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VERIZON WIRELESS TELECOMMUNICATIONS TOWER CONDITIONAL USE NO. CU202505



Description

Request to construct and operate a 155-foot Temporary Telecommunications Tower in the State-owned right-of-way at the intersection of Interstate 495 and Georgia Avenue (Route 97) while the WSSC Water Tank, the current and permanent location of the wireless antennas, undergoes rehabilitations.

Exhibit 29 OZAH Case No: CU 25-05

COMPLETED: 2/7/2025



Planning Staff



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LOCATION

Intersection of I-495 and Georgia Avenue (MD 97)

MASTER PLAN

2020 Forest Glen/Montgomery Hills Sector Plan

ZONE

R-60

PROPERTY SIZE

Approximately 2.5 acres

APPLICANT

Verizon Wireless & Maryland Department of Transportation State Highway Administration

ACCEPTANCE DATE

January 15, 2025

REVIEW BASIS

Chapter 59

HEARING EXAMINER PUBLIC HEARING

February 14, 2025

Summary:

- Staff recommends approval with conditions.
- The Applicant is seeking approval for a temporary use of a telecommunications tower. The Applicant requests permission to operate for 24 months but staff recommends extending operations for 36 months (Condition 4) to allow a conservative time estimate.
- Pursuant to the Use Table in Section 3.1.6 of the Zoning Ordinance, a Telecommunications Tower is allowed in the R-60 zone with an approved Conditional Use.
- As conditioned, the Conditional Use conforms to Section 4.4.9 (R-60 Zone), Section 7.3.1 (Conditional Use), Section 3.5.2.C.2.c (Telecommunications Tower) and Section 3.1.4 (Temporary Use) of the Montgomery County Zoning Ordinance.
- The Applicant is seeking approval for a reduced setback to a detached house building type from 300 feet to a distance of at least one foot for every foot in height on the temporary pole per Section 59-3.5.2.C.2.c.(d) which is 155 feet for this monopole.
- The Applicant is seeking approval for a 155-foot monopole, above the maximum height of 135 feet.
 See Section 4 for discussion.
- The Application was reviewed and recommended for approval by the County Transmission Facility Coordinating Group (CTFCG) on October 2, 2024.
- The use is consistent with the 2020 Forest Glen/Montgomery Hills Sector Plan.

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SECTION 1: RECOMMENDATIONS AND CONDITIONS

CONDITIONAL USE CU202505

Staff recommends approval of Conditional Use No. CU202505, Verizon Wireless Temporary Telecommunications Tower, to construct and operate a telecommunications tower and associated equipment compound, on a temporary basis, subject to the following conditions.¹

- 1. The proposed Telecommunications Tower must be set back at least one hundred fifty-five (155) feet from any existing dwelling.
- 2. The proposed Telecommunications Tower must be no taller than one hundred fifty-five (155) feet. At the completion of construction, before the support structure may be used to transmit any signal, and before the final inspection required by the building permit, the Applicant must certify to the Department of Permitting Services (DPS) that the height and location of the support structure conforms with the height and location of the support structure on the building permit.
- The equipment compound must have sufficient area to accommodate equipment sheds or cabinets associated with all the carriers. Outdoor storage of equipment or other items is prohibited.
- 4. The Telecommunications Tower and all associated equipment must be removed, or an amendment to this Conditional Use granted, no later than thirty-six (36) months from the issuance of the building permit.
- 5. The telecommunications tower must be identified by a sign two (2) square feet or smaller, affixed to the support structure or any equipment building. The sign must identify the owner and the maintenance service provider of the support structure or any attached antenna and provide the telephone number of a person to contact regarding the structure. The sign must be updated, and the Hearing Examiner notified within ten (10) days of any change in ownership.

¹ For the purposes of these conditions, the term "Applicant" shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval, and includes all persons involved in successive stages of the project, even though such persons may change and ownership of the land may change.

- 6. The Applicant must comply with Forest Conservation Exemption No. 42025074E, as approved by M-NCPPC staff on November 15, 2024.
- 7. The Applicant must contact the Montgomery County Department of Permitting Services and schedule a preconstruction meeting before any land disturbing or construction activities take place.

SECTION 2: SITE DESCRIPTION

VICINITY

The Subject Property (Property) is located in the northwest quadrant of the interchange of Georgia Avenue and I-495 (Capital Beltway) in Silver Spring. The Property is in the right-of way for the Capital Beltway and is bounded by the ramp from southbound Georgia Avenue to westbound Capital Beltway on the north. To the east is Georgia Avenue and to the south is the Capital Beltway.



