

MINUTES OF TFCG MEETING

AMENDED

To: Distribution

From: Bob Hunnicutt, Tower Coordinator, Columbia Telecommunications

A meeting of the Transmission Facility Coordinating Group (TFCG) was held on October 4, 2006. The following people were in attendance:

MEMBERS

Helen Xu DTS (240) 777-2804

Jennifer Bryant OMB (240) 777-2761

Carlton Gilbert M-NCPPC (301) 495-4576

Jane Lawton OCCS (240) 777-3724

David Niblock MCPS (240)777-6252

STAFF

Marjorie Williams OCA (240)777-3762

Bob Hunnicutt CTC (410) 964-5700

Carol Watson CTC (410) 964-5700

OTHER ATTENDEES

Pete Maheridis NB&C/ Clearwire

Erin Galvin NB&C/T-Mobile

Mike Budde NB&C/T-Mobile

Steven Weber NB&C

Jeremy Talman Nextel

Jennifer Ruppert Bechtel-Modeo

Bob Posilkin Verizon

Jackie Karp NB&C/Verizon

Glenn Torshizi Modeo

Cheryle Wilson Bechtel-Model

Catherine Blue Donohue & Blue

Jim Michael Jackson Campbell PC

Tom Godwin, Jr. Sprint/Nextel

Sharon Levine Montgomery Village Foundation

Action Item - Meeting Minutes: Carlton Gilbert moved the minutes be approved as written. David Niblock seconded the motion and the minutes were approved.

Consent Agenda Items:

1. Nextel application to replace existing equipment shelter approximately 10' x 5" with an 8' x 14' shelter atop a ten story Battery Park Building located at 7979 Old Georgetown Road in Bethesda (Application #200608-01).
2. Clearwire application to install antennas at the 160' level on a 190' monopole at Oakmont Tower at 16801 Oakmont Avenue in Gaithersburg (Application #200608-05).
3. Clearwire application to attach antennas at the 142' and 149' levels of a 124' Warwick Apartments building located at 1111 University Blvd in Silver Spring (Application #200608-20).
5. Sprint/Nextel application to install antennas on a rooftop of the Blair Office Building at 8380 Colesville Road in Silver Spring (Application 200609-02).

6. Clearwire application to attach antennas at the 137' level on an existing 151' monopole on Milestone property located at Milestone Center Court & Milestone Center Drive in Germantown (Application #200609-04).
7. Clearwire application to attach antennas at the 250' level on a 745' WDCA lattice tower located at 5202 River Road in Bethesda (Application #200609-05).
8. Clearwire application to attach antennas at the 205' level of a 181' Grosvenor House Apartment building located at 10101 Grosvenor Park Place in Rockville (Application #200609-07).
9. Clearwire application to attach antennas on the Claridge House Apartment building located at 2445 Lyttonsville Road in Silver Spring (Application 200609-08).
12. Modeo application to attach antennas at the 191' and 200' levels of a 191' Grosvenor House building located at 10101 Grosvenor House in Rockville (Application #200609-14).
13. Clearwire application to attach antennas at the 168' level of a 150' Park Ritchie Apartment building located at 7600 Maple Avenue in Takoma Park (Application #200609-16).

Helen Xu requested that Item #4 be pulled from the agenda. Jane Lawton asked that Items #10 and #11 be pulled from the agenda.

Motion: David Niblock moved that the rest of the Consent Agenda items be recommended. Jennifer Bryant seconded the motion and it was unanimously approved.

Action Item - Item #4: 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 explained that she had requested information from the applicant about the proximity of the proposed Clearwire antennas to the County's antennas on this tower. Bob Hunnicutt explained that at the end of last month's meeting he had discussed this matter with the applicant and had requested specific information about the distances between the two sets of antennas as well as which leg of the tower those antennas would be attached. Mr. Hunnicutt said that the applicant had provided a drawing that showed that the Clearwire dish antennas would be placed on all legs of the tower and that they would provide additional drawings that illustrate the vertical separation of the antennas.

Pete Maheridis requested that the group consider approving the application conditioned on the applicant's submission of information that would satisfactorily demonstrate that Clearwire's attachment would not interfere with the County's antennas.

