

MINUTES OF TTF CG MEETING

To: Distribution

From: Bob Hunnicutt, Tower Coordinator, Columbia Telecommunications

A meeting of the Telecommunications Transmission Facility Coordinating Group (TTF CG) was held on December 15, 2004. The following people were in attendance:

MEMBERS

Jane Lawton OCCS (240) 777-3724

Pat Hanehan MCPS (301) 279-3609

Helen Xu DTS (240) 777-2804

Jennifer Bryant OMB (240) 777-2761

Carlton Gilbert M-NCPPC (301) 495-4576

Jim Krause WSSC (301) 206-7199

Dave Niblock DPS (240) 777-6252

STAFF

Margie Williams OCCS (240) 777-3762

Robert Hunnicutt CTC (410) 964-5700

Matt Wolff CTC (410) 964-5700

OTHER ATTENDEES

Natee Wongsangpaiboon Sprint

Stephanie Petway Sprint

Tom Carroll Holland & Knight

Hillorie Morrison Nextel

Denis Sequeira Nextel

Discussion Item - Meeting Minutes: Pat Hanehan moved the minutes be approved as written. Dave Niblock seconded the motion and the minutes were unanimously approved.

Action Item: Cingular application to enclose twelve antennas at the 90' inside an existing 105' monopole on the Petrucelli property located at 14120 Darnestown Road in Darnestown (Application #200412-02).

Matt Wolff summarized the application. There was no discussion by the group.

Action: Dave Niblock moved the application be recommended. Jim Krause seconded the motion and it was approved with Pat Hanehan abstaining.

Action Item: Sprint application to construct a new 100' monopole and attach three panel antennas at the 95' level and WSSC's Yagi antennas at the 78' level. The monopole will be located at the WSSC pumping station at 8606 Snouffer School Road in Gaithersburg (Application #200411-14).

Matt Wolff summarized the application. He noted that the Tower Coordinator had contacted the Montgomery County Revenue Authority regarding the impact of the structure on the Montgomery County Airpark. He stated that the County's consultant to the Revenue Authority had determined that the monopole would not present an obstruction to flights at the Airpark. He stated that Sprint's RF propagation maps of existing coverage supported the need for additional antennas in that area. He said Sprint also submitted RF maps which showed the proposed site would meet Sprint's desired service coverage.

Jane Lawton asked if the existing wooden pole would be removed. Jim Krause replied that if necessary, it would be removed. Ms. Lawton said she was concerned that this siting did not meet any of the requirements for setback, distance from a residence, screening of the equipment shelter, and was much taller than the existing structure. Bob Hunnicutt explained that this application as submitted was to replace an existing 80'

wooden pole with a new 100' monopole. He stated that based on his site visit, the existing wooden pole was not 80' tall but was actually closer to 50' tall. He said the new monopole would not be placed in the same location as the existing pole but would be placed on a different location on the small WSSC property, making the monopole much more visible to the surrounding community. He said given the TTFCG's interest in having applications meet County code requirements to the greatest extent possible in cases of a Mandatory Referral, he wanted to bring these non-conforming issues to the group's attention. He said the Tower Coordinator's recommendation was conditioned on Sprint meeting code requirements. He also added that there was a typo in the recommendation.

Ms. Lawton asked Mr. Krause why the WSSC would agree to a proposal that did not meet any of the code requirements. Mr. Krause replied that WSSC needed a taller structure at the site to improve the transmission capabilities of its antenna link with other WSSC facilities. He said WSSC's existing antennas were approximately 56' above ground level. Tom Carroll noted that the application was submitted jointly by WSSC and Sprint, and that it would go through Mandatory Referral, rather than Special Exception, because WSSC would own the new monopole. Mr. Carroll stated that the code requirements referenced by the Tower Coordinator related to Special Exception applications, not Mandatory Referral applications.