Figure 1: Neighborhood Vicinity Map

The Staff-defined neighborhood is based on topography and the visual impact analysis provided by the Applicant. The boundaries are complicated by the presence of the Capital Beltway, as well as the road network but does follow roads and public rights-of-way. The neighborhood is bounded by Forest Glen Road to the north, Belvedere Place, Coleridge Drive, and Hale Street to the west, Seminary Place and White Oak Drive to the south, and Boyer Place, Flora Lane, and Dameron Drive to the east. The neighborhood is composed primarily of single-family detached homes but includes commercial uses such as a WMATA Facility related to Forest Glen Metro Station. This Facility is located at the corner of Georgia Avenue and Forest Glen Road, directly across Forest Glen Road from the Forest Glen Metro Station.

The following conditional uses/special exceptions were identified in the neighborhood, as labeled in Figure 2:

- 1. Special Exception S2766: To permit an accessory apartment.
- 2. Special Exception S748: To permit a non-resident medical practitioner's office.
- 3. Special Exception S215: To permit off-street parking in connection with a proposed office building.
- 4. Special Exception S1094: To permit the continued use of an existing accessory apartment in a private dwelling.
- 5. Special Exception S981: To permit the use of an existing accessory apartment.



Figure 2: Local Conditional Uses/Special Exceptions

PROPERTY DESCRIPTION

The Subject Property (Property) is a part of the I-495 (Capital Beltway) right-of-way and is outlined in a solid red line in Figure 3. The Subject Property is approximately 2.45 acres in size and is bounded by Georgia Avenue to the east, the Georgia Avenue on ramp to the Capital Beltway to the north and west, and the outer loop of the Capital Beltway to the south. The Property is triangular shaped and is bisected by the Georgia Avenue sidepath's bicycle and pedestrian bridge.



Figure 3: Subject Property

The Property is lower in elevation than the surrounding developments and has a bowl-like shape. There is a concrete pad, metal grate, and a paved vehicular access from southbound Georgia Avenue. The Property does not contain any streams, wetlands, floodplains, or environmental buffers and does not have any forest. There are areas of tree cover on the southern and western boundaries. The Property is not the site of any historic sites or cemeteries.

The Project Site is a rectangular area of approximately twenty-seven (27) feet by thirty-seven (37) feet and is located in the center of the Property, at a low point of elevation. The Project Site is located outside of areas of tree cover. It is outlined in a red dashed line in Figure 3.

SECTION 3: PROJECT DESCRIPTION

PROPOSAL

The Project consists of the construction and operation of a 155-foot-tall temporary telecommunications facility with ancillary equipment. The twenty-seven (27) foot by thirty-seven (37) foot compound will be surrounded by an eight (8) foot tall chain link fence. The compound will be placed on a temporary gravel base to level the area. The monopole will be placed on a twenty (20) foot by twenty (20) foot base, on top of six (6) inches of gravel to level the base. The monopole will be attached to a temporary base assembly. The base assembly will be ballasted with concrete in a weight that meets or exceeds the minimum required in the structural specifications of the temporary monopole. A reserved lease space for a future colocator is shown for reference purposes only.

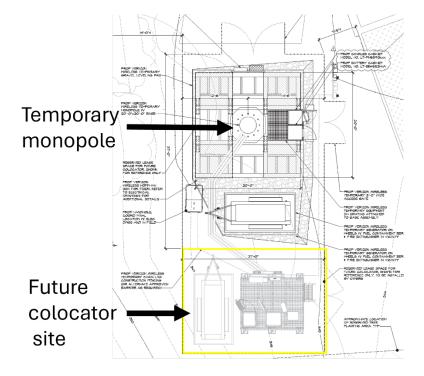


Figure 4: Equipment Compound Detail

The proposed monopole will be painted with the standard matte finish steel gray, which is designed to blend into the horizon to the extent it is visible.

