



MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB
04/17/08
Item # 8

MEMORANDUM – Special Exception

DATE: March 26, 2008

TO: Montgomery County Planning Board

VIA: Rose Krasnow, Chief, Development Review Division *RAK*
Ralph Wilson, Zoning Supervisor *RAW*

FROM: Carlton W. Gilbert, Planner Coordinator *CWG*
(301) 495-4576

SUBJECT: **Special Exception No. S-2708: T-Mobile Northeast, LLC and Free Methodist Church**, applicants, - request a special exception for an unmanned telecommunications facility consisting of a 100-foot tall monopole (stealth flagpole) and associated equipment area; RE-1 Zone; located at 2100 Spencerville Road, Spencerville, MD – 1997 Adopted and Approved Cloverly Master Plan.

FILING DATE: July 10, 2007
PUBLIC HEARING: April 28, 2008

STAFF RECOMMENDATION: APPROVAL with the following conditions:

1. All evidence, testimony and exhibits of record are binding on the petitioner;
2. There must not be any signs or illumination placed on the monopole (stealth flagpole).

SUMMARY OF REPORT

Site Size and Location: The property's address is 2100 Spencerville Road, Spencerville, Maryland. The site is 6.22 acres and is generally bound by Batson Road, Armond Lane, and Spencerville Road.

Current Zone and Use:	The site is zoned RE-1 and is developed with a church and an existing parsonage/rectory.
Proposed Zone and Use:	The RE-1 zoning will be retained as will the existing church. The proposal is to construct a telecommunications facility on the site, which is permitted by special exception in the RE-1 zone.
Need for Monopole:	The Montgomery County Tower Committee reviewed the proposal and found that the applicant has a justified engineering need for a new site at the proposed height.
Master Plan Consistency:	The project is consistent with the goals and objectives of the 1997 Cloverly Master Plan.
Traffic Impact:	The project will not have any substantial impact on traffic in the area.
Further Action on Application:	The proposal will require approval by the Board of Appeals.

Project Summary

The applicants, T-Mobile and Free Methodist Church, are requesting a special exception to install a telecommunications facility on the subject property located at 2100 Spencerville Road in Spencerville, MD. The telecommunications facility will be owned and operated by T-Mobile which is leasing land area from the co-applicant and owner of the property, Free Methodist Church.

Within the special exception area (50 feet by 40 feet), the applicant proposes to erect a telecommunications facility that will include a 100-foot stealth flagpole, an equipment compound and three equipment cabinets that will be placed on a concrete pad within the proposed compound. Panel antennas will be placed inside the flagpole. The proposed flagpole will be constructed with capacity to hold the antennas of at least two other communication carriers (co-locators) in addition to the antennas of T-Mobile. The flagpole will be located approximately 209 feet to the rear of the existing church. The equipment compound will be surrounded by an eight foot tall wooden fence. Although the facility will be unmanned, it will be in continuous operation 24 hours per day. The only visits to the site will be for emergency repairs or regularly scheduled maintenance visits one or two times per month. Staff believes that the stealth design will provide visual screening of all communication antennas since the antennas will be located inside the flagpole, thus minimizing visibility.

Neighborhood Description - The subject property, which is zoned RE-1, is located on the south side of Spencerville Road. The neighborhood within which the subject property is located is generally bound by Armond Lane to the northwest, Batson Road to the east, and Spencerville Local Park to the south. The property is located in the Spencerville Knolls subdivision. The property is generally surrounded by low-density single-family detached homes and limited commercial uses. To the south, west and east of the property, single-family homes are located in the RE-1 zone. Single-family homes are also located across Spencerville Road. There is a landscape contractor business (East Coast Landscape, S-2506-A) located in the defined neighborhood. A portion of this site is adjacent to the west of the subject property.

Other special exceptions in the neighborhood include a special exception (S-1475), requested in 1987, to permit a 340-foot tall radio tower on property adjacent to the north of the subject property. The Planning Board and the Board of Appeals denied this special exception finding that the proposal did not satisfy the standards of the special exception and the general conditions of 59-G-1.21. Currently, the property's use is open pasture for horses. Additionally, records show a riding stable (S-1279) and an accessory apartment (S-1206). These are located across Spencerville Road.

Project Description

As stated above, T-Mobile is proposing to construct a 100-foot tall monopole (stealth flagpole) on property owned by the Free Methodist Church (co-applicant). The subject property consists of Parcel 195 and Parcel 240 containing approximately 6.2 acres of land. The site is improved with a church, a parsonage/rectory, a parking lot and a picnic shelter. The site is generally rectangular in shape and is relatively flat. There is approximately 440 feet of street frontage along Spencerville Road. There are large trees located on the site, particularly along the eastern and western property lines.

The proposed monopole and equipment area are located on Parcel P240. The proposed facility will be located approximately 594 feet from Spencerville Road at the rear of the property. The special exception area that includes the monopole and the equipment area consists of approximately 2,000 square feet. Although there is no requirement in the Zoning Ordinance for the applicant to erect a camouflaged monopole, the applicant is proposing a stealth flagpole on the subject property in order to minimize the structure's visibility by housing the antennas inside the monopole. The proposed monopole will be significantly setback from the road as well as screened by the existing picnic pavilion and large trees surrounding the boundaries of the property.

According to the site plan submitted by the applicant, the proposed monopole, which requires a one foot setback for each foot of height of the monopole, is setback over 127 feet from the nearest property line. Additionally, the monopole will be constructed approximately 326 feet from the nearest off-site residential dwelling. T-Mobile is proposing to locate a new telecommunications facility in order to fulfill its service requirements in this area. The Montgomery County Transmission Facility Coordinating

Group (TFCG) has reviewed the application and determined that the applicant has a justified engineering need for a new site at the proposed height and that there are not any existing structures in the vicinity that would meet T-Mobile's service need in the area.

The proposed monopole will not be lighted and will contain no signage. The proposed equipment cabinets measure approximately 63 inches high, 51 inches wide, and 37 inches deep and will be located on top of the equipment pad which measures approximately 20 feet in length and 10 feet in width. The equipment cabinets will be screened by an 8 foot tall wooden fence. The site will be unmanned except for routine inspections once or twice a month. Access to the proposed telecommunications facility is provided via the existing driveway access onto the subject property from Spencerville Road. The applicant is proposing an access road (approximately 120 feet in length) from the existing parking lot to the facility.

ANALYSIS

Master Plan

The site for this Special Exception is covered by the Approved and Adopted Cloverly Master Plan, dated 1997. The Plan shows the zoning for the existing church property as "single family residential" and affirms the RE-1 zoning for the site. The Plan does not provide any specific land use guidance for a new special exception (the cell tower) on an existing use (the church). The Cloverly Master Plan makes the following general recommendation for consideration of special exceptions in the Cloverly area:

- "Maintenance of a residential appearance, where feasible."
- "Compatibility with the scale and architecture of the adjoining neighborhood, consistent with the proposed use."
- "The impact of signs, lighting, and other physical features on surrounding residential communities."
- "Location of parking, loading, and other service areas to maintain residential appearance to the extent feasible."
- "Options for landscaping that minimize the non-residential appearance of the site and the view from surrounding properties and roads. It is preferable for landscaping to reinforce Cloverly's rural charter..."

The applicant has attempted to minimize the visual impact of the cell tower by proposing a "stealth/flag pole". The cell tower is to the rear of the Church's property approximately 600 from Spencerville Road (MD 198). It is 325 feet from the nearest residence to the east and over 380 feet from the residence/tree service/landscape contractors to the west.

Staff believes that the "stealth/flag pole" cell tower is compatible with surrounding uses and consistent with the recommendations of the Cloverly Master Plan.

Transportation

Transportation Planning staff does not recommend any conditions to support approval of the special exception petition since the application meets the transportation-related requirements of the adequate public facilities (APF) test. The proposed use will not have an adverse effect on the surrounding roadway system.

Site Location and Access

The unmanned wireless telecommunications facility is proposed to be located on the Free Methodist Church property across from the intersection of Spencerville Road (MD 198) and Thompson Road in Spencerville. Vehicular access to the site/facility is proposed from Spencerville Road, using existing access to the church.

