



# Jackson County Planning Department

Memorandum

To: Don Adams, County Manager

From: John Jeleniewski; Planning Department

CC: Heather Baker, County Attorney

Date: 10/9/2019

Re: Public Hearing for new cell tower structure, WCU campus

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Mr. Adams,

I have recently received a complete application submittal for a proposed new cell tower structure to be located on property owned by Western Carolina University (State of North Carolina) off of Faculty Drive in Cullowhee. The applicant is *Centerline Communications* (tower owner) and *AT&T Mobility* is the service provider with an additional three "co-locations" available on the structure. This proposed tower will be 149' in height and located on an undeveloped area of the property. The Jackson County *Telecommunications Ordinance* requires that a Conditional Use Permit for new tower construction be reviewed by the Jackson County Board of Commissioners during a quasi-judicial hearing which will need to be advertised in a local newspaper. The applicant has requested that the hearing be conducted during the first part of December if possible.

I have attached a copy of the completed application and an overall site plan for reference. Please feel free to contact me with any questions.



# Wireless Communication Facility Application

## Jackson County Planning Department

Permit # _____
Date Received: _____
Received By: _____
Application Fee Amount: _____
<i>Office Use Only</i>

**Applicant Information:**

Name: Jonathan L. Yates for Centerline Communications  
 Address: 105 Broad Street, 3rd Floor, Charleston, SC 29401  
 Phone Number: (843) 414-9754

**Property Ownership Information:**

Property Owner: Western Carolina University  
 Owner's Address: 65 W. University Way, Cullowhee, NC 28723  
 Owner's Phone Number: (843) 414-9754  
 Date Property Acquired: \_\_\_\_\_

**Property Information:**

Postal Address: 490 & 554 Central Drive, Cullowhee, NC 28723  
 Size (Sq. Ft. or Acres): 4,900 sq ft  
 PIN #: 7559-23-1452  
 Directions to property: Please see Sheet T-1 of Attached Site Plans and Drawings

**Application Summary:**

Summary of Work Proposed: Proposed wireless telecommunications facility

Height of Tower (Ft.): 145 feet (149 feet with lightning rod) Existing: \_\_\_\_\_ New: X  
 Tower Owner: Centerline Communicatons  
 Facility Provider: Centerline Communications

**Applicant Information:**

<u>Centerline Communications</u>	<u>AT&amp;T Mobility</u>
<u>Facility/Equipment Owner</u>	<u>Wireless Communication Provider</u>
<u>750 West Center Street, STE 301</u>	<u>2002 Pisgah Church Road, STE 300,</u>
<u>W. Bridgewater, MA 02379</u>	<u>Greensboro, NC 27455</u>
<u>Owner's Address</u>	<u>Address of Provider(s)</u>
<u>(843)414-9754</u>	<u>(843)414-9754</u>
<u>jlc@hellmanyates.com</u>	<u>jlc@hellmanyates.com</u>
Telephone Number    Email	Telephone Number    Email

Upon submittal of the petition, all required items must be verified by a Planning Department staff member before an application is considered completed and filed for processing. Incomplete applications are not accepted and will be returned to the petitioner. A public hearing is required for a new tower. The applicant shall be notified by the Planning Department in writing within 15 working days of submission of an application as to the completeness of the Wireless Communication Facility application and any deficiencies. An amended application shall be required to correct any deficiencies. In the event the application is resubmitted with correction and denied again, the Wireless Communication Facility permit application fee is not refundable.