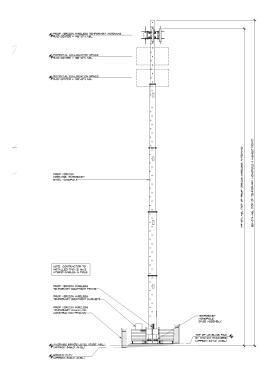


Figure 5: Monopole Detail

The facility will operate automatically and will not require any personnel or hours of attendance. It will operate twenty-four (24) hours a day, three hundred and sixty-five (365) days a year. Maintenance personnel will visit the Site occasionally for repairs or modifications. This maintenance can be performed by a single technician in a standard vehicle. Therefore, the facility will not create any impact on traffic in the area.

Coverage Location and Visual Impact Analysis

The facility is required because all three major wireless providers (AT&T, T-Mobile, and Verizon) are required to remove their antennas from an existing telecommunications facility located on the Washington Suburban Sanitary Commission's ("WSSC") North Woodside Water Tank (Figure 1) located on Seminary Place. The WSSC water tank is undergoing a two-year rehabilitation project. The rehabilitation project will require all wireless antennas to re-locate for twelve (12) to twenty-four (24) months. Once the rehabilitation is complete, all three wireless providers have a lease agreement to relocate their antennas back onto the water tower. Absent a new, temporary location for the providers' wireless antennas, there will be a significant degradation of wireless coverage for this area of Montgomery County for all three major wireless networks, including a portion of Interstate 495.

The facility will also replace and enhance the existing emergency and non-emergency wireless coverage in the area. Demonstrating the significant need for this Site, AT&T has signed a letter of intent in support of this application, certifying its intent to co-locate on the facility. T-Mobile has also had discussions with Verizon and has indicated a significant need to relocate its antennas onto the

monopole. The facility includes space for Verizon to locate its antennas, with additional space for AT&T and T-Mobile.

The Applicant conducted a visual impact analysis and took photographs from four vantage points surrounding the proposed replacement pole (see Figures 6-9).



Figure 6: View of Facility from Southwest

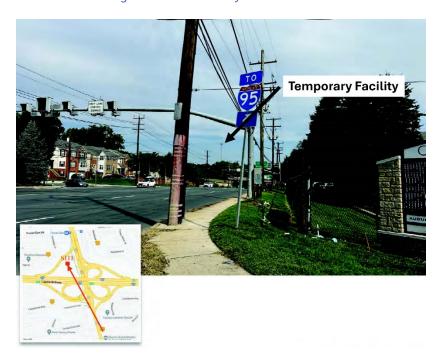


Figure 7: View of Facility from Southeast

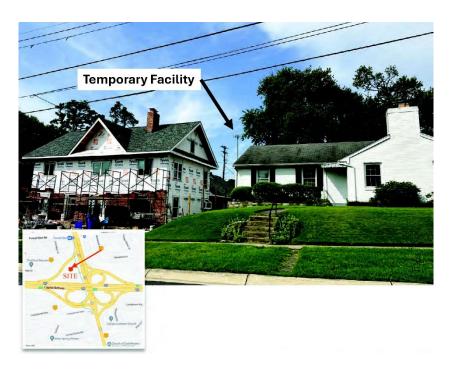


Figure 8: View of Facility from the Northeast

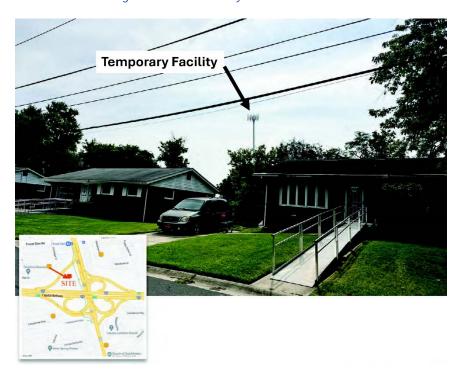


Figure 9: View of Facility from the Northwest

As required by the Zoning Ordinance, a sign no larger than two square feet shall be affixed to the structure to identify the facility owner(s) and operator(s). No other signs are allowed, unless required by the Federal Communications Commission (FCC), the Federal Aviation Administration (FAA), or the County.

The temporary facility will comply with all relevant standards set forth in the Zoning Ordinance and other related regulations.

SECTION 4: FINDINGS AND ANALYSIS

The Subject Application complies with the general requirements and development standards of Chapter 59, the Zoning Ordinance, Chapter 22A, the Forest Conservation Law, and substantially conforms with the goals and recommendations of the 2020 *Forest Glen/Montgomery Hills Sector Plan*.