Master Plan Roadway and Pedestrian/Bikeway Facilities

The 1997 Approved and Adopted *Cloverly Master Plan* describes the nearby master-planned roadway, pedestrian and bikeway facilities as follows:

- Spencerville Road, as a four-lane major highway (M-76), with a minimum right-of-way width of 120 feet to the west of Thompson Road to New Hampshire Avenue (MD 650) and a minimum right-of-way width of 70 feet to the east of Thompson Road to 360 feet east of Batson Road. A Class I bikeway (PB-34) is recommended in the master plan for this roadway and confirmed (as SP-21) in the 2005 Countywide Bikeways Functional Master Plan.

Local Area Transportation Review

The application satisfies Local Area Transportation Review and APF requirements because the unmanned wireless telecommunications facility will not generate any peak-hour vehicular trips during the weekday morning (6:30 a.m. to 9:30 a.m.) and evening (4:00 p.m. to 7:00 p.m.) peak periods. The proposed facility would be unmanned and would only require routine inspections or service once or twice a month.

Environment

The Environmental Staff recommends approval of this special exception request with the following conditions:

1. Total land disturbance must be less than 10,000 square feet on the entire property and less than 5,000 square feet within the Upper Paint Branch Special Protection Area (SPA). This condition is required to sustain the conditions for granting of the forest conservation plan exemption and to preclude the requirement for an SPA water quality plan.

Water Quality

Roughly the southern one-third of the site lies within the Upper Paint Branch Special Protection Area (SPA) and the associated Environmental Overlay Zone for the SPA. The northern two-thirds of the site lie within the Patuxent River watershed. The Patuxent River Primary Management Area (PMA) lies in the northeastern corner of the site. The proposed telecommunications facility, including the driveway, is proposed to be located within the Patuxent River watershed outside of the PMA. Existing impervious surfaces within the Upper Paint Branch SPA portion of the site will remain. No new impervious surfaces are proposed within the SPA portion of the site. Therefore, the proposed project complies with the environmental overlay zone.

Compliance with Forest Conservation Law – Chapter 22A

The project has an exemption from submitting a forest conservation plan per Section 22A-5(t) of the Forest Conservation Law. The exemption (No. 4-07232E) was granted because the proposed installation is a modification to an existing developed property and will not: clear more than 5,000 square feet of forest. No trees are proposed to be removed. There are no forests, streams, wetlands or environmental buffers on the site.

E. Community Concerns

Staff has not received any comments from the community.

F. Conclusion

Staff recommends approval of Special Exception S-2708, subject to the conditions found at the beginning of the technical staff report.

Division 59-G-1. SPECIAL EXCEPTIONS – AUTHORITY AND PROCEDURE

Section 59-G-1.2 Conditions for granting.

59-G-1.2.1 Standard for evaluation.

A special exception must not be granted absent the findings required by this Article. In making these findings, the Board of Appeals, Hearing Examiner, or District Council, as the case may be, must consider the inherent and non-inherent adverse effects of the use on nearby properties and the general neighborhood at the proposed location, irrespective of adverse effects the use might have if established elsewhere in the zone. Inherent adverse effects are the physical and operational characteristics necessarily associated with the particular use, regardless of its physical size or scale of operations. Inherent adverse effects alone are not a sufficient basis for denial of a special exception. Non-inherent adverse effects are physical and operational characteristics of the site. Non-

inherent adverse effects, alone or in conjunction with the inherent effects, are a sufficient basis to deny a special exception.

While height and visual impact tend to be inherent adverse effects commonly associated with telecommunications facilities, the proposed facility minimizes any such concerns given the design of the structure (stealth flagpole) and that the 100-foot tall structure will be sited on the property approximately 600 from Spencerville Road. Additionally, the stealth design (hidden antennas) will help ensure that the proposed structure will not interfere with views of the surrounding residential area. The location of the proposed facility on the 6.2 acre property relative to the surrounding neighborhood is such that it is sufficiently separated and screened from the nearest residential properties to the east, west, and south. It is approximately 326 feet from the nearest residence to the east and over 375 feet from the residence to the west.

As noted, the proposed facility will be unmanned and therefore, there are no significant transportation impacts that would result from the proposed special exception. There are no discernible noise related impacts associated with the proposed use. The size, scale and scope of the proposed use are not likely to result in any traffic disruption, light intrusion or any other environmental impact. There are no non-inherent adverse effects sufficient to justify a denial of the requested special exception.

59-G-1.21. General Conditions.

- (a) A special exception may be granted when the Board, the Hearing Examiner, or the District Council, as the case may be, finds from a preponderance of the evidence of record that the proposed use:

- (1) Is a permissible special exception in the zone.

The proposed telecommunications facility is allowed by special exception in the RE-1 Zone.

- (2) Complies with the standards and requirements set forth for the use in Division 59-G-2. The fact that a proposed use complies with all specific standards and requirements to grant a special exception does not create a presumption that the use is compatible with nearby properties and, in itself, is not sufficient to require a special exception to be granted.

With the recommended conditions, staff finds that the requested use satisfies the standards and requirements prescribed in Section 59-G-2.43 of the Zoning Ordinance.

- (3) Will be consistent with the general plan for the physical development of the District, including any master plan adopted by the Commission. Any decision to grant or deny a special exception must be consistent with any recommendation in a master plan regarding the appropriateness of a

special exception at a particular location. If the Planning Board or the Board's technical staff in its report on a special exception concludes that granting a particular special exception at a particular location would be inconsistent with the land use objectives of the applicable master plan, a decision to grant the special exception must include specific findings as to master plan consistency.

The property is subject to the 1997 Approved and Adopted Cloverly Master Plan. The Plan does not provide any specific land use guidance for evaluating a special exception (telecommunications facility) at the proposed location.

- (4) Will be in harmony with the general character of the neighborhood considering population density, design, scale and bulk of any proposed new structures, intensity and character of activity, traffic and parking conditions and number of similar uses.

The use will be in harmony with the general character of the surrounding residential neighborhood. The proposed facility will be located, constructed, and operated in such a manner that it will not interfere with the orderly use, development and improvement of surrounding property. The site is unmanned and will not generate additional traffic or parking needs. The stealth monopole will visually blend into the landscape and the only activity on the site will be occasional service visits to the site.

- (5) Will not be detrimental to the use, peaceful enjoyment, economic value or development of surrounding properties or the general neighborhood at the subject site, irrespective of any adverse effects the use might have if established elsewhere in the zone.

Staff finds the use will not be detrimental to the use, peaceful enjoyment, economic value or development of surrounding properties or the general neighborhood.

- (6) Will cause no objectionable noise, vibrations, fumes, odors, dust, illumination, glare, or physical activity at the subject site, irrespective of any adverse effects the use might have if established elsewhere in the zone.

The use will not cause any objectionable adverse effects.

- (7) Will not, when evaluated in conjunction with existing and approved special exceptions in any neighboring one-family residential area, increase the number, intensity, or scope of special exception uses sufficiently to affect the area adversely or alter the predominantly residential nature of the area. Special exception uses that are consistent with the

recommendations of a master or sector plan do not alter the nature of an area.

The monopole is designed to look like a flagpole. The proposed stealth design does not affect the area adversely, or alter the predominantly single-family residential character of the area. As previously noted, there are other special exceptions in the area. However, given the small impact of the telecommunications facility which will produce no traffic, the proposed special exception will not substantially increase the scope or intensity of special exception uses in the area.

- (8) Will not adversely affect the health, safety, security, morals or general welfare of residents, visitors or workers in the area at the subject site, irrespective of any adverse effects the use might have if established elsewhere in the zone.

The use will not have any adverse effect on residents, visitors, or workers in the area at the subject site.

- (9) Will be served by adequate public services and facilities including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage and other public facilities.
 - (i) If the special exception use requires approval of a preliminary plan of subdivision the adequacy of public facilities must be determined by the Planning Board at the time of subdivision review. In that case, subdivision approval must be included as a condition of the special exception. If the special exception does not require approval of a preliminary plan of subdivision, the adequacy of public facilities must be determined by the Board of Appeals when the special exception is considered. The adequacy of public facilities review must include the Local Area Transportation Review and the Policy Area Transportation Review, as required in the applicable Annual Growth Policy.
 - (ii) With regard to findings relating to public roads, the Board, the Hearing Examiner, or the District Council, as the case may be, must further determine that the proposal will not reduce the safety of vehicular or pedestrian traffic.