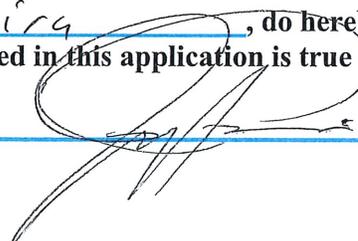
**By signing below, the applicant acknowledges, understands, and agrees to comply with the following statements:**

1. No Wireless Communication Facility or Wireless Support Structure shall be installed, constructed or modified until the Wireless Communication Facility permit has been approved and a building permit has been issued.
2. The application (including all accompanying documents) and any and all representations made by or on behalf of the applicant on the record during the application and hearing process, whether written or verbal, shall be sworn, accurate, complete, detailed, and non-conclusory and shall be deemed to have been relied upon in good faith by the County. Any verbal representation shall be treated as if it were made in writing.
3. An application for a Wireless Communication Facility permit shall be signed on behalf of the applicant by the person vested with the authority to bind and commit the applicant to the conditions of the permit, with the person(s) preparing and signing the application and its accompanying documents being competent to make and having knowledge of the representations made therein and attesting under oath to the truth and completeness of the representations.
4. The applicant's proposed Wireless Communication Facility shall be maintained in a safe manner, and in compliance with all conditions of the Wireless Communication Facility permit, without exception, unless specifically granted relief by the board in writing, as well as all applicable and permissible local codes, ordinances, and regulations, including any and all applicable county, state and federal laws, rules, and regulations.
5. The construction of the Wireless Communication Facility is legally permissible, including, but not limited to the fact that the applicant is authorized to do business in the state of North Carolina.
6. The applicant acknowledges and understands that should the facility not be used for a period of 180 days, the applicant will remove the facility at its expense within 90 days of abandonment as set forth in Section IX of the Wireless Communications Ordinance.
7. All utilities at the Wireless Communication Facility site shall be installed underground if practical and in compliance with all laws, ordinances, rules and regulations of the county, including specifically, but not limited to, the National Electrical Safety Code and the National Electrical Code where appropriate.
8. All Wireless Communication Facilities shall be constructed, operated, maintained, repaired, provided for removal of, modified, or restored in strict compliance with all current applicable technical, safety and safety-related codes adopted by the county, state, or United States, including, but not limited to, the most recent editions of the ANSI Code, National Electrical Safety Code, and the National Electrical Code, as well as accepted and responsible workmanlike industry practices and recommended practices of the National Association of Town Erectors. The codes referred to are codes that include, but are not limited to, construction, building, electrical, fire, safety, health, and land use codes. In the event of a conflict between or among any of the preceding the more stringent shall apply.
9. A holder of a Wireless Communication Facility permit shall obtain, at its own expense, all permits and licenses required by applicable law, ordinance, rule, regulation or code, and must maintain the same, in full force and effect, for as long as required by the county or other governmental entity or agency having jurisdiction over the applicant.
10. The holder of a Wireless Communication Facility permit shall notify the county of any proposed modification of a Wireless Communication Facility and shall apply to the county to modify, relocate or rebuild a Wireless Communication Facility.
11. The county may hire any consultant and/or expert necessary to assist the county in reviewing and evaluating the application for Substantial Modifications, new Wireless Communication Facilities, and co-locations, including the construction and modification of the site, once permitted, and any site inspections. An applicant shall pay the consultant's fee as set forth in the contractual agreement between the consultant and the county. The payment of the consultant's fee to the county shall precede any work being done as regards to processing an application.
12. The applicant shall comply with the current Wireless Communication Ordinance.

I, Joseph Pereira, acknowledge, understand and agree to comply with all 12 of the above statements.

I, Joseph Pereira, do hereby swear that all of the information provided on this document and contained in this application is true and accurate.

Applicant Signature \_\_\_\_\_



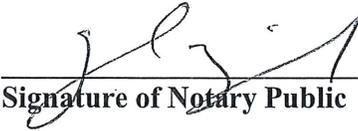
Date 9/9/2019

STATE OF Massachusetts

COUNTY OF Plymouth

Sworn to and subscribed before me this day by Joseph Pereira.

Witness my hand and official seal this the 9<sup>th</sup> day of September, 2019

  
Signature of Notary Public

SEAL

Hedi McLaughlin  
Printed name of Notary Public

My Commission Expires: \_\_\_\_\_



**HEDI MCLAUGHLIN**  
Notary Public  
Commonwealth of Massachusetts  
My Commission Expires  
April 3, 2026