Section 3.1.4. Defines Temporary Uses as those that:

- 1. Are temporary in nature;
- 2. Are established for a fixed period of time with the intent to discontinue the use when the period of time is over;
- 3. Does not involve the construction or alteration of any permanent structure; and
- 4. Require a temporary use permit under Chapter 8

AT&T, Verizon, and T-Mobile are required to remove their antennas from a nearby WSSC water tank to allow the tank to be refurbished by WSSC. The wireless antennas will need to be removed for a period of no more than 36 months after which time the carriers have contractual obligations under lease agreements to re-locate the antennas on the WSSC tower. When the temporary use is over, the facility will be completely removed, and the Property will be returned to its present state. Therefore, the Subject Application meets the criteria for a temporary use.

Section 7.3.1.E, *Necessary Findings*, states that:

- To approve a conditional use application, the Hearing Examiner must find that the proposed development:
 - a. Satisfies any applicable previous approval on the subject site or, if not, that the previous approval must be amended;

Planning Staff approved FCP Exemption and Existing Conditions Plan No. 42025074E on November 15, 2024. There are no other applicable previous approvals on the Subject Site.

b. Satisfies the requirements of the zone, use standards under Article 59-3, and to the extent the Hearing Examiner finds necessary to ensure compatibility, meets applicable general requirements under Article 59-6;

The Application satisfies the requirements of Article 59-3 for a Telecommunications Tower under Section 3.5.2.C. To the extent they are applicable, the Application complies with the general requirements under Article 59-6. The Site will be accessed by personnel using the existing paved

driveway. The replacement pole will not alter the open space requirements on the Property. It is located near the center of the Property and will be screened by the existing vegetation. Per Section 59-3.5.2.C.2.x, the support structure must be identified by a sign two (2) square feet or smaller, to be affixed to the support structure or equipment building. As proposed and conditioned, the Subject Application will comply with these requirements for content, size, and location. Therefore, the Subject Application is in compliance with the use standards under Article 59-3 and Article 59-6, as applicable.

c. Substantially conforms with the recommendations of the applicable master plan;

This Application substantially conforms with the 2020 Forest Glen/Montgomery Hills Sector Plan ("Sector Plan"), and other applicable master plans. The Master Plan does not expressly address telecommunications or wireless facilities. However, the proposed monopole is consistent with the Master Plan's goals, including "Create[ing] built environments that improve quality of life through public amenities, improved mobility, improved air and water quality, and safe, attractive and accessible public spaces." Maintaining wireless services and emergency communications is consistent with the Master Plan's goals related to quality of life. Further, it will be located within the I-495 right-of-way which is identified in the Sector Plan as an existing highway use.

d. Is harmonious with and will not alter the character of the surrounding neighborhood in a manner inconsistent with the plan;

The facility will not alter the character of the surrounding neighborhood. The facility is being located in a portion of the Capital Beltway right-of-way. The monopole will be located in a depression in the ground to minimize the visual impacts. The temporary monopole will be painted with the standard matte finish steel gray, which is designed to blend into the horizon to the extent it is visible. The facility will replace and support existing wireless coverage to ensure the area maintains adequate and reliable emergency and non-emergency wireless services. Any visual impact will be temporary, as conditioned.

e. will not, when evaluated in conjunction with existing and approved conditional uses in any neighboring Residential Detached zone, increase the number, intensity, or scope of conditional uses sufficiently to affect the area adversely or alter the predominantly residential nature of the area; a conditional use application that substantially conforms with the recommendations of a master plan does not alter the nature of an area;

This Conditional Use application substantially conforms to the 2020 *Forest Glen/Montgomery Hills Sector Plan* Master Plan. If approved, it will not increase the intensity, or scope of the conditional uses in the area to adversely affect the residential nature of the area. While there are a few conditional uses and special exceptions within the staff-defined neighborhood vicinity, the majority are residential in nature. Furthermore, the facility is shown within the Capital Beltway right-of-way and not on a residential property. Finally, there are no existing telecommunications facilities on the Property or

within the staff-defined neighborhood. As stated previously, the Subject Application is for a temporary installation that will be removed once the WSSC water tower rehabilitation work is complete.

