

To: Distribution

From: Bob Hunnicutt, Tower Coordinator, Columbia Telecommunications

A meeting of the Transmission Facility Coordinating Group (TFCG) was held on December 13, 2006. The following people were in attendance:

**MEMBERS**

Jennifer Bryant OMB (240) 777-2761  
Jane Lawton OCCS (240) 777-3724  
Helen Xu DTS (240) 777-2804  
Mary Pat Wilson MCPS (240) 314-4707  
Carlton Gilbert MNCPPC (301) 495-5476  
Martin Rookard WSSC (301) 206-8979

**STAFF**

Marjorie Williams OCCS (240) 777-3762  
Bob Hunnicutt CTC (410) 964-5700  
Carol Watson CTC (410) 964-5700

**OTHER ATTENDEES**

Erin Galvin NB&C/T-Mobile  
Pete Maheridis NB&C/Clearwire  
Cheryle Wilson Bechtel-Model  
Ed Donohue, Esq. Donohue & Blue  
M.G. Diamond Verizon Wireless  
Tigest Gorems Verizon Wireless  
Luke Netowander Verizon Wireless  
Bob Posilkin Verizon Wireless

**Action Item – Meeting Minutes:** Martin Rookard moved the minutes be approved as written. Jennifer Bryant seconded the motion and the minutes were unanimously approved.

**Discussion Item – TFCG Meeting Schedule:** The group reviewed the proposed meeting dates for the first half of 2007 and agreed they were acceptable.

**Discussion Item – TFCG Member Attendance:** Jane Lawton noted that attendance at the TFCG meetings was sporadic for some members and asked that members work within their organizations to identify an alternate member who can attend meetings in their absence. She stated that attendance was important to the process and that a quorum is required to transact TFCG business. She noted that last week's meeting was rescheduled for today due to lack of a quorum. She stated that the members were representing agencies designated in the County Code as required to participate in the process, and that participation from each of the members was important.

**Consent Applications:**

1. Clearwire application to install antennas at the 136' level on the roof of a Park Montgomery Apartment building located at 8860 Piney Branch Road in Silver Spring (Application #200611-01).
2. Clearwire application to install antennas at the 81' level on the roof of the Writ Building located at 10400 Connecticut Avenue, Kensington (Application #200611-03).
3. Clearwire application to install antennas at the 81' level on the roof of the Clark Building located at 7500 Old

Georgetown Road, Bethesda (Application #200611-04).

4. Nextel application to replace an existing church steeple with antennas at the 45' level and equipment inside the United Church of Christ located at 13421 Clopper Road, Germantown (Application #200611-05).

5. Clearwire application to install antennas at the 112' level on the room of Renaissance Plaza Apartments building located at 14000 Castle Boulevard, Silver Spring (Application #200611-08).

6. Clearwire application to install antennas at the 93' level of the Brink water tank located at 21701 Ridge Road, Germantown (Application #200611-10).

7. Clearwire application to install antennas at the 141' level of the Colesville water tank located at 2201 Industrial Parkway, Silver Spring (Application #200611-11).

8. Clearwire application to install antennas at the 155' level on the roof of the Pavillion Apartments located at 5901 Montrose Road, Rockville (Application #200611-12).

9. Clearwire application to install antennas at the 217' level on the roof of the White Oak Tower Apartments building located at 11700 Old Columbia Pike, Silver Spring (Application #200611-13).

11. Clearwire application to install antennas at the 127' level to an existing monopole at the Bethesda Country Club located at 7601 Bradley Boulevard, Bethesda (Application #200611-17).

13. Clearwire application to install antennas at the 236' level on the roof of the Silver Spring Metro Plaza II building located at 8403 Colesville Road, Silver Spring (Application #200611-19).

14. Clearwire application to install antennas at the 133' level on the roof of the Democracy Plaza II building located at 6707 Democracy Blvd., Bethesda (Application #200611-20).

15. Cingular application to install antennas at the 120' and 140' levels on the roof of the Hampshire Towers building located at 7401 New Hampshire Avenue, Takoma Park (Application #200611-21).

16. Clearwire application install antennas at the 95' level on the monopole at Fire Station #33 located at 11430 Falls Road, Potomac (Application #200611-22).

