.pdf.

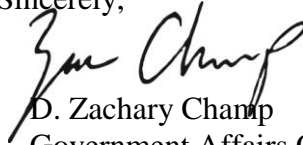
¹¹ *Compare Wireless Substitution: State-level Estimates from the National Health Interview Survey, 2010-2011*, CENTERS FOR DISEASE CONTROL NATIONAL HEALTH STATISTICS REPORTS 5 (Oct. 12, 2012), available at <http://www.cdc.gov/nchs/data/nhsr/nhsr061.pdf>, with *Wireless Substitution: State-level Estimates from the National Health Interview Survey, January-December 2007*, CENTERS FOR DISEASE CONTROL NATIONAL HEALTH STATISTICS REPORTS 5 (Mar. 11, 2009), available at <http://www.cdc.gov/nchs/data/nhsr/nhsr014.pdf>.

even more pronounced for children under age 18.¹² With more than 70 percent of all emergency calls placed with a wireless device,¹³ wireless capacity and coverage is essential to ensuring access to public safety agencies wherever citizens are, whenever they need it. Also, public safety agencies themselves will be able to take advantage of streamlined review processes as they construct and maintain their own telecommunications networks.

The proposed text amendment makes improvements to existing law that facilitate the application process for wireless facilities without negatively affecting the ability of Chatham County to evaluate such applications for compliance with building and other safety codes. In doing so, this bill paves the way for the citizens of Chatham County to enjoy better coverage, more robust public safety, and increased broadband capacity.

PCIA and the Carolinas Wireless Association strongly supports the text amendment and urges you to do the same. Thank you for your consideration.

Sincerely,



D. Zachary Champ
Government Affairs Counsel
PCIA – The Wireless Infrastructure Association
500 Montgomery Street, Suite 500
Alexandria, VA 22314

¹² *Wireless Substitution: State-level Estimates from the National Health Interview Survey, 2010-2011*, CENTERS FOR DISEASE CONTROL NATIONAL HEALTH STATISTICS REPORTS 5 (Oct. 12, 2012), available at <http://www.cdc.gov/nchs/data/nhsr/nhsr061.pdf>.

¹³ FCC.gov, *Guide: Wireless 911 Services*, <http://www.fcc.gov/guides/wireless-911-services>.