A preliminary plan of subdivision is not required. The subject site is adequately served by public facilities. The proposed use, by its nature, does not require water or sewer services. Access to the proposed site will be via the existing driveway to the property off of Spencerville Road. With one to two vehicular trips per month (for

emergency repairs and regular maintenance), no significant traffic impact is anticipated from the proposed use.

Sec. 59-G-2.58. Telecommunications facility.

- (a) Any telecommunications facility must satisfy the following standards:
 - (1) A support structure must be set back from the property line as follows:
 - a. In agricultural and residential zones, a distance of one foot from the property line for every foot of height of the support structure.
 - b. In commercial and industrial zones, a distance of one-half foot from property line for every foot of height of the support structure from a property line separating the subject site from commercial or industrial zoned properties, and one foot for every foot of height of the support structure from residential or agricultural zoned properties.
 - c. The setback from a property line is measured from the base of the support structure to the perimeter property line.
 - d. The Board of Appeals may reduce the setback requirement to not less than the building setback of the applicable zone if the applicant requests a reduction and evidence indicates that a support structure can be located on the property in a less visually obtrusive location after considering the height of the structure, topography, existing vegetation, adjoining and nearby residential properties, if any, and visibility from the street.

The proposed monopole is located in a residential zone. The monopole will be 100 feet tall with a stealth flagpole design. The proposed facility exceeds the required setbacks in that the proposed 100-foot monopole will be located more than 100 feet from the front, side and rear lot lines. Specifically, the structure will be setback 313 feet from the left side property line, 127.2 feet from the right side property line, 195.9 feet from the rear property line and 594 feet from the front property line.

- (2) A support structure must be set back from any off-site dwelling as follows:
 - a. In agricultural and residential zones, a distance of 300 feet.
 - b. In all other zones, one foot for every foot in height.
 - c. The setback is measured from the base of the support structure to the base of the nearest off-site dwelling.
 - d. The Board of Appeals may reduce the setback requirement in the agricultural and residential zones to a distance of one foot from an off-site residential building for every foot of height of the support structure if the applicant requests a

reduction and evidence indicates that a support structure can be located in a less visually obtrusive location after considering the height of the structure, topography, existing vegetation, adjoining and nearby residential properties, and visibility from the street.

The proposed facility is located approximately 326 feet from the nearest off-site dwelling and satisfies this standard.

- (3) The support structure and antenna must not exceed 155 feet in height, unless it can be demonstrated that additional height up to 199 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 pursuant to the building permit, the applicant must certify to the Department of Permitting Services that the height and location of the support structure is in conformance with the height and location of the support structure as authorized in the building permit.

As proposed, the height of the monopole is 100 feet.

- (4) The support structure must be sited to minimize its visual impact. The Board 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 adjoining and nearby residential properties. The support structure and any related equipment buildings or cabinets must be surrounded by landscaping or other screening options that provide a screen of at least 6 feet in height.

The proposed telecommunications facility is located in the rear portion of the site, approximately 600 feet from the road. The applicant is proposing a stealth flagpole to hide the antennas. The visual impact will be minimized by its appearance as well as its height. The base of the structure and equipment buildings will be screened by an 8-foot tall board on board fence.

- (5) The property owner must be an applicant for the special exception for each support structure. A modification of a telecommunications facility special exception is not required for a change to any use within the special exception area not directly related to the special exception grant. A support structure must be constructed to hold no less than 3 telecommunications carriers. The Board may approve a support structure holding less than 3 telecommunications

carriers if: 1) requested by the applicant and a determination is made that collocation at the site is not essential to the public interest; and 2) the Board decides that construction of a lower support structure with fewer telecommunications carriers will promote community compatibility. The equipment compound must have sufficient area to accommodate equipment sheds or cabinets associated with the telecommunication facility for all the carriers.

The site of the proposed telecommunications tower is on property owned by the Free Methodist Church, co-applicant for the special exception. According to the site plan submitted by the applicant, the facility is designed for three telecommunication carriers.

- (6) No signs or illumination are permitted on the antennas or support.

No signs or illumination are proposed on the monopole.

- (7) Every freestanding support structure must be removed at the cost of the owner of the telecommunications facility when the telecommunications facility is no longer in use by any telecommunications carrier for more than 12 months.

The applicant accepts this condition of approval.

- (8) All support structures must be identified by a sign no larger than 2 square feet 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 Board of Appeals notified within 10 days of any change in ownership.

In accordance with this standard, the applicant will place a sign no larger than 2 square feet that will be erected on the equipment shelter identifying the owner and maintenance service provider and telephone contact. The applicant has stated that the sign will be updated and the Board of Appeals will be notified if there is a change of ownership

- (9) Outdoor storage of equipment or other items is prohibited.

No outdoor storage of equipment is proposed.

- (10) Each owner of the telecommunications facility is responsible for maintaining the telecommunications facility, in a safe condition.

The applicant agrees to maintain the telecommunications facility in a safe condition.

- (11) The applicants for the special exception must file with the Board of Appeals a recommendation from the Transmission Facility Coordinating Group regarding the telecommunications facility. The recommendation must be no more than one year old.

The applicant did so in a timely manner.

- (12) Prior to the Board granting any special exception for a telecommunications facility, the proposed facility must be reviewed by the County Transmission Facility Coordinating Group. The Board and Planning Board must make a separate, independent finding as to need and location of the facility.

The proposed facility was reviewed by the County Transmission Facility Coordinating Group and the application was recommended for approval.

- (a) Any telecommunications facility special exception application for which a public hearing was held before November 18, 2002 must be decided based on the standards in effect when the application was filed.

Not applicable to this application.

- (c) Any telecommunications facility constructed as of November 18, 2002 may continue as a conforming use.

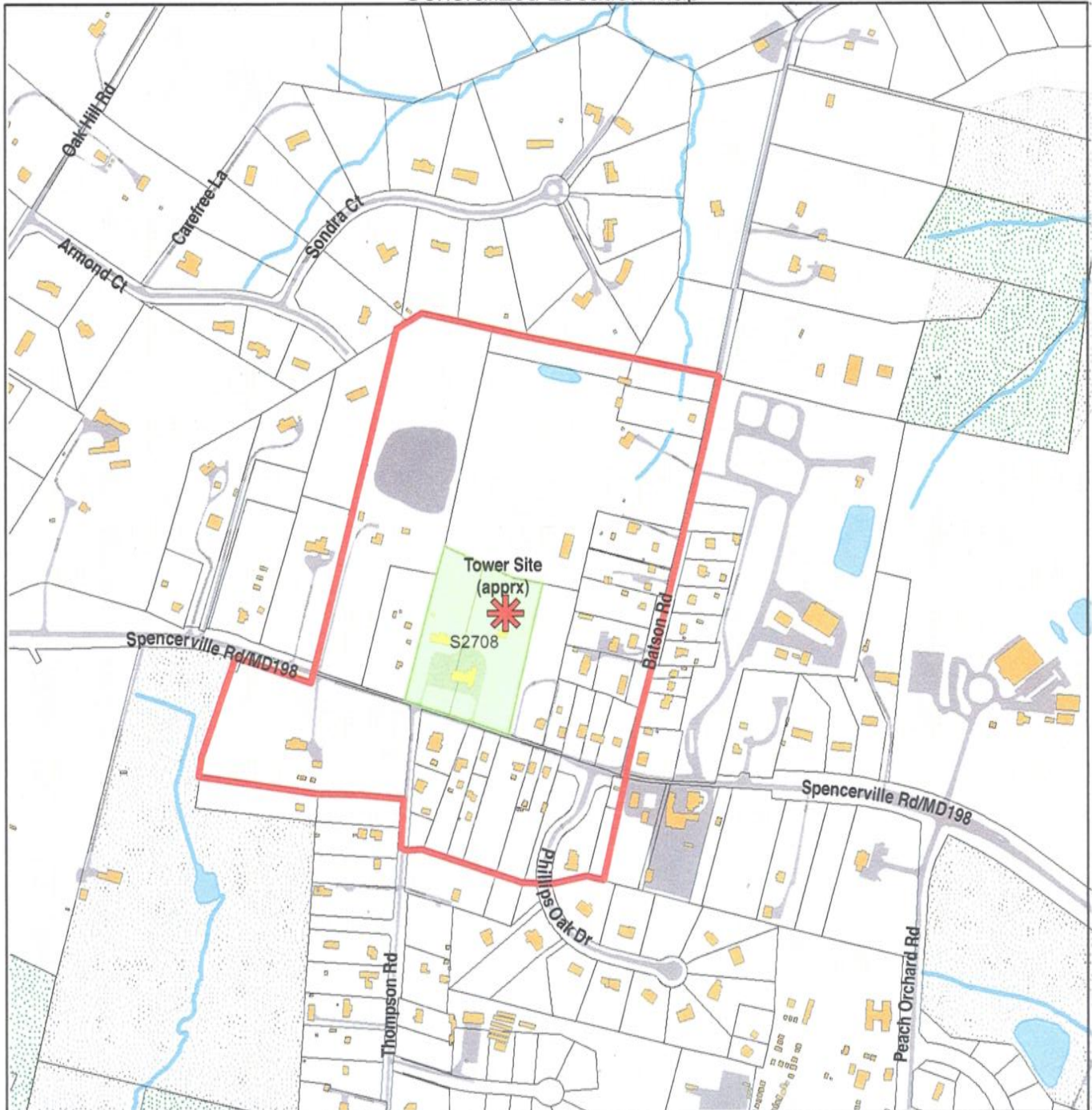
Not applicable to this application.