17. Clearwire application to install antennas at the 167' level on the roof of the Atrium at Station Square building located at 1010 Wayne Avenue, Silver Spring (Application #200611-23).

On the consent agenda, Bob Hunnicutt asked that item number 10 be pulled. Jane Lawton requested item number 12 be pulled from the agenda. Helen Xu asked that item number 18 be pulled from the agenda.

**Motion:** Martin Rookard moved that the remaining consent agenda items be recommended. Carlton Gilbert seconded the motion and it was unanimously approved.

**Action Item – Consent Item 10:** Clearwire application to install antennas at the 70' level to an existing monopole at the Silver Spring YMCA located at 9800 Hastings Drive, Silver Spring (Application #200611-16).

Bob Hunnicutt summarized the application and noted that when first reviewed, it did not appear as though a structural analysis would be required, but he had asked the applicant for one just to verify the attachment. The structural report submitted by Clearwire stated that the structure could not accommodate the additional equipment. He then asked the carrier for a second analysis to identify any modifications to the structure that could be made to allow safe attachment of the antennas. The applicant provided a second analysis which specified modifications that would be necessary to allow attachment of Clearwire's antennas. He said he was unsure how the modifications could be made without disturbing the numerous other carriers' existing cables to antennas atop the monopole and the detuning wire on the monopole.

Mr. Hunnicutt said that his recommendation was now conditioned on completion of the structural modifications

prior to attachment of the Clearwire antennas.

Ms. Lawton asked Mr. Hunnicutt if he had ever reinspected monopoles where structural analysis applications had been conditioned on making modifications. He said he had not because Permitting Services inspectors followed up on requirements for permits issued. Ms. Lawton stated that in this case she would like Mr. Hunnicutt to inspect this monopole to make sure that the modifications were performed.

**Motion:** Carlton Gilbert moved the application be recommended conditioned on completion of the structural modifications prior to attachment of the antennas. Helen Xu seconded the motion and it was unanimously approved.

**Action Item – Consent Item 12:** Clearwire application to install antennas to an existing monopole at the 107' level at JFK High School located at 1901 Randolph Road, Silver Spring (Application #200611-18).

Jane Lawton said she pulled this application to ask if MCPS staff submitted applications for subsequent attachments to monopoles on school property to the M-NCPPC for review. Mr. Hunnicutt stated that he believed that in the past they had been told that each application was presented to the M-NCPPC. Mary Pat Wilson said that only the initial application to place a monopole on school property was sent to the M-NCPPC for their review through Mandatory Referral.

**Motion:** Martin Rookard moved that the application be recommended. Helen Xu seconded the motion and it was approved with Mary Pat Wilson abstaining.

**Action Item – Consent Item 18:** Clearwire application to attach antennas at the 147' level on a 230' lattice tower at Kenwood Country Club located at 5601 River Road in Bethesda (Application #200609-01).

Helen Xu stated that she pulled this application to note that the application had an incorrect elevation profile of the monopole showing the antennas at a different elevation than stated on the TFCG Coordinator's Recommendation form. Mr. Hunnicutt explained that this application had been before the group several times while Clearwire worked with the County to resolve concerns about the placement of the new antennas near the County's existing public safety radio antennas on this tower. He stated that the initial elevation for Clearwire's antennas was at the 147' level, which is what was on the recommendation form. Subsequently, the applicant revised the design to attach antennas at the 100' and 96' levels on the tower.

Jennifer Bryant asked if that resolved any interference problems. Ms. Xu replied that it did.

**Motion:** Helen Xu moved the application be recommended. Carlton Gilbert seconded the motion and it was unanimously approved.

**Action Item:** T-Mobile application to replace an existing 35' Verizon utility pole #M16431 with a 70' Verizon utility pole and attach antennas at the 75' level of the pole located at Galway Drive in Silver Spring (Application #200608-02).

Bob Hunnicutt noted that this application had been filed some time ago, but T-Mobile had only recently acknowledged that they needed to obtain a Telecommunications Franchise with the County to place facilities in the public right-of-way at this location. He stated that the Verizon pole to be replaced was in front of the Galway Elementary School and across the street from a swim club and a church. He stated that there were homes near the facility that would clearly see the taller structure with antennas at the top. He noted that views from some of the homes would likely be obstructed by trees when in full foliage.