Ms. Lawton asked if the siting could be amended so the structure would meet code requirements for setback and a 300' distance from the nearest dwelling. Mr. Carroll stated that would not be possible because of the small size of the WSSC property. Ms. Lawton stated she believed the requirements of §59-G-2.43 were relevant to this application because it could be argued that this was not a replacement pole for WSSC but was actually a new Sprint facility; in that case, it was being constructed primarily for Sprint's purposes. She added that the rights for Mandatory Referral review available to WSSC could not be transferred to Sprint. She concluded that she did not believe this application was ready for final review by the TTFCG. She noted that in other controversial sitings, the carrier had worked with the property owner, TTFCG, and Tower Coordinator to propose a siting that would meet the intent of the County's interest in minimizing the intrusion of these facilities in the community. Mr. Hunnicutt noted that even if the application did not comply with all of the requirements of §59-G-2.43 it still had to comply with the requirements for a Mandatory Referral, which it did not because there is no screening proposed for the equipment shelter. Mr. Krause replied that after he had discussed this application with Mr. Hunnicutt, he agreed to have a brick shelter built to enclose the equipment cabinets at the site rather than the chain link fence currently proposed.

Carlton Gilbert asked if this was a Sprint monopole or a WSSC monopole. Mr. Carroll replied that this was an application to replace an existing WSSC pole with a new monopole, and once constructed, the existing pole would be removed and WSSC would own the new monopole. Mr. Hunnicutt explained that this application was somewhat different than other similar applications the TTFCG had previously reviewed. Consequently, he wanted to make sure that in reviewing this application, the group considered all of the aspects of interest to the TTFCG as required by the Executive Regulation for the Tower Coordinator's review. This review included considering the applicable zoning requirements, the visual impact on the community, and the co-location options available to the carrier. He said that the visual impact on the community may likely generate resident opposition, as the location of the monopole would be very close to adjacent residences.

Mr. Hunnicutt added that although the application identified the desired service coverage as being a portion of Snouffer School Road, when asked for RF maps at lower elevations, Sprint replied that a shorter structure would not permit them to provide coverage to additional areas in the commercial property on the other side of the airport. He stated that based on the review of RF maps submitted with an 80' monopole, it appeared that the desired coverage along Snouffer School Road would be met, but that the desired service level in the commercial area would not be met. He said there is an existing monopole in the commercial area to which Sprint could attach its antennas, but based on review of the RF maps submitted by Sprint, if they attached to that existing monopole, the desired coverage along Snouffer School Road would not be met.

Ms. Lawton suggested that one alternative to a new monopole on the WSSC site would be for Sprint to consider attaching to one of the taller PEPCO poles along Snouffer School Road. Mr. Hunnicutt suggested that if Sprint were to co-locate on the existing monopole in the commercial area, it could reduce the height of the WSSC monopole to a much lower height than 100' and still meet Sprint's coverage goals along Snouffer School Road. Ms. Lawton said that in light of these additional considerations of alternative attachments, she did not believe the TTFCG was ready to take action on this application. She said that the questions regarding the application of either §59-G-2.43 or §59-A-6.12 to this siting should also be addressed by the County

Attorney.

Dave Niblock asked Mr. Gilbert if the Planning Board would review this application as a Mandatory Referral. Mr. Gilbert replied that if it were determined to meet the requirements for Mandatory Referral, the Planning Board would consider this application. Mr. Carroll said before the group considered tabling the application, he would like them to consider that this application is similar to other Mandatory Referral applications the TTF CG had reviewed and approved, where an existing structure had been replaced with a structure two-to-three times the height of the existing structure. He added that other Mandatory Referral applications had been approved where the new structure did not meet the requirements for a 300' setback from residences. He cited the County's pole replacement on Sangamore Road as an example. Ms. Lawton replied that siting for the County's 800 MHz public safety radio antennas was a case where PEPCO had replaced its pole and the County attached to the new taller pole. She said this was not the case being proposed for the WSSC site, and in her opinion, was not similar to applications recommended by the TTF CG in the past.

Motion: Carlton Gilbert moved that the application be tabled pending a review of the legality of this proposal as a Mandatory Referral by the County Attorney, and on review and consideration of the alternatives for this site by the carrier to mitigate the visual impact of the monopole on the community. Pat Hanehan seconded the motion, and it was approved with Pat Hanehan and Jim Krause abstaining.

Action Item: Nextel application to replace an existing 30' tennis court light pole with a 110' monopole, and attach antennas at the 108' level and reattach the tennis court lights at the 30' level. The monopole will be located on the Thomas Pyle Middle School property at 6301 Wilson Lane in Bethesda (Application #200412-01).