LIST OF ATTACHMENTS

1. Location Map
2. Surrounding Area Map
3. Zoning Map
4. Site Plan / Survey
5. Compound Layout and Monopole Elevation
6. Coverage Maps
7. Photosimulations of Monopole
8. Photographs of Site
9. Tower Committee Recommendation
10. Community-Based Planning Comments
11. Transportation Planning Memo
12. Environmental Planning Memo

ATTACHMENT 1

Generalized Location Map



LEGEND

- S-2708 Site
- Paved Area
- Parcel
- Building
- Lake and Pond
- Stream and River

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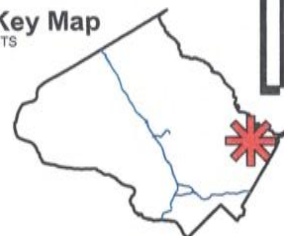
This map is created from a variety of data sources, and may not reflect the most current conditions in any one location and may not be completely accurate or up to date. All map features are approximately within five feet of their true location. This map may not be the same as a map of the same area plotted at an earlier time as the data is continuously updated. Use of this map, other than for general planning purposes is not recommended.

1 inch = 600 feet

Address: 2100 Spencerville Road, Rockville

Key Map

NTS



ATTACHMENT 2

Surrounding Neighborhood Map



LEGEND

- S-2708 Site
- Zone

NOTICE:

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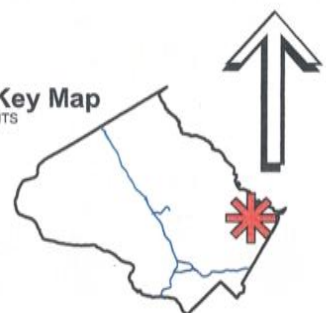
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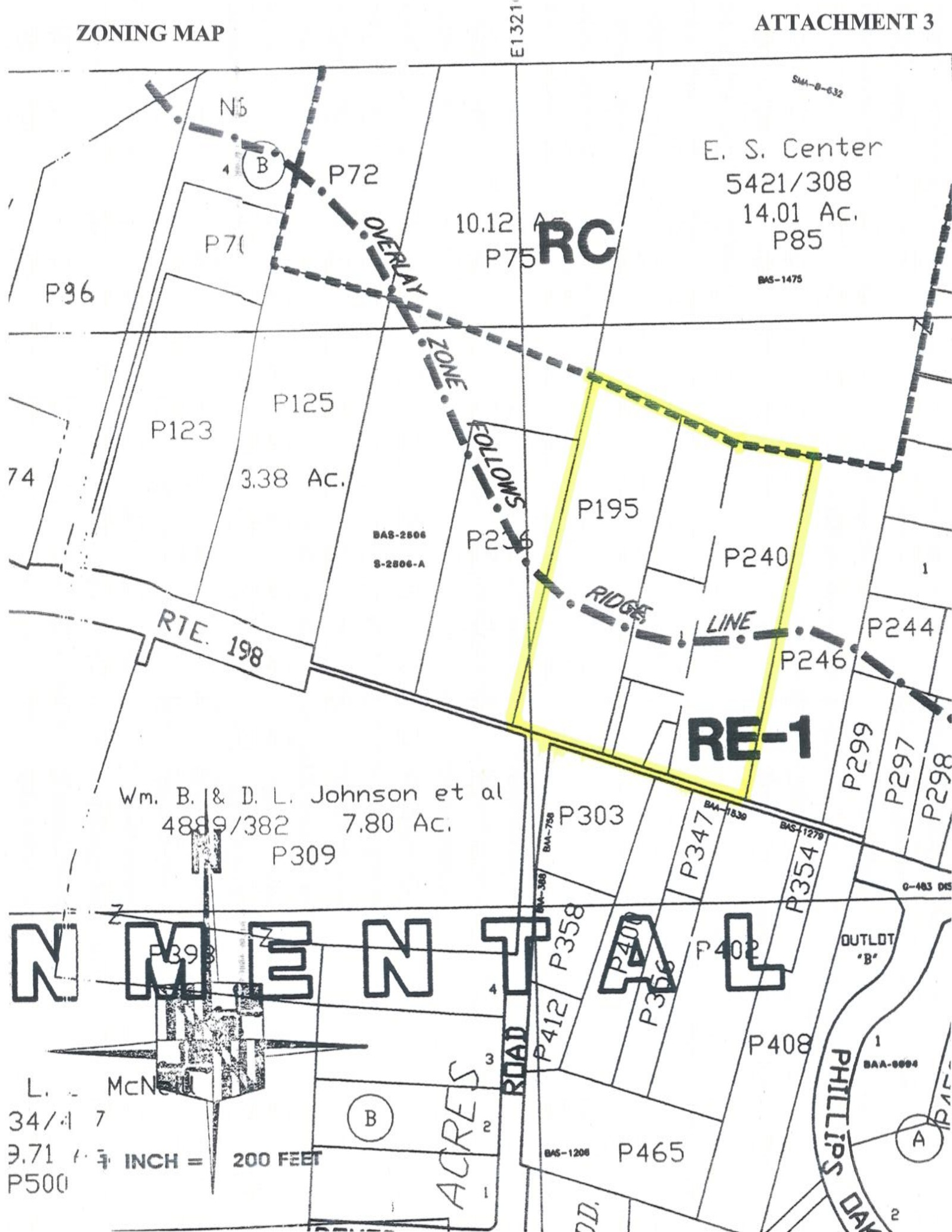
1 inch = 600 feet