Carol Watson explained her review of the RF maps. She noted that the applicant had submitted maps showing calculated coverage at 70', 60', and the 47' level above ground. She stated that based upon her review, it appeared that antennas at the 47' may result in signals below the target signal levels in some of the residential areas intended to be covered by this site. She noted that antennas at the 60' level appeared to provide the same level of coverage as antennas at the 70' level. Consequently, it appeared as though the structure could be shorter than proposed and still meet the target coverage objective as stated by the carrier.

Mr. Hunnicutt stated that his recommendation for this application was conditioned on the applicant being granted a County Telecommunications Franchise and on reducing the height of the new pole to no greater than 60' above ground level.

Mary Pat Wilson asked T-Mobile if any notice had been given to the surrounding residents, because she had understood from the Galway School Principal that they knew nothing about this proposed site. Ed Donohue, representing T-Mobile, stated that no notice had been provided to the residents in the area. He said that he believed notice would be accomplished through the franchising process. Jane Lawton stated that she believed that the school should be advised of the proposed new facilities since it was twice the height of the existing pole.

Martin Rookard asked how long the construction process would take. Mr. Donohue stated that the pole could be replaced in one day.

Ms. Lawton asked if the applicant or the Tower Coordinator had contacted anyone in the County government about this application. Mr. Hunnicutt stated he had discussed the need for the franchise with Cliff Royalty. Ms. Lawton asked if whoever managed the public right-of-way had been contacted. Mr. Hunnicutt stated he thought that the DPWT was responsible for activities in the public right-of-way and that he thought they would be made aware of the application through the franchising process. He noted however, that the pole itself was owned by Verizon. He said that based on his discussion with Mr. Royalty he believed that Verizon had the right to replace its own pole, and that once replaced, the antennas would be attached by right.

Mr. Rookard asked what the process would be if there were no poles present today and the applicant were to put up a new wooden pole. Mr. Hunnicutt replied that the applicant would still be required to get a franchise agreement, but would likely also have to obtain a Special Exception for this site.

Ms. Lawton remarked that this application was similar to replacing a light pole at a school stadium, and asked Mr. Hunnicutt if there had been similar applications like this in the past. Mr. Hunnicutt stated that there had been attachments to poles in the past and that this application had been treated in a similar manner as those previously reviewed.

Mr. Donohue stated that he had filed an application some time ago to attach a micro-cell to a replacement wooden pole on River Road. Mr. Hunnicutt asked if that pole was a higher pole or the same height as the existing pole. Mr. Donohue stated that the pole was taller to accommodate separation from the antennas from the electric lines.

Carlton Gilbert agreed with Ms. Lawton that the school should at least be briefed on this proposed pole change-out.

Ms. Lawton asked Mr. Hunnicutt to investigate past applications like this and determine what the group's action had been on those applications.

**Motion:** Martin Rookard moved the application be tabled to allow time for T-Mobile to brief the parties at the public schools and Mr. Hunnicutt to research prior applications. Carlton Gilbert seconded the motion to table and it was unanimously approved.

**Action Item:** T-Mobile application to install antennas at the 124' level of a 131' PEPCO Tower #106-N located near East Village Avenue & Doubleland Road in Gaithersburg (Application #200609-06).

Bob Hunnicutt stated that this was a revised application for one previously approved. He reminded the group that the previous T-Mobile application to attach to a PEPCO tower at this location had been reviewed a month or two ago and, based on community concerns expressed at the meeting by Sharon Levine of the Montgomery Village Foundation, the group had conditioned its recommendation on the applicant meeting with interested parties near the site and considering relocating to an alternate tower to address community concerns. The group agreed that if a different pole were to be used for attachment, the applicant would need to submit a revised application for further review.

Mr. Hunnicutt said he had been advised by Ms. Levine that T-Mobile had agreed to place the antennas on the

adjacent tower to resolve the concerns of nearby property owners. He said that he understood from Ms. Levine that the residents were now satisfied with this attachment on the alternate transmission line tower.

**Motion:** Carlton Gilbert moved that the application be recommended. Jennifer Bryant seconded the motion and it was unanimously approved.

