

## Statement of Justification

**Applicant:** Milestone Tower Limited Partnership IV, d/b/a Milestone Towers  
**Site Name:** Stafford ROW – Milestone Towers  
**Property Address:** VDOT Stafford Route 95N Ramp and Route 1, Stafford VA 22554  
**Supervisor District:** N/A  
**Parcel ID No:** 21 ROW  
**Zoning Classification:** VDOT ROW  
**Property Owner:** Virginia Department of Transportation

Milestone Tower Limited Partnership IV, d/b/a Milestone Towers, requests a comprehensive plan compliance review to allow for the construction and operation of a wireless telecommunications facility in the VDOT ROW. The facility will consist of a 165' tall monopole and associated equipment located in a leased compound area measuring 50 feet by 50 feet (2500 square feet) screened by an 8' tall chain link fence with privacy slats. The overall property is owned by Virginia Department of Transportation and is currently vacant land buffering an off ramp from Interstate 95 North to Route 1.

### Current Improvements on and Description of Subject Property

The area of land is in a buffer zone between the off ramp for exit 143A, Aquia, and Route 1 adjacent to I95. The parcel is not zoned since it is a part of the VDOT ROW between Route 1 and I95 travel lanes. The adjacent parcels are a mix of development zoned B2. There is a business park and mixed commercial use adjacent to the area of interest.

### Proposed Use

Milestone requests a comprehensive plan compliance review to construct a 165' (with 2' lightning rod) tall monopole and associated equipment to house a telecommunications use. The use will be designed to accommodate a minimum of four (4) wireless telecommunications carriers, including Verizon Wireless. Access to the monopole location will be via a new twelve foot (10') wide gravel access road that connects the facility to Route 1 Southbound traffic lanes. The Zoning Drawings submitted with the Application, prepared by Entrex Communications dated 08/11/2023 provide the site and compound plans and full details of the facility, antennas and related equipment.

Milestone has entered into an agreement with the Virginia Department of Transportation, pursuant to which Verizon will lease space at the site from Milestone to install and operate a wireless telecommunications facility on the Property. Verizon will install 6 antennas on the tower in three sectors at a RAD center elevation of 160' above ground level. The antenna details are provided on Sheet Z-7 of the Zoning Drawings.

The tower is designed to accommodate three additional telecommunication carriers at RAD center heights of 150', 140', 130' above ground level. An elevation of the tower showing the location of all antenna platforms is provided on Sheet Z-4 of the Zoning Drawings.

Verizon will install its equipment cabinets in the 50' x 50' fenced compound area. Verizon will place their equipment on a 12' x 20' concrete pad within the compound area. Sheet Z-4 of the Zoning Drawings provides the Compound Plan.

The proposed telecommunications use will be a component of Verizon's network serving the eastern area of Stafford County. The use will not interfere with radio, television or telephone reception and the radio frequency emissions will comply with all applicable EPA and FCC emission requirements. Furthermore, neither the antennas nor the related equipment will produce any noise, fumes, dust, odors, light, glare or vibrations, except at such time as the generator is infrequently tested or used for emergency service.

The proposed telecommunications use will not change the current hours of operation on the property and will operate 24 hours per day, 365 days per year. There are no on-site employees, patrons or clients associated with the proposed use. With the exception of visits to the site one or two times per month for routine maintenance and repairs, the site will not impact local traffic and will not be hazardous or conflict with the existing and anticipated traffic in the area.

Vicinity or general area to be served by the proposed use

The propagation coverage maps included with the application package illustrate the area to be served and the projected improvement in Verizon's service with the construction of the proposed site.

The proposed site was selected by Verizon to provide and improve wireless coverage. There is a significant need for additional cellular capacity & coverage in this portion of Stafford County and specifically in the Aquia area off of I-95 and US Route 1. This proposed site aims to address these capacity & coverage issues. The site will improve the coverage level in the area surrounding the proposed site as well as work with existing neighboring Verizon sites to handoff wireless signals. The proposed facility will relieve capacity on neighboring Verizon sites. The proposed facility will improve service and reduce the number of dropped calls.

**Compliance with the Stafford County Comprehensive Plan**

The proposed use meets the requirements of the Stafford County Telecommunications Plan dated June 2011 and the Criteria and Standards set forth within as follows:

**Countywide Siting Criteria:** The Telecommunications Plan set the following priorities for the establishment of new telecommunication facilities within Stafford:

- 1. Co-Location on existing buildings or structures**
- 2. Locate on publicly owned lands that are occupied or planned for public buildings or parks**
- 3. Locate in overhead power line corridors**
- 4. Industrial zoned property**
- 5. Agriculturally zoned property**

*Applicant Response:* There are no other tall structures in T-Mobile’s search area that will accommodate the proposed use and meet Verizon’s technical coverage objectives. Upon review, Milestone identified this VDOT ROW property with an area available for development. Milestone is proposing to locate the structure on property that meets the second priority for siting, locating on publicly owned land.