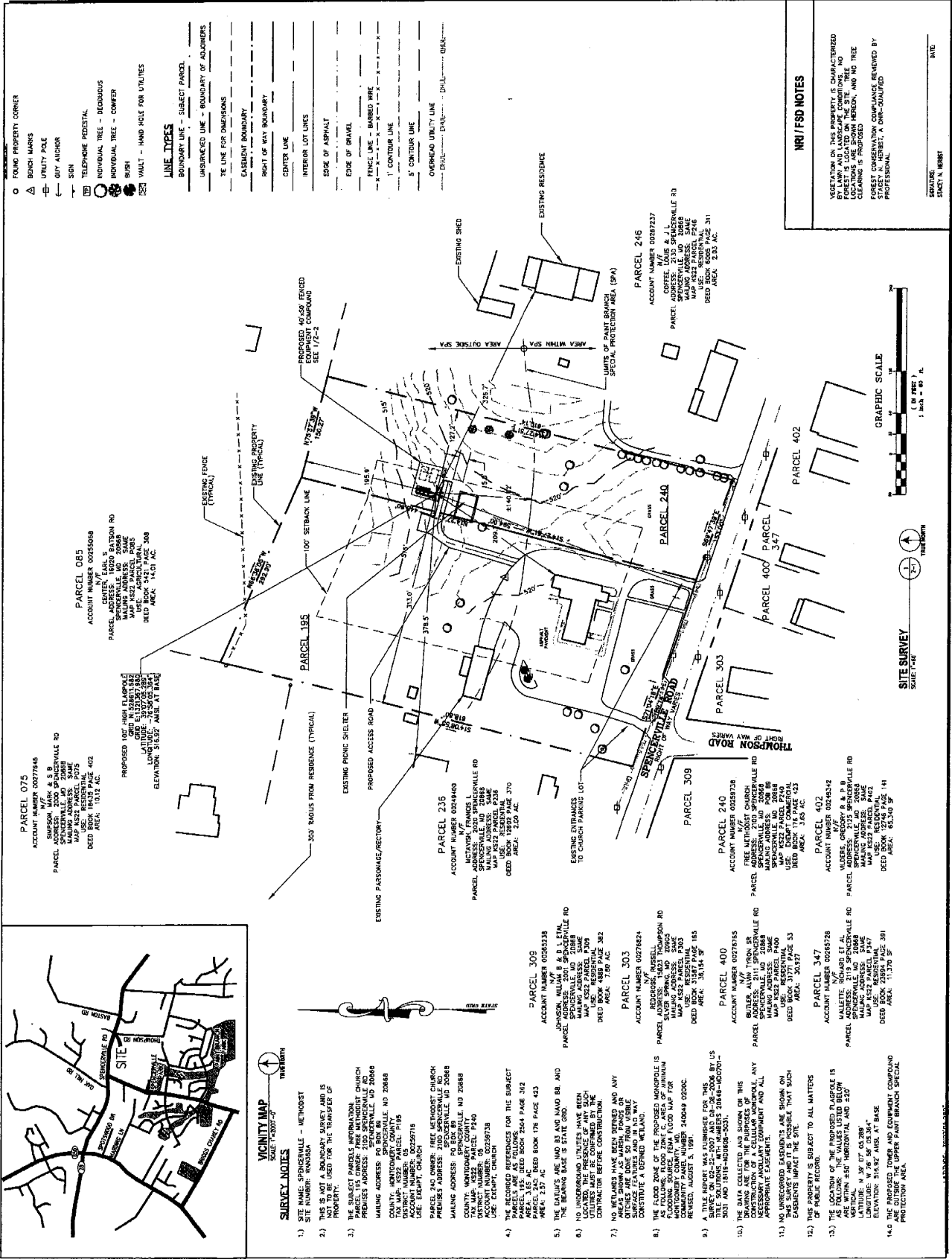
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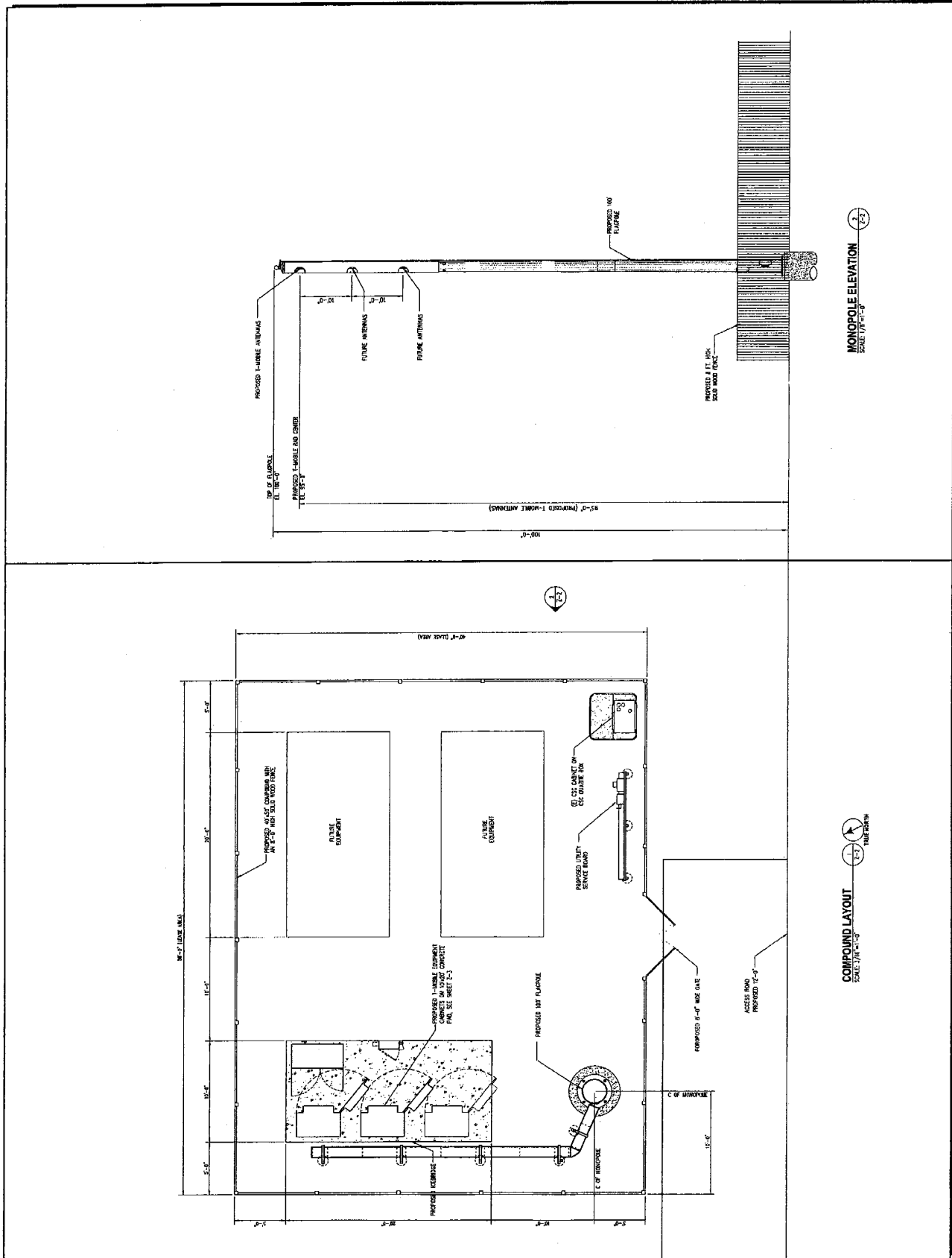
Key Map

NTS









Current Coverage with WAN368@

100 Ft

Zoomed Out

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- Neighborhood Road
- Other Road
- Primary Road
- Secondary Road

Best Server

DoNotUse

- 70.0 ≤ x dBm 70 In Building
- 76.0 ≤ x dBm -70.0 dBm -76 In Build Residential
- 84.0 ≤ x dBm -76.0 dBm -84 In Vehicle
- 92.0 ≤ x dBm -84.0 dBm On Street

UL

- 70.0 ≤ x dBm 70 In Building
- 76.0 ≤ x dBm -70.0 dBm -76 In Build Residential
- 84.0 ≤ x dBm -76.0 dBm -84 In Vehicle
- 92.0 ≤ x dBm -84.0 dBm On Street

'Selection' filter

Cell Site

ID

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Cell (GSM)