- f. If an approved adequate public facilities test is currently valid and the impact of the conditional use is equal to or less than what was approved, a new adequate public facilities test is not required. If an adequate public facilities test is required and:
 - i. if a preliminary subdivision plan is not filed concurrently or required subsequently, the Hearing Examiner must find that the proposed development will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, and storm drainage; or
 - ii. if a preliminary subdivision plan is filed concurrently or required subsequently, the Planning Board must find that the proposed development will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, and storm drainage; and

The temporary facility would be unmanned and uninhabited outside of periodic maintenance and service. It does not require any public services or facilities beyond what already exists on the Property and will remain sufficient for the proposed use. No preliminary plan is required but the proposed use will be adequately served and in fact provides telecommunication services to the community.

- g. will not cause undue harm to the neighborhood as a result of a non-inherent adverse effect alone or the combination of an inherent and a non-inherent adverse effect in any of the following categories:
 - the use, peaceful enjoyment, economic value or development potential of abutting and confronting properties or the general neighborhood;

Inherent impacts of a communications facility are visual and disruptions due to construction for installing and removing the monopole and associated equipment. The Applicant has identified a location that takes advantage of the existing screening provided by existing trees and topography. The location is also directly accessible by vehicle, which should limit traffic impacts of the construction vehicles on the surrounding neighborhood. Some noise will be made during construction and removal, but those impacts will be temporary and under the review the Department of Permitting Services.

The facility will not create any noise or light pollution and will be well insulated inside the Property and surrounded by trees and topography which will offer screening, as previously noted. It will have no impact on the peaceful enjoyment, economic value or development potential of abutting and

confronting properties, which are mostly roadways, or the general neighborhood. As conditioned, the facility will be removed in no more than 36 months.

ii. traffic, noise, odors, dust, illumination, or a lack of parking; or

The proposed monopole will not create any traffic, noise, odors, dust, fumes, illumination, or need for additional parking. The monopole does not require any additional parking as it is an unmanned facility and will only be visited by a technician a few times per year. The technician will access the facility by the existing paved entrance on Georgia Avenue and park in the existing paved area. There are no lights on the proposed monopole.

iii. the health, safety, or welfare of neighboring residents, visitors, or employees.

The proposed monopole will not have any impact on health, safety, welfare of neighbors, residents, visitors, or employees. The monopole and equipment area will be surrounded by a chain link fence that will provide safety and security.

2. Any structure to be constructed, reconstructed, or altered under a conditional use in a Residential Detached zone must be compatible with the character of the residential neighborhood.

The temporary facility is compatible with the neighborhood and will not have any significant visual impact on the area. The Applicant provided renderings of the proposed Facility from several vantage points in the area, and while the top of the facility is visible, the lower portion will be partially screened within the existing conditions of the area including the existing trees and the topography. Approval of the facility will maintain existing emergency and non-emergency wireless services in the area, thereby maintaining the present character of communications and emergency services in the neighborhood. After the antennas are relocated on the WSSC water tank, the facility will be removed, and the area will be returned to its present condition.

Per Section 59.3.5.2.C.2.c, where a Telecommunications Tower is allowed as a conditional use, it may be permitted by the Hearing Examiner under either Section 3.5.2.C.2.d or Section 3.5.2.C.2.a, limited use standards. In addition, Section 7.3.1 and the following procedures and standards must be satisfied:

i. Before the Hearing Examiner approves any conditional use for a Telecommunications Tower, the proposed facility must be reviewed by the Transmission Facility Coordinating Group. The applicant for a conditional use must file a recommendation from the Transmission Facility Coordinating Group with the Hearing Examiner at least 5 days before the date set for the public hearing. The recommendation must be no more than 90 days old when the conditional use application is accepted. The CTFCG reviewed and recommended approval of this Application on October 2, 2024. While the Application was accepted on January 15, 2025, the Application was submitted on November 14, 2024, well within the 90-day threshold for the recommendation validity, meeting the intent of the requirement.

- ii. A Telecommunications Tower must be set back, as measured from the base of the support structure, as follows:
 - a) A Telecommunications Tower is prohibited in any scenic setback indicated in a master plan.

The proposed monopole is not in any scenic setback indicated by a master plan.

b) In the Agricultural, Rural Residential, and Residential Detached zones, a distance of one foot for every foot of height or 300 feet from an existing dwelling, whichever provides the greater setback.