Motion: Helen Xu moved that the application be tabled until the applicant provides drawings that show the vertical separation of the antennas from the County's antennas. Carlton Gilbert seconded the motion and it was unanimously approved.

Action Item - Item #10: Modeo application to attach one antenna at the 211' level and one antenna on the ground in the equipment area of a 216' Suburban Propane transmission tower located at 35 Derwood Circle in Rockville (Application #200609-09).

Jane Lawton noted that this was the first application to be reviewed for Modeo and asked if there was a Modeo representative present who would explain to the group the nature of this service and answer questions. Modeo representative Catherine Blue explained that Modeo provides a service that delivers broadband video and audio to wireless devices. She noted that the applicant, Cheryle Wilson, and Modeo's engineer, Glenn Torshizi, were present to answer the group's questions.

Ms. Lawton asked for an explanation of how Modeo's service relates to cellular service. Ms. Blue explained that Modeo assembles various types of video programming, such as news, entertainment, and sports programming, and distributes it to a third party who then provides it to a cellular carrier.

Mr. Torshizi distributed handouts (attached) that explain the nature of the Modeo service. He referred the group to Figure 3 in the brochure, which depicted the conceptual delivery of services to subscribers through an agreement with a cellular carrier. He noted Modeo is a subsidiary of Crown Castle. He stated that earlier

attempts at video to wireless handheld devices failed because of limited battery life, to provide adequate duration of time for viewing video programming. He explained that with today's technology, now permits programming to last for 3-4 hours over a wireless device.

Mr. Torshizi displayed charts showing a nationwide distribution system with approximately 96 sites to be located in the Washington metropolitan area. Nineteen sites are planned for Montgomery County. He said that around each site, signals could be satisfactorily received within an area of approximately four miles in diameter. He added that the first service would be rolled out in New York City and there is a service trial underway in Pittsburgh where Modeo has its network operations center. He said that service would be available in the Washington area near the end of 2007.

Action Item - Item #10: Modeo application to attach one antenna at the 211' level and one antenna on the ground in the equipment area of a 216' Suburban Propane transmission tower located at 35 Derwood Circle in Rockville (Application #200609-09).

Carol Watson summarized the application and noted that there would be one antenna atop the Suburban Gas lattice tower and one satellite dish on the ground at the base of the tower.

Ms. Lawton asked if there would be any problems with placing the antenna on the ground. Mr. Torshizi explained that for building co-location sites, the dish antennas would be on rooftops but at tower sites the dish antennas would be placed on the ground or atop the cable tray that connects the equipment shelter to the tower. Ms. Lawton noted that since this site was in an industrial zone, she did not see any problem with the antennas on the ground.

Helen Xu asked for an explanation about the satellite network. Mr. Torshizi explained that there were two satellites involved: the uplink from the programmers to the first satellite to the ground at the Modeo network operations center. From there, signals are beamed via another satellite to the ground at the various Modeo sites in the communities.

Motion: Carlton moved that the application be recommended. Helen Xu seconded it and the vote was unanimously approved.

Action Item - Item #11: Modeo application to one antenna on an existing monopole and one antenna on an equipment shelter at The Bullis School located at 1601 Falls Road in Potomac (Application #200609-10).

Carol Watson summarized the application and noted that a structural analysis had been provided by the applicant that stated the attachment could be safely made.

Jane Lawton noted that since this was a residential zone she thought that there may any problem with placing the 4' dish antenna on the ground at this site. She asked if the equipment area was fenced. Bob Hunnicutt said there was a chain-link fence. Ms. Lawton said she did not recall anything in the Zoning Ordinance that permitted a 4' dish to be placed on the ground in a residential zone.

David Niblock said that small dish antennas at commercial establishments have been permitted but they were usually not in residentially-zoned properties.

Jane Lawton recommended that the group table this application until they received comment from the County Attorney regarding this issue.

Motion: Jennifer Bryant moved to table the application until the County Attorney could advise the group whether the Modeo dish antennas would be permitted. David Niblock seconded the motion to table the application and it was unanimously approved.

Action Item: Verizon application to attach antennas at the 119' level on a 124' WSSC Brink Water Tank at 21700 Ridge Road in Germantown (Application #200608-23).