As provided by the “additional details on siting criteria” under the “Countywide Siting Criteria”, the following details are relevant to the application proposal:

**1. In November of 2009, the Federal Communications Commission (FCC) voted unanimously to approve new rules for tower siting that will speed up the application process time limits for new and existing telecommunications facilities. The FCC is giving states and localities a so-called “shot clock” for tower siting applications. The new rules give state and local jurisdictions a deadline of 90 days to process collocation applications and 150 days for new telecommunications facility applications. However, when applications are incomplete as filed, the timeframes do not include the time that applicants take to respond to State and local governments’ request for additional information. However, this automatic tolling (the start of the “shot clock”) applies only if the local jurisdiction notifies the applicant within the first 30 days that its application is incomplete. The FCC allows the “shot clock” deadlines to be extended by 90 or 150 days by mutual consent. Note that the “clock” begins at the time between when the application is submitted to the local government and the time it takes the local government to notify the applicant that their application is incomplete. The clock stops once all the information requested is submitted.**

*Applicant Response:* The applicant acknowledges the stated FCC provisions.

**2. Priority is to be given to co-location of facilities on water towers, within major utility transmission lines, and other existing suitable tall structures.**

*Applicant Response:* Milestone did not identify any other structure within the search area suitable for collocation and capable of meeting coverage objectives.

**3. New telecommunication facilities should be located an appropriate distance from any existing telecommunication facility. Consideration should be given for a reduction in this distance following submission of objective information justifying such request.**

*Applicant Response:* The proposed structure is an appropriate distance from any existing telecommunications facility and will not interfere with any such facility. There are no existing telecommunications structures within Verizon’s search area that meet technical coverage requirements. Verizon has provided propagation maps within the application package showing the relationship of the proposed site with other existing sites in this portion of Stafford County.

**4. Priority is to be given to new facilities proposed for large tracts of industrial or commercially zoned property.**

*Applicant Response:* The proposed new facility is located neither on industrial or commercially zoned property due to the fact that it is located in the VDOT ROW between I95 and US Route 1.

**5. Facilities are not to be located in areas which will have an adverse visual impact upon County historic districts, properties listed in the National and State Register, and other sites deemed significant by Stafford County.**

*Applicant Response:* The proposed facility will not be located in an area that will have an adverse impact on any historic districts or properties. A NEPA Study has been completed and is included with this application.

**6. Facilities are not to be located near airports where they may interfere with aircraft operations.**

*Applicant Response:* The FCC TOWAIR Determination was that no FAA filing is required due to lack of proximity to any airport/s.

**7. Facilities are not to be located in areas which will have an adverse impact upon gateways into the County.**

*Applicant Response:* The facility is not within nor will have an adverse impact upon a gateway into Stafford County.

**8. Priority is to be given to facilities locating within the existing right-of-way/easements established for overhead power lines.**

*Applicant Response:* The facility is located in the existing ROW for the Virginia Department of Transportation along I-95.

**9. Priority is to be given to facilities locating within the Virginia Department of Transportation (VDOT) right-of-way, along Interstate 95 at interchange and overpass locations.**

*Applicant Response:* The facility is to be located in VDOT right-of-way along I-95

**10. Priority is to be given to locating facilities within railroad right-of-way adjacent to industrial or agricultural districts, away from residential concentrations.**

*Applicant Response:* The facility will not be located in a railroad right-of-way.

**11. For the purpose of in-fill or supplemental coverage, priority will be given to the replacement of existing structures at public locations, such as parks, schools, fires and rescue stations, commuter lots and similar locations.**

*Applicant Response:* While the proposed facility will not replace an existing structure, it will be sited at a public location on VDOT ROW land.

**12. Outside the Urban Services Area, priority is to be given to facilities proposed to be located interior to parcels, which are designed to minimize their effect upon adjacent properties.**

*Applicant Response:* The proposed facility will be located interior to the parcel, thereby minimizing impact upon adjacent properties.

**13. Telecommunications facilities are not to be located near government or scientific facilities where they may interfere with the mission of such facilities.**

*Applicant Response:* The proposed facility will not interfere with the mission of government or scientific facilities. Additionally, the facility is not located near government or scientific facilities.

**14. Telecommunications facilities are to be located so that they will not interfere with the operations of health care facilities.**

*Applicant Response:* The proposed facility will not interfere with the operations of any health care facility.

**15. Location of facilities at or near residential development will be discouraged.**

*Applicant Response:* The proposed facility will be located in the VDOT ROW. Adjacent parcels are mixed commercial development as well as wooded buffer areas. Residential development is not close by to the proposed site.

**16. For the purpose of adding additional services at an existing location, carriers will be permitted to extend the length of an existing facility or remove it, and replace it with a larger facility capable of handling the additional need.**

*Applicant Response:* The application is for a new telecommunications facility.

**17. Location of new towers should require public hearings for conformity to this plan.**

*Applicant Response:* The applicant acknowledges the Stafford County public hearing requirements.

**18. Telecommunications facilities or other tall structures are to be located so that they will not interfere in the transmission pathways of the County government's telecommunications network.**

*Applicant Response:* The proposed structure will not interfere with the transmission pathways of the Stafford County's telecommunications network.