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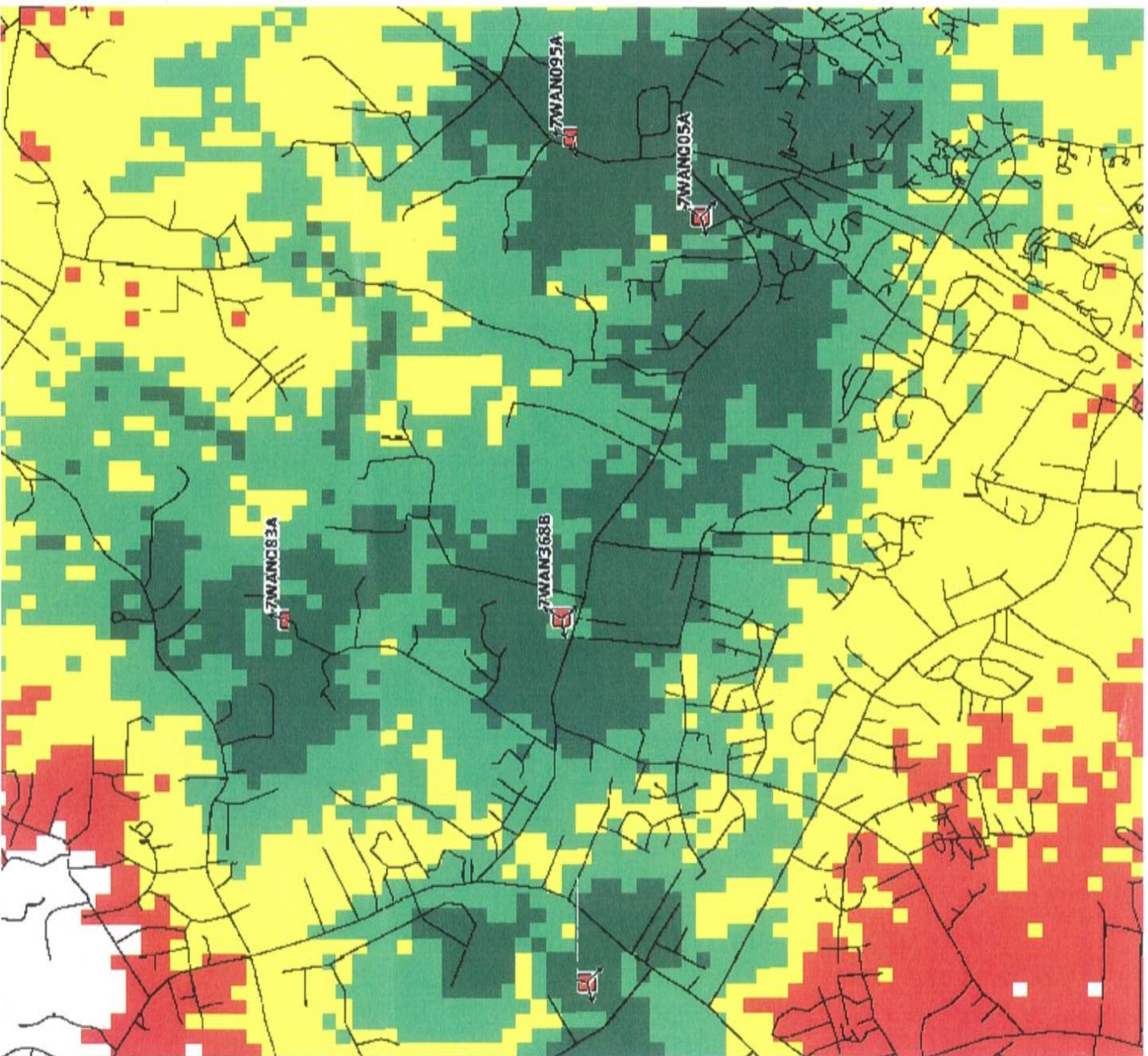
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Current Coverage w/o WAN368

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- Neighborhood_Road
- Other_Road
- Primary_Road
- Secondary_Road

Best Server

DoNotUse

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- 76.0 <= x dBm -70.0 dBm -76 In Build Residential
- 84.0 <= x dBm -76.0 dBm -84 In Vehicle
- 92.0 <= x dBm -84.0 dBm On Street

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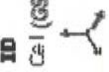
- 70.0 <= x dBm 70 In Building
- 76.0 <= x dBm -70.0 dBm -76 In Build Residential
- 84.0 <= x dBm -76.0 dBm -84 In Vehicle
- 92.0 <= x dBm -84.0 dBm On Street

'Selection' filter

Cell Site

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Cell (GSM)



Page 4 of 4
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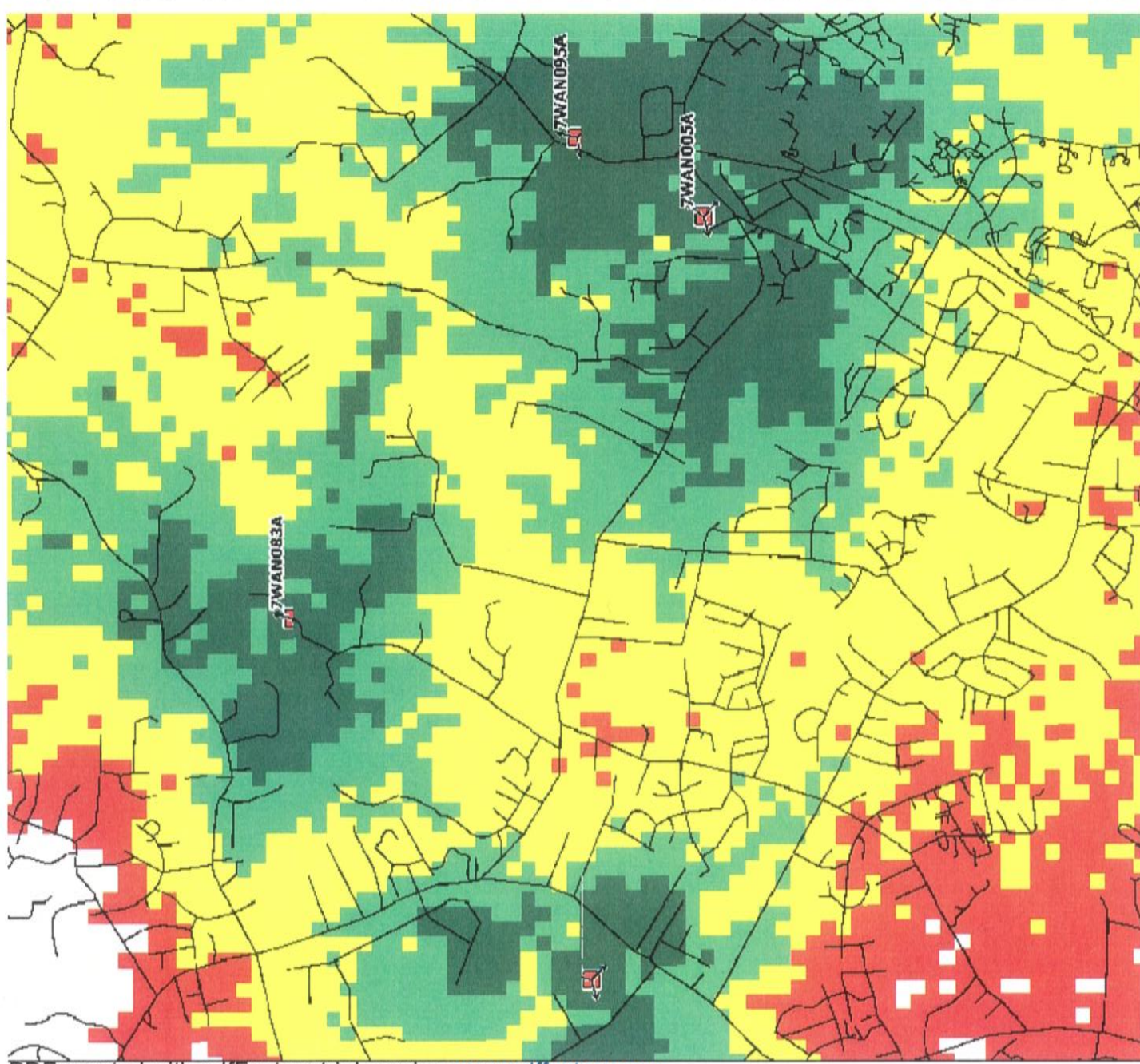


PHOTO-SIMULATIONS

ATTACHMENT 7



P1

BATSON ROAD

SITE

2100 spencerville road spencerville, md 20868

PHILLIPS OAK DRIVE

THOMPSON ROAD

P2

P3

P4

SPENCERVILLE ROAD

T-MOBILE NORTHEAST LLC
WAN368B
SPENCERVILLE-METHODIST
2100 Spencerville Rd.
Spencerville, MD 20868
A1-Aerial View