The Property is located in a Residential Detached zone (R-60). The proposed temporary monopole is set back more than one foot for every foot of height of the temporary pole from all property lines and dwellings. The Applicant is requesting the Hearing Examiner allow for a reduced setback requirement to a detached house building type from 300 feet to a distance of at least one foot for every foot of height on the temporary pole (one hundred fifty-five (155) feet), as allowed by Section 59-3.5.2.C.2.c.ii(d) of the Zoning Ordinance and as further discussed in Finding 2.ii.d below. The temporary pole is set back as follows and as shown in Figure 10:

- 182 feet from the northwest Property line;
- 293 feet from the east Property line; and
- 207 feet from the nearest existing dwelling to the north.
- To the south is I-495, Capital Beltway.

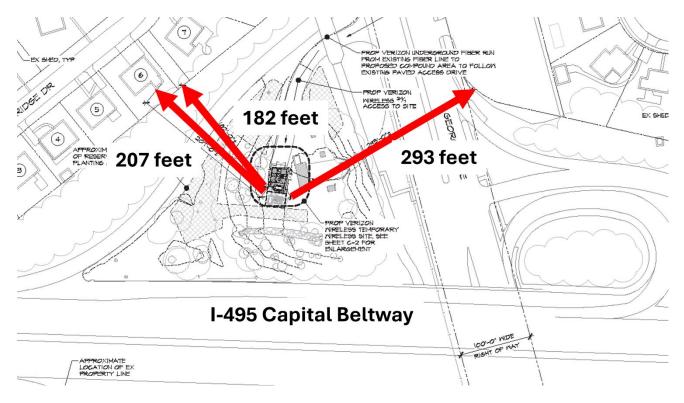


Figure 10: Distance from Adjacent Properties

c) In the Employment zones, a distance of one-half foot for every foot of height from the property lines of abutting Commercial/Residential, Employment, or Industrial zoned properties, and one foot for every foot of height from the property lines of abutting Agricultural, Rural Residential, or Residential zoned properties.

The Property is not in an employment zone.

d) The Hearing Examiner may reduce the setback requirement to not less than the building setback for a detached house building type in the applicable zone or to a distance of one foot from an off-site dwelling for every foot of height of the support structure, whichever is greater, if evidence indicates that a reduced setback will allow the support structure to be located on the property in a less visually obtrusive location than locations on-site where all setback requirements can be met after considering the height of the structure, topography, existing vegetation, nearby residential properties, and visibility from the street. A reduced setback may be approved only if there is a location on the property where the setback requirements can be met.

The minimum rear setback for a dwelling unit in the R-60 Zone is 20 feet and the minimum side setback is eight feet. The Applicant is requesting a reduction of the required minimum setback for the

temporary pole from a detached dwelling to a distance of one foot for every foot of height, or 155 feet in this case, instead of 300 feet. The Applicant can achieve a distance of 207 feet between the Facility and the nearest off-site dwelling unit.

By allowing a reduction in setback, the Applicant can locate the facility in the I-495 right-of-way, located with existing transportation infrastructure. The location takes advantage of the topography of the site by locating the facility in a depression, reducing the impact at the ground level.

Despite its temporary nature, the facility is designed to meet all ANSI and other engineering standards, and it will offer no danger to nearby buildings. Reducing the setback will not impact nearby dwellings, because even if the tower was laid on its side, it would be well short of the nearest property lines. The facility is temporary in nature and will be removed completely within thirty-six (36) months so the visual impact, if any, will be temporary.

iii. The maximum height of a support structure and antenna is 135 feet, unless it can be demonstrated that additional height up to 179 feet is needed for service, collocation, or public safety communication purposes. At the completion of construction, before the support structure may be used to transmit any signal, and before the final inspection required by the building permit, the applicant must certify to DPS that the height and location of the support structure conforms with the height and location of the support structure on the building permit.

The proposed height of the monopole is 155 feet, above the maximum height of 135 feet. The Applicant is requesting that the Hearing Examiner use her discretion to allow for a monopole in excess of 135 feet. Due to the location available and the need for all three (3) wireless carriers to re-locate their antennas, the proposed tower must be tall enough to meet the coverage requirements for all three (3) carriers. The proposed monopole is at the minimum height to provide Verizon with adequate replacement coverage and to allow AT&T and T-Mobile to do the same. Reducing the height of the monopole could cause coverage deficiencies for the wireless providers at the lower elevation. The requested increase in height is necessary for service, collocation and public safety communication services (including FirstNet). Verizon will certify that the height and location conform with the building permit before the temporary facility comes online.

iv. The support structure must be located to minimize its visual impact. Screening under Division 6.5 is not required, however, the Hearing Examiner may require the support structure to be less visually obtrusive by use of screening, coloring, stealth design, or other visual mitigation options, after considering the height of the structure, topography, existing vegetation and environmental features, and nearby residential properties.