**Action Item:** Verizon application to construct a new 100' monopole and install three panel antennas at the 95' level and three panel antennas at the 85' level at the Wesley Grove Church located at 23612 Woodfield Road in Gaithersburg (Application #200609-11).

Bob Hunnicutt summarized the application noting that this site was next to an existing monopole disguised as a flag pole. He noted that this new monopole did not meet the distance requirements from the nearest dwelling by approximately 75'. The structure also did not meet the requirement for accommodating antennas from two additional carriers because Verizon was occupying two of the three available positions in the stealth cross design for this monopole. He added that the antennas also exceeded the six-foot height limit in the County Code. He said based on their review of the RF information provided by the applicant, it also appeared that Verizon did not need a structure as tall as the one proposed, and asked Ms. Watson to explain her review of the RF maps.

Carol Watson explained that based on the applicant's RF maps with antennas calculated at 100', 80', and 50', she saw little difference in the coverage illustrated between the antennas at the three different levels. She added that with antennas at the 50' level, there were some very small areas to the west of the site that did not appear to meet the target signal levels but those areas will be covered by another site atop WSSC's Brink Water Tank recently reviewed and recommended by the TFCG and expected to be constructed by Verizon in the near future. Consequently, she did not find that the structure needed to be as tall as proposed by the applicant.

Mr. Hunnicutt noted that M.G. Diamond had submitted a letter addressing the issues in the Tower Coordinator's recommendation and wanted to brief the TFCG members on his position on those issues.

Mr. Diamond displayed a coverage map which showed the problem serving this area due to the terrain. He displayed a photo simulation based on a balloon test at the site to show that the site and the portions of the surrounding area were heavily wooded and that the trees would screen the site from the residents in those directions. He showed the group another set of RF maps and noted that he had only recently realized that the maps he had been provided by the carrier were different than those maps that had been submitted to the Tower Coordinator. Based on his review of the maps he was provided, it appeared as though coverage was needed with antennas at the 100' level – in fact, Verizon engineers told him they would desire antennas even higher than that. He agreed that based on the maps the Tower Coordinator had been provided it appeared as though there was no difference between coverage with antennas at 100' and 80'. He noted that the 100' height is needed because Verizon requires two elevations for its two sets of antennas. If the monopole were only 80' high, it would mean that their antennas would have to be at the 75' and 65' radiation center, which is too low to meet their needs. He said that if that were the case, the signal slot left for any potential colocators would be below the tree line and not very desirable.

Mr. Diamond also noted that he did not believe that the antenna height limit was applicable to antennas that would be concealed, and that the Code permitted the Board of Appeals to reduce the distance from the nearest dwelling. He asked that the group not deny the application based on those code-related aspects of this application. He acknowledged that the monopole meets setback, but did not meet the 300' distance from the nearest dwelling. He said based on discussions with the property owner, the placement of the monopole had been agreed where proposed, which is slightly behind the existing monopole farther away from homes along Woodfield Road. Finally, with regard to the requirement for two additional carriers, Mr. Diamond stated that although Verizon is using two of the slots, leaving only one space on the adjacent structure, there was also one space available for an additional carrier on the existing monopole.

Mr. Hunnicutt explained that since Verizon service requires two different types of antennas, this stealth design necessitated that they occupy the two top slots leaving only one space for one additional carrier. Consequently, the monopole does not meet the requirement for accommodating a total of three carriers. He

stated that the ground space also only showed space for two carriers. He added that they had asked the carrier if there was a dual-band antenna that would fit in the existing space on the monopole at the site, but had been advised that although there is a dual-band antenna available, its size is too large for the space available in the existing stealth monopole.

Mr. Hunnicutt explained that his direction from the group and the requirements of his review necessitated a comment on compliance with the Zoning Code. He said that the zoning standards had been set by the County Council and that this application did not meet a number of them. Consequently, he did not recommend this application.

He added that he has additional applications in his office presently under review which also ask for variances and waivers from Zoning Code requirements. He stated that if he were to recommend applications that do not meet the Zoning Code requirements, eventually those requirements become meaningless. Although the Board of Appeals may take action on those requests for variances, waivers, and Special Exception, he did not believe it was appropriate for him to recommend them because they do not meet the Code requirements. Ms. Lawton said she agreed and said she did not feel comfortable recommending applications that did not meet Code requirements, especially those that did not meet the required distance from a dwelling. She said that was an important consideration for the Council when they made the last Zoning Text changes.