T-MOBILE NORTHEAST LLC
WAN368B
SPENCERVILLE-METHODIST
2100 Spencerville Rd.
Spencerville, MD 20868
P1-View Looking Southwest
From Batson Road



T-MOBILE NORTHEAST LLC
WAN368B
SPENCERVILLE-METHODIST
 2100 Spencerville Rd.
 Spencerville, MD 20868
P2-View Looking Northwest
From Phillips Oak Drive

PROPOSED T-MOBILE
 100' HIGH FLAGPOLE

T-MOBILE NORTHEAST LLC
WAN368B
SPENCERVILLE-METHODIST
 2100 Spencerville Rd.
 Spencerville, MD 20868
P2-View Looking Northwest
From Phillips Oak Drive

PROPOSED T-MOBILE
 100' HIGH FLAGPOLE

T-MOBILE NORTHEAST LLC

WAN368B

SPENCERVILLE-METHODIST

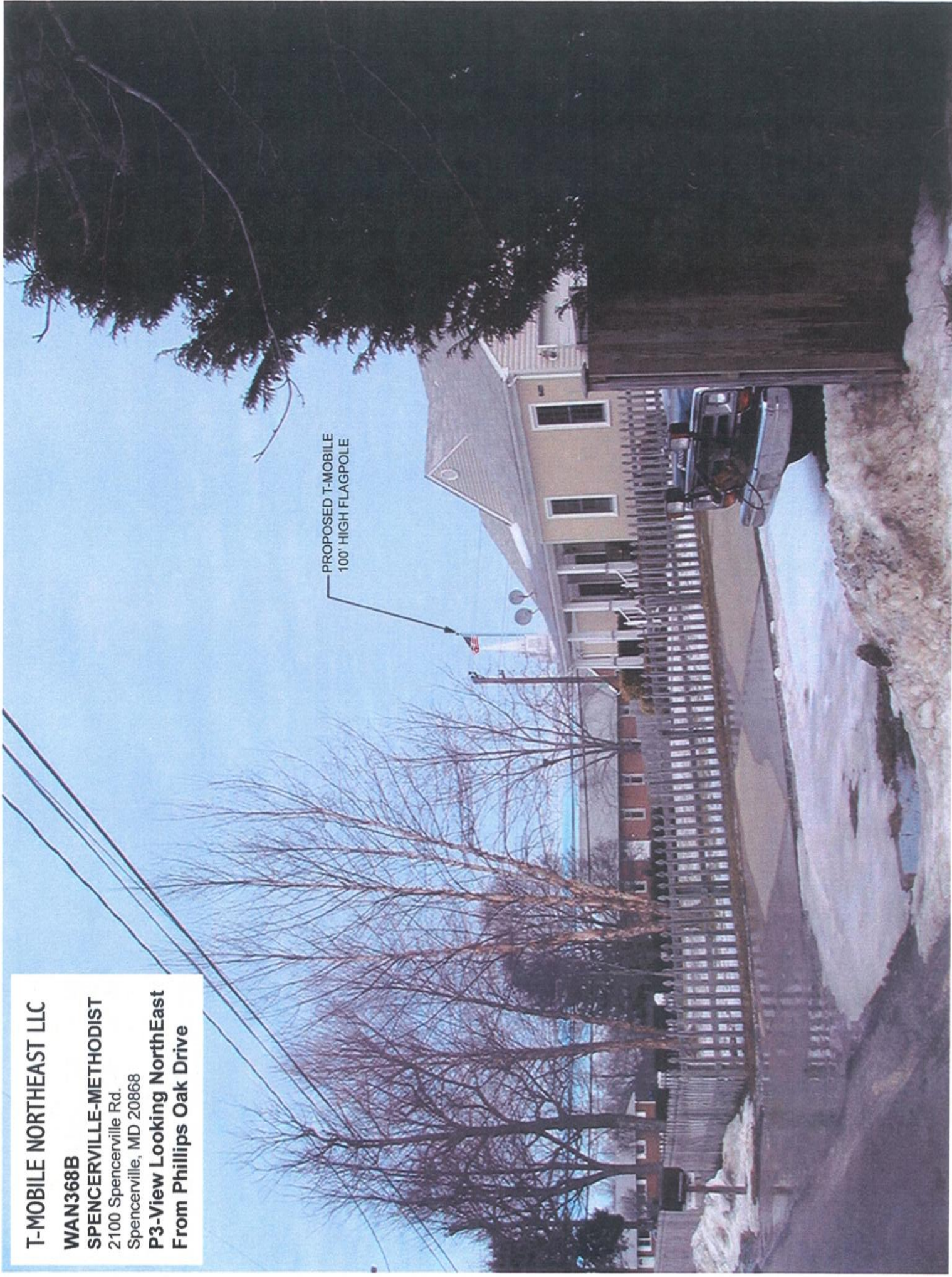
2100 Spencerville Rd.