Carol Watson summarized the application and noted that this application was recommended conditioned on resolution of any interference problems that may arise with the County's antennas at this site.

Jane Lawton asked if the possibility of interference could be determined prior to making the attachment. Bob

Hunnicutt stated that an intermodulation study could be performed and provided to the group. He noted that Helen Xu had requested such a study during review of a Nextel proposal to attach to the tower at the County Correctional Facility in Clarksburg.

Helen Xu stated that since the WSSC Brink Water Tank site is no longer an active 800 MHz location, she did not see a need for the condition at this site given the unlikely potential for interference.

Jim Michael stated that he objected to a condition being attached to this recommendation related to frequency interference as he believed the FCC preempted the County on this matter. He said he had been involved in other application reviews in other jurisdictions that had reached the same conclusion regarding FCC preemption.

Ms. Lawton said she did not believe there was a problem with conditioning applications as has been proposed for this site, and that as far as she knew the only federal preemption for these kinds of facilities had to do with the harmful effects from RF emissions, not from frequency interference. She stated that the group could consider those kinds of issues and conditions for recommendations as part of their review process.

Motion: David Niblock moved that the application be recommended without conditions. Carlton Gilbert seconded the motion and it was unanimously approved.

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

Carol Watson summarized the application and noted that the Tower Coordinator's recommendation was conditioned on the applicant obtaining any approval from the Montgomery Village Foundation or homeowner's association that may be necessary for this siting.

Bob Hunnicutt explained the conditions were proposed because there had been a similar siting at another PEPCO location within Montgomery Village that had been opposed by the Montgomery Village Foundation. He said that as a consequence, he would condition any subsequent PEPCO sitings in the Village on the applicant gaining any necessary approvals from the various associations in the Village for those sites. He noted that Sharon Levine from the Montgomery Village Foundation was present at today's meeting. He stated that the applicant had sent a letter to the Foundation alerting them of their proposal but he had not heard if there had been any community concerns, and asked Ms. Levine to comment.

Ms. Levine stated that there were several issues at this site that they had been discussing with the carrier since they received the letter. Their discussions included a request to have 3-4 evergreen trees planted on homeowner association property as a buffer between the equipment area and the residential area. She said the PEPCO tower selected is next to a wooded reserve area near residential homes and that the Foundation had asked the carrier to consider the north tower on the other side of the road, instead. She also stated that there was a continuing problem with the maintenance of a wooden guardrail on the PEPCO right-of-way entrance and wanted to have someone determine whose responsibility it was to maintain that guardrail as that it had been damaged on numerous occasions and was very unsightly.

David Niblock stated that on reviewing permit applications in the Village, the Department of Permitting Services recognizes that the Village has zoning interests and covenants on properties and that the DPS must include Village consideration for applications in that area.

Ms. Lawton asked Mr. Hunnicutt to check with the Department of Public Works and Transportation regarding the responsibility for maintaining the wooden guardrail. She also asked how this application would be handled if it was approved today on the south tower as proposed but T-Mobile subsequently agreed to locate their facility at the north tower.

Mr. Hunnicutt said that in the past if, for example, a carrier had intended to go at one elevation on a structure but for some reason had to locate at a different elevation or put their equipment shelter in an area different from where it was originally proposed, they submitted revised plans to the Tower Coordinator and the change was reviewed as a Discussion Item at a subsequent meeting. Ms. Lawton said that this case was different, as it would be an entirely different site than the one shown on the plans submitted with application. Mr. Hunnicutt said he thought that would then necessitate either a new application or a revised application.

Ms. Lawton suggested that the group table this application until these issues were resolved and a final determination regarding this site could be included in the Tower Coordinator's review and recommendation.

Mike Budde of T-Mobile asked if, in lieu of tabling the application, the group would recommend the site as proposed with a condition that if the site location should change, the application would have to be revised and reviewed at a subsequent TFCG meeting.

Motion: Jane Lawton moved the application be recommended with the condition that if the site location should change, T-Mobile must submit a revised application to be reviewed by the TFCG. Carleton Gilbert seconded the motion and it was unanimously approved.

Action Item: Clearwire application to attach antennas at the 200' level on a 230' lattice tower at Montgomery College located at 20200 Observation Drive in Germantown (Application #200609-12).