Mr. Diamond stated that it was up to the Board of Appeals to address those issues and asked the TFCG not to hold up the application for those reasons. Ms. Lawton stated that Mr. Diamond could still file for a Special Exception for the variances with the Board of Appeals regardless of the action taken by the TFCG.

Mr. Hunnicutt noted that according to the Code, the Board of Appeals could reduce the setback requirements if the structure can be located on the property in a less visually obtrusive location considering the height, topography, vegetation, visibility from the street, and adjoining residential properties.

Ms. Lawton said she did not believe the group should recommend applications that do not meet the requirement for a 300' distance from dwellings unless there was some unusual and compelling justification for it, such as the need for public safety radio antennas.

Mary Pat Wilson asked what other sites Verizon had considered before proposing this new monopole. Bob Posilkin stated that Verizon had looked at covering this area from the water tank on Brink Road, but concluded that it was too far away from the target coverage area for this site. He said Verizon also considered using the last space available on the existing monopole but ruled it out because it was too low and they needed two spaces for their antennas.

Ms. Wilson asked if there were limits for distances between monopoles. Ms. Lawton explained that at the time of the last Zoning Text Amendment, Council member Praisner proposed a distance of 1,500' separating towers, but that aspect of the Zoning Text had not been approved.

Ms. Lawton added that she was not persuaded that a structure as high as 100' was needed by the carrier. Mr. Posilkin stated that a number of alternative designs had been discussed with the property owner, but in the end the landlord preferred the idea of a cross design for the church property. He suggested that they could revisit the design and location of the monopole on the property with the landlord. He suggested that a tree-pole design could perhaps be negotiated which may permit Verizon to construct a shorter structure of approximately 80' because the tree-pole design would enable them to attach antennas in a traditional triangular array and not require two different elevations to separate their antennas. He said that if the landlord would agree, the facility may also be relocated on the property to address the issue of not meeting the 300' distance from the nearest dwelling.

Mr. Diamond added that a design which used a typical antenna array would allow attachment of smaller antennas that conform to County Code.

Carlton Gilbert asked if the Verizon equipment could go in the existing Sprint equipment area. Mr. Posilkin stated that the landlord required a separate lease agreement for the Verizon site on their property.

Mr. Diamond suggested that Verizon go back to the property owner and discuss these alternatives and asked that the TFCG not act on the application today. He also requested that if the TFCG voted to not recommend the application, that they note for the record that it was not recommended due to non-compliance with the

Zoning Code, because he believed those issued should be addressed by the Board of Appeals and not the TFCG.

**Motion:** Jennifer Bryant moved that the application be tabled. Carlton Gilbert seconded the motion to table and it was unanimously approved.

**Action Item:** T-Mobile application to construct a new 115' monopole and install nine antennas at the 110' level on St. Peter and Paul Church property located at 10620 River Road in Rockville (Application #200610-02).

Mr. Hunnicutt stated that the applicant requested that this item be removed from the agenda today pending the carrier conducting a drive test.

**Discussion Item – Birach AM Towers:** Jane Lawton reported to the group that after it had been reviewed by the TFCG, the application from Birach to construct the AM towers in Damascus had been denied by the Planning Commission for several reasons. She said that Biarch had filed a request for an extension to their construction permit at the FCC which had been granted based on a gross misrepresentation of fact. She stated that Birach's attorney had prepared a document which stated that the County had set a moratorium on issuing permits for towers in the County, which was not true. She added that there was no reason why Birach could not have pursued this application through the County process during the time the application was first filed and reviewed by the TFCG until it was ultimately acted upon nearly a year later after Birach responded to all of the questions that the committee had asked. She noted that it was clear in the TFCG's record that Birach agreed that the TFCG had done nothing to delay the review of their application and that it was entirely their own lack of action in providing required information that delayed TFCG action on the application. The current status of this application is that the FCC had granted a one-year extension to Birach's construction permit, something rarely done by the FCC, and that the citizen opposition group has filed an appeal with the FCC.

**Discussion Item – Next Meeting:** The next meeting of the TFCG is scheduled for Wednesday, January 3, 2007 at 2 p.m. in the second floor conference room #225 of the COB.