The location was chosen to maximize coverage, while minimizing visual impact on the surrounding area. By locating the facility in a state-owned right-of-way, the facility will be buffered from nearby residential areas by existing state roads and highways. Existing vegetation and topography will assist in minimizing visual impact. The height was chosen to be the least visually intrusive, while being at a minimum height to allow all three wireless carriers to co-locate their antennas to preserve emergency and non-emergency wireless services in this area of Montgomery County. The facility will be completely removed within thirty-six (36) months so any impacts will be temporary. The facility will be light gray to minimize its visual impacts as well.

v. The property owner must be an applicant for the conditional use for each support structure.

The Property is owned by the State Highway Administration, which is a co-applicant and has authorized submission of this application.

vi. A modification of a conditional use is only required for a change to any use within the conditional use area directly related to the conditional use approval.

There is no conditional use on the Property at this time.

- vii. A support structure must be constructed to hold a minimum of 3 wireless communication carriers unless the Hearing Examiner finds:
 - a) that collocation at the proposed location is not essential to the public interest; and
 - b) that construction of a lower support structure with fewer wireless communication carriers will promote community compatibility.

The temporary facility is designed for three wireless carriers: AT&T, Verizon, and T-Mobile.

viii. The equipment compound must have sufficient area to accommodate equipment sheds or cabinets associated with all the carriers. Outdoor storage of equipment or other items is prohibited.

The equipment compound is approximately 27 feet by 37 feet, with an area of 999 square feet. The equipment area has sufficient, designated areas for the equipment sheds or cabinets of AT&T, Verizon, and T-Mobile.

ix. The support structure must be removed at the cost of the owner of the Telecommunications Tower when the Telecommunications Tower is no longer in use by any wireless communication carrier for more than 12 months.

The Applicant is aware that the support structure must be removed if it is no longer in use by wireless carriers for 12 consecutive months. The Applicant intends to decommission and remove the

temporary facility as soon as the refurbishment of the WSSC water tank is complete and wireless antennas can be relocated on the water tower.

x. The support structure must be identified by a sign 2 square feet or smaller, affixed to the support structure or any equipment building. The sign must identify the owner and the maintenance service provider of the support structure or any attached antenna and provide the telephone number of a person to contact regarding the structure. The sign must be updated and the Hearing Examiner notified within 10 days of any change in ownership.

The Applicant will identify the structure by a sign as required by this provision.

xi. Each owner of the Telecommunications Tower is responsible for maintaining the wireless communications tower in a safe condition.

The Applicant will maintain the replacement pole in a safe condition by doing periodic inspections and maintenance.

xii. The Hearing Examiner must make a separate, independent finding as to need and location of the facility. The applicant must submit evidence sufficient to demonstrate the need for the proposed facility.

There is a significant need for this facility to be online by summer 2025, if not earlier. Due to the required refurbishment of the nearby WSSC water tank, all three (3) major wireless carriers will be required to temporarily remove their antennas. The removal of the antennas will cause significant degradation and "blackout" areas for all three wireless providers in the Silver Spring area. The Subject Property was chosen as the best, potential property where a temporary facility could be located to maintain existing emergency and non-emergency wireless coverage. T-Mobile and AT&T are both in support of this application and intend to co-locate on the Property.

SECTION 5: COMMUNITY OUTREACH

The Applicant has met signage and noticing requirements for the submitted Application. Staff has received no correspondence about the Subject Application.

SECTION 6: CONCLUSION

The proposed conditional use complies with the findings required for approval of a telecommunications tower, subject to the recommended conditions of approval. The proposed use is consistent with the goals and recommendations of the 2020 Forest Glen/Montgomery Hills Sector Plan, will not alter the residential character of the surrounding neighborhood, and will not result in any unacceptable noise, traffic, or environmental impacts on surrounding properties. Staff recommends approval of the Conditional Use with conditions and transmittal of comments to the Hearing Examiner.

ATTACHMENTS

Attachment A: Conditional Use Plan

Attachment B: Letter from the County Transmission Facility Coordinating Group (CTFCG)

ACCEPTED & RECOMMENDED FOR APPROVAL BY:

Jason K. Sartori, Planning Director

February 7, 2025

Date