Carol Watson summarized the application and noted that this application was also conditioned on Clearwire resolving any interference between their antennas and the County's 800 MHz services at this site.

Helen Xu noted that since the Clearwire services operate at 2.6 GHz, she did not believe that there would be any potential for interference and that the condition should be removed.

Motion: Carlton Gilbert moved the application be recommended without conditions. Helen Xu seconded the motion and it was unanimously approved.

Action Item: Clearwire application to attach antennas at the 145' level atop a 131' Chateau Apartments building located at 9727 Mt. Pisgah Road in Silver Spring (Application #200609-17).

Carol Watson summarized the application and noted it was also conditioned on Clearwire resolving any interference between their antennas and the County's 800 MHz services at this site.

Helen Xu reiterated that she did not expect any interference from Clearwire with the County's antennas since they operated at very different frequencies; therefore, the condition should be removed.

Motion: David Niblock moved the application be recommended without conditions. Carlton Gilbert seconded the motion and it was unanimously approved.

Action Item: T-Mobile and Montgomery County Public Schools application to replace an existing 91' stadium light with a new 97' monopole and attach antennas at the 97' level and reattach the lights at the 80' level at Springbrook High School located at 201 Valley Brook Drive in Silver Spring (Application #200608-21).

Bob Hunnicutt summarized the application and noted that since the question of whether this application would require a Special Exception and/or a Mandatory Referral had not been resolved, he had checked both boxes on the Tower Coordinator's Recommendation form. He understood that attorney's for the Public Schools and the M-NCPPC were reviewing the issues raised at previous TFCG meetings, but they had not yet reached a determination.

Mr. Hunnicutt noted that at this site, T-Mobile proposed to replace a light pole with a monopole approximately 10' taller than the existing structure. He said that the applicant stated the monopole would be designed to accommodate antennas from up to two additional carriers. However, he added the equipment area was presently designed to accommodate only T-Mobile's equipment. He stated that based on his discussions with Mary Pat Wilson from the Public Schools, the equipment area had been placed strategically to the right of the bleachers so that it would not block the view of the playing field next to the monopole. He said T-Mobile's plans did not show where other future equipment shelters could be placed but noted that would be up to the public school staff and subsequent applicants to determine if and where other equipment could be placed. He said it appeared this application met all set-back requirements and the requirement for minimum distance to the nearest residences. He stated that the property is screened on three sides by wooded parkland and that the location of the monopole on the school property resulted in a wide buffer area between the monopole and the nearby residential homes. He said he did not believe that the visual impact of this facility would be significant.

Carol Watson summarized her review of the RF issues related to site, She noted that the applicant had

provided RF contour maps that showed expected coverage at lower elevations. She said that based on her review of those maps, it appeared that the 90' height would be necessary to provide T-Mobile's desired coverage.

Jim Michael noted that he was involved with the first public school light pole replacement and wondered why there was an issue regarding whether this site needed a Special Exception. Ms. Lawton and Mr. Hunnicutt referred Mr. Michael to the minutes from past meetings that discussed that issue.

Steven Weber added that T-Mobile would agree to file for a Special Exception if it was determined that one was required. The group discussed whether to table the application pending resolution of the legal issues, but ultimately decided to recommend the application as conditioned by the Tower Coordinator.

Motion: David Niblock moved the application recommended on the condition that the monopole obtain approval by Mandatory Referral and, if required, by Special Exception. Jennifer Bryant seconded the motion and it was approved with three voting in favor of (Mr. Niblock, Ms. Bryant, and Ms. Xu) and two abstaining (Ms. Lawton and Mr. Gilbert).

Mike Budde asked for guidance from the TFCG as to whether carriers should continue to consider light pole replacements as an alternative to a new monopole. Ms. Lawton stated she believed that light pole replacements are a valid alternative to construction of a new monopole in the community and that carriers should continue to consider that option, and as appropriate, they would be recommended by the TFCG just as today's application had been recommended.

Discussion Item - Next Meeting: The next meeting of the TFCG is scheduled for Wednesday, November 1, 2006 at 2 p.m. in the second floor conference room #225 of the COB.