**19. Telecommunications facilities should not be located in or near wetlands, other known bird concentration areas (Federal refuges, staging areas, or rookeries), in known migratory or daily movement flyways, or in habitat of threatened or endangered species.**

*Applicant Response:* The proposed site is not located on or within 300 feet of a wetlands area. A Phase 1 study conducted by EBI Consulting was conducted and will be provided with our submission materials.

**20. Carriers are strongly encouraged to consider adding broadband access to any telecommunications facilities they are planning to establish in the County.**

*Applicant Response:* Broadband access is provided by the proposed facility.

## **Facility Design Standards**

**1. Facilities should be designed to minimize visual impacts on the surrounding area, particularly near residential development. Technologies to screen the tower and stealthing techniques to make facilities blend with the surrounding development should be pursued. Consideration should be made with regard to existing tree lines, topography, buildings, and paint color of towers.**

*Applicant Response:* The proposed tower will be located in a wooded/screened portion of a large parcel of VDOT ROW adjacent to I-95. Existing vegetation on the site and in the surrounding area will serve to mitigate and disrupt views from most vantage points and when the structure is within a view shed only the upper portion will be visible. The Application package includes photosimulations showing the appearance of the facility from vantage points in the area which can be used to assess visual impact.

**2. Within rural areas, telecommunications facilities should be located where sufficient tree cover is present to screen the base of the tower, except when located within utility and transportation right-of-ways.**

*Applicant Response:* The telecommunication facility will not be located in a rural area, however, vegetation on-site and in the area will mitigate views from most vantage points.

**3. Facilities should be constructed to accommodate a minimum of three providers, where height restrictions permit.**

*Applicant Response:* The proposed tower and related equipment compound are designed to accommodate a total of four telecommunication providers with Verizon at the top position (160') on the tower.

**4. Antennas on structures are to be designed to be compatible with the principal structure's architectural design, color and scale.**

*Applicant Response:* The proposed antennas will be placed on a new monopole and not on an existing principal structure.

**5. Communications facilities should be constructed, sited and appropriately landscaped so as to visually blend into the surrounding areas.**

*Applicant Response:* The facility will be located adjacent to a wooded portion of the site with landscaping planted along the edge of the compound area to provide additional screening if needed. The tower will not be painted as structural steel blends best with the existing environment.

**6. Security fencing is to be located at the base of any facility.**

*Applicant Response:* The facility will be enclosed by an eight foot (8') tall chain link fence.

**7. The County should maintain the flexibility to decide on a case by case basis whether a lattice tower or monopole design is best suited for a particular site.**

*Applicant Response:* The monopole design will accommodate up to four telecommunication providers.

**8. Setbacks from property lines in agricultural and residential districts should be equal to the height of the communications facility. Exceptions to the setback should be considered if proper screening is provided.**

*Applicant Response:* The facility is not in an agricultural or residential district.

**9. Setbacks from adjoining dwellings should be at a minimum equal to the height of the tower.**

*Applicant Response:* All setbacks from adjoining dwellings exceed the height of the structure.

**10. Communications facilities should generally be sited toward the interior of the property.**

*Applicant Response:* The proposed facility will be within an open section of the property, surrounded by trees and vegetation. It will be located as “interior” as possible given site limitations.

**11. Infill sites should be designed to blend in with surrounding structures, such as a light standard, flagpole, within church steeple, on a roof top, or as a component of other suitable tall structures.**

*Applicant Response:* The site will be sited in the midst of relatively tall trees and vegetation. There are no other tall structures in the vicinity of the proposed tower site.

**12. Facilities located within VDOT Right-of-Way should have a warning beacon regardless of its height.**

*Applicant Response:* Pursuant to County requirement, we are proposing a low steady burning red light at the top of the monopole. Please note: the FAA is not requiring lighting/marketing of the tower site for airspace safety. FAA No-Hazard Determination received November 7, 2023 - File #2023-AEA-10644-OE.

**13. Telecommunications towers requiring lights for aviation safety should use the minimum amount of pilot warning and obstruction avoidance lighting required by the FAA. Unless otherwise required by the FAA, only white (preferable) or red strobe lights should be used at night, and these should be the minimum number, minimum intensity, and minimum number of flashes per minute allowable by the FAA. The use of solid red or pulsating red warning lights should be avoided. Where appropriate, shields should be installed to minimize visibility of the warning lights from the ground.**

*Applicant Response:* The site is located in the VDOT ROW and will comply with the statute set forth in item number 13 as well as item 12.

**14. Construction of new tower facilities should include accommodation of space on the tower and ground lease area for county communication equipment if needed. Such accommodations shall be at no cost to the county to locate equipment on the tower or within an equipment compound.**

*Applicant Response:* Space is available on the proposed facility for use by Stafford County.

## Conclusion

In light of the foregoing, the Applicant respectfully requests a comprehensive plan compliance review in compliance with the Stafford County Comprehensive Plan. Granting the Applicant’s request will be appropriate and in the interest of the citizens of Stafford County.