Spencerville, MD 20868

P3-View Looking NorthEast

From Phillips Oak Drive

PROPOSED T-MOBILE
100' HIGH FLAGPOLE



T-MOBILE NORTHEAST LLC

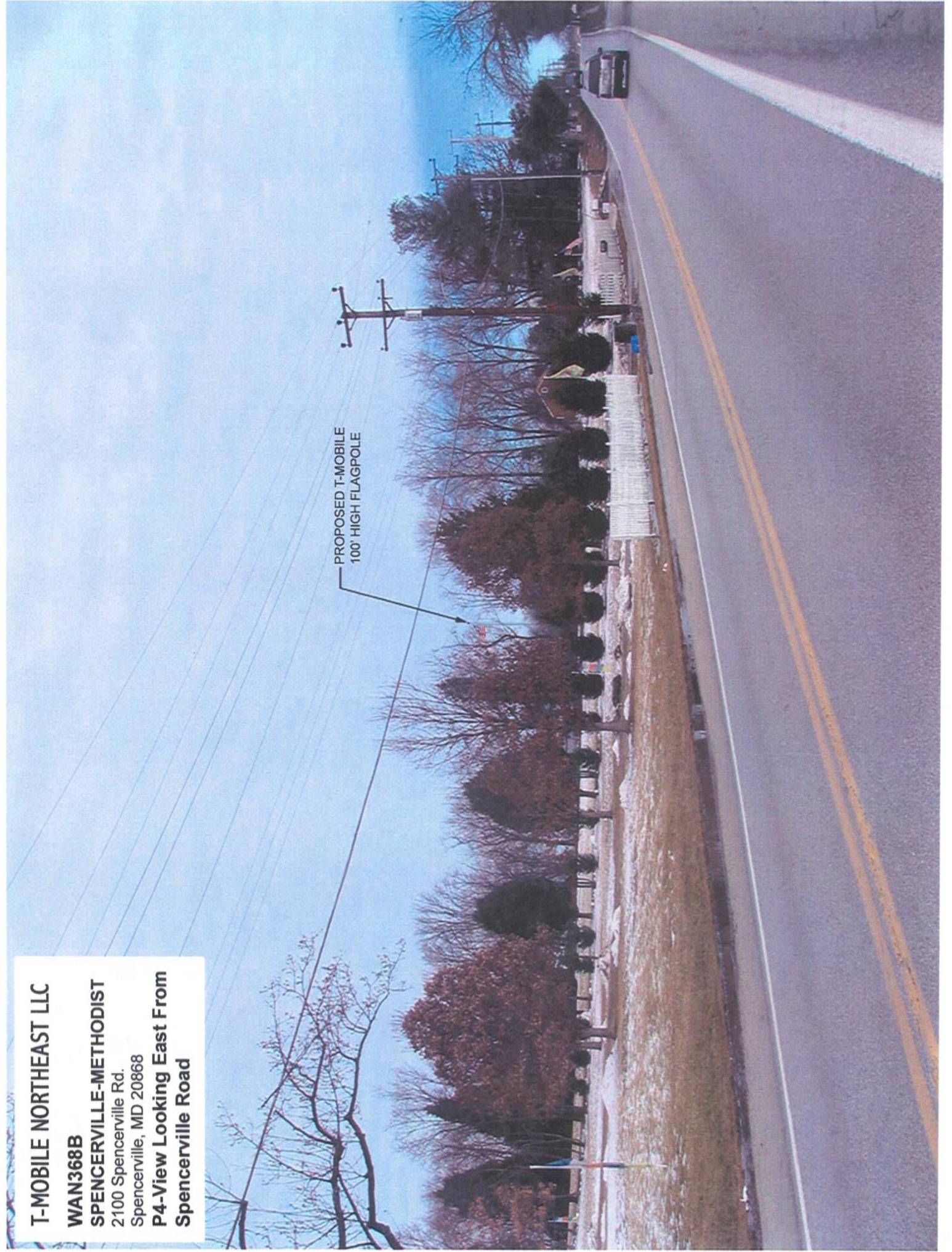
WAN368B

SPENCERVILLE-METHODIST

2100 Spencerville Rd.
Spencerville, MD 20868

**P4-View Looking East From
Spencerville Road**

PROPOSED T-MOBILE
100' HIGH FLAGPOLE







2008.03.05



2008.03.05



MONTGOMERY COUNTY, MARYLAND
TELECOMMUNICATIONS TRANSMISSION
FACILITY COORDINATING GROUP
RECORD OF ACTION

APPLICATION NUMBER: 200702-07

DATE: 7 March 2007

REVISED: 6 February 2008

Application Review:	
Applicant:	T-Mobile
Description:	Construct a 100' monopole and attach up to nine 59" antennas at the 97' level.
Site Location:	Spencerville Free Methodist Church 2100 Spencerville Road, Spencerville
Property Owner:	Free Methodist Church
Group Comments:	

TTFCG Action		
Recommended <input checked="" type="checkbox"/>	Not recommended <input type="checkbox"/>	Recommended with Conditions <input type="checkbox"/>
Recommendation conditioned on:		

Vote on recommendation of approval:	For: 4	Against: 0	Abstain: 1
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Signature	Date: 2/6/08



DEPARTMENT OF TECHNOLOGY SERVICES

Isiah Leggett
County Executive

Michael H. Knuppel
Acting Chief Information Officer

MEMORANDUM

March 12, 2007

TO: Distribution

FROM: Jane Lawton, Tower Chair
Transmission Facility Coordinating Group (TFCG)

SUBJECT: TFCG Notice of Action for March 7, 2007 Meeting

At its meeting of March 7, 2007, the Montgomery County TFCG voted to **recommend** the following applications:

- Sprint-Nextel application to replace six existing panel antennas with three 53" panel antennas at the 183' level and add six new 48" panel antennas at the 90' level on an existing 190' monopole on Gate of Heaven property located at 13801 Georgia Avenue in Silver Spring (Application #200701-06).
- FiberTower application to attach one 13" dish antenna at the 65' level of an existing stub tower mounted on the roof of the Silver Spring VFD building located at 111 University Boulevard East in Silver Spring (Application #200702-01).
- Clearwire application to attach four 3' panel antennas and four 2' dish antennas to an existing 98' Pepco transmission tower #663-N located at 10999 Seven Hills Lane in Rockville (Application #200702-03).
- Clearwire application to attach four 3' panel antennas at the 101' level and four 2' dish antennas at the 97' level on an existing 140' monopole on MDOT property located at I-270 & Montrose Road in Rockville (Application #200702-05).
- T-Mobile application to attach nine 59" antennas on a raised platform at the 41' level on the roof of the 31' Extra Space Storage building located at 10839 Georgia Avenue in Silver Spring (Application #200702-06).

Recommendation conditioned on the following: 1) a determination from the structure owner that Clearwire's equipment may be placed in the former AT&T shelter (or where the AT&T shelter was if it is removed) or Clearwire obtaining a modification to the Special Exception

Office of Cable and Communication Services

100 Maryland Avenue, Suite 250, Rockville, Maryland 20850
240-773-2288 (CATV) FAX 240-777-3770

from the Board of Appeals for the additional ground space; and 2) Clearwire providing a structural analysis that states the structure can safely support the additional antennas and cables to the Department of Permitting Services with a copy to the Tower Coordinator.

- Clearwire application to attach four 3' antennas at the 120' level and four 2' microwave dish antennas at the 116' level on the existing 120' monopole on the Baptist Home property located at 6301 Greentree Road in Bethesda (Application #200609-03).

Recommendation conditioned on Clearwire verifying with the Board of Appeals that the small cabinet on the roof of the existing shelter is permitted:

- Clearwire application to attach four 3' antennas at the 99' level and four 2' microwave dish antennas at the 92' level on an existing 150' monopole at the Colesville Center located at 49 Randolph Road in Silver Spring (Application #200611-15).

Recommendation conditioned on submission of a structural analysis that states the structure can safely support the additional antennas and cables to the Department of Permitting Services with a copy to the Tower Coordinator.

- Clearwire application to attach four 3' antennas at the 79' level and four 2' microwave dish antennas at the 75' level on the existing 69' self-supporting lattice tower on CSX property located at 2701 Forest Glen Road in Kensington (Application #200701-09).

Recommendation conditioned on obtaining approval by the Board of Appeals for the Special Exception:

- Verizon Wireless application to construct a new 80' monopole and attach six 47" antennas at the 80' level. The monopole will be located on the Wesley Grove Church property located at 23640 Woodfield Road in Gaithersburg (Application #200609-11).
- T-Mobile application to construct a new 100' monopole and install nine 59" antennas at the 97' level of the monopole on Spencerville Methodist Church property located at 2100 Spencerville Road in Spencerville (Application #200702-07).

*Application **TABLED** until a Special Exception Modification is Approved by the Board of Appeals:*

- Sprint-Nextel application to replace an existing 7' x 11' equipment cabinet with a new 8' x 13' equipment cabinet on the roof of an existing equipment building at the Colesville Center located at 49 Randolph Road in Silver Spring (Application #200608-02).

COMMUNITY-BASED PLANNING COMMENTS:

2-25-08

The site for this Special Exception is covered by the Approved and Adopted Cloverly Master Plan, dated 1997. The Plan shows the existing church as "single family residential" land use and reconfirms the RE-1 Zoning. The Plan does not provide any specific land use guidance for a new special exception (the cell tower) on an existing use (the church). The Cloverly Master Plan makes the following general recommendation for consideration of special exceptions in the Cloverly area:

- *"Maintenance of a residential appearance, where feasible."*
- *"Compatibility with the scale and architecture of the adjoining neighborhood, consistent with the proposed use."*
- *"The impact of signs, lighting, and other physical features on surrounding residential communities."*
- *"Location of parking, loading, and other service areas to maintain residential appearance to the extent feasible."*
- *"Options for landscaping that minimize the non-residential appearance of the site and the view from surrounding properties and roads. It is preferable for landscaping to reinforce Cloverly's rural charter..."*

The Applicant (T-Mobile) has attempted to minimize the visual impact of the cell tower by proposing a "stealth/flag pole". The cell tower is to the rear of the Church's property approximately 600 from Spencerville Road (MD 198). It is 325 feet from the nearest residence on the east and over 380 feet from the residence/tree service/landscape contractors on the west.

I believe the "stealth/flag pole" cell tower is compatible with surrounding uses and consistent with the recommendations of the Cloverly Master Plan.



MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

October 15, 2007

MEMORANDUM

TO: Carlton Gilbert, Supervisor
Development Review Division

VIA: Daniel K. Hardy, Supervisor *DKH*
Transportation Planning

FROM: Cherian Eapen, Planner/Coordinator *CE*
Transportation Planning
301-495-4539

SUBJECT: Special Exception No. S-2708
Proposed Unmanned Wireless Telecommunication Facility
T-Mobile Northeast LLC
2100 Spencerville Road, Spencerville
Free Methodist Church Property
Parcels P195 and P240
Patuxent (Rural) Policy Area

This memorandum is Transportation Planning staff's Adequate Public Facilities (APF) review of the subject special exception case for the proposed unmanned wireless telecommunications facility at the