Matt Wolff summarized the application. Jane Lawton asked about the size of the property. Pat Hanehan replied the property was an approximately 20-acre parcel. He said the proposed location of the monopole was the only place on the property that it could be sited to comply with the requirement to maintain a 300' setback from residences. Ms. Lawton noted that the site plan for this application only showed sufficient ground space to accommodate Nextel's equipment shelter. Bob Hunnicutt stated this was also noted in the Tower Coordinator's recommendation. He added that the monopole could also only accommodate antennas from one additional carrier.

Pat Hanehan stated he thought there was sufficient ground space available to expand the equipment compound for a second carrier. He said this had been the case with the Tilden Middle School, where co-locators were able to expand the existing ground space and board-on-board enclosure to accommodate additional carriers and equipment. Hillorie Morrison agreed, and stated she did not believe there would be a problem meeting the requirements of §59-G-2.43 for ground space to accommodate all potential co-locators, and said the monopole would likely be able to accommodate antennas from two additional carriers. Mr. Hunnicutt stated that Ms. Morrison had previously explained to him that because of the smaller diameter monopole designed for this site, it would only be capable of accommodating antennas and cables from one additional carrier. Ms. Morrison stated Mr. Hunnicutt was correct, but noted that other sites of a similar design had been able to accommodate three sets of antennas. Mr. Hunnicutt noted that the consent agenda application approved at today's meeting was to attach a third set of antennas on a similar monopole design on the Petrucelli property, so the Pyle monopole may be able to support more than one carrier.

Motion: Dave Niblock moved the application be recommended conditioned on compliance with §59-G-2.43 of the zoning code. Jennifer Bryant seconded the motion and it was approved with Pat Hanehan abstaining.

Discussion Item - Multiple Minor Modifications: Jane Lawton stated that the TTF CG was beginning to receive a number of applications in the multiple minor modification fee category. She said that fee category was created for cases where exactly the same changes were being made at multiple sites; however, the applications being submitted were for different changes at multiple locations. She noted there may be a need to amend the fee structure for those cases, and said she was discussing this matter with the County Attorney. She agreed to notify the group if there were changes to how they handle those kinds of applications.

Discussion Item - Distributed Antenna Systems: Jane Lawton stated the County had been approached by a number of businesses, such as MFN, Neon, and NextG, who wished to deploy distributed antenna system (DAS) networks in the county. One proposal would provide a DAS network that would handle service for up to

four wireless carriers on a single network. She wanted to bring this technology to the group's attention because she expected to see applications for DAS networks in the near future. She added that those proposals would require a telecommunications franchise with the County as well.

Discussion Item - WSSC Seneca Dam Review: Jim Krause stated there had been some community opposition to WSSC's proposed new tower at its Seneca Dam facility. He stated that one of the objections raised was that the structure was only being constructed by WSSC to generate revenue from co-locators on the tower. He asked what the group thought about WSSC constructing this facility solely for WSSC use without allowing for co-location. Ms. Lawton said that WSSC had the ability to construct a tower for its own purposes, but the TTF CG was interested in having any new structure constructed available for co-location to mitigate construction of new carrier facilities in the same area. Mr. Krause stated he thought the WSSC would decide to construct the tower solely for their own purposes to address the community concerns. He added that he was also reconsidering the decision to allow others to have access to the Seneca Dam site for security purposes. Mr. Hunnicutt stated that security had been noted as an issue for WSSC during the TTF CG review, and that WSSC had stated that its approval of co-locators would be based in part on resolving any security concerns it may have at the time a request to co-locate was received.

Discussion Item - Tower Coordinator Recommendations: Bob Hunnicutt asked the group for guidance regarding making recommendations conditioned on meeting certain code requirements. He asked if the group would prefer the Tower Coordinator simply not recommend an application if it did not meet code requirements, rather than conditioning approval on meeting the requirements. Jane Lawton stated she believed the current practice of placing conditions on the recommendation was adequate as long as it was prominently noted in the Record of Action form. She suggested that the Tower Coordinator Recommendation and Record of Action forms be revised to include a box to check to reflect that the recommendation was conditional. Mr. Hunnicutt agreed to make those changes to the application and Record of Action form for future use. He said he would be sure to clearly state on the forms the relevant code sections that were not met by the application.

Discussion Item - Next Meeting: The next meeting of the TTF CG is scheduled for Wednesday, January 12, 2004 at 2:00 p.m. in the second floor conference room #225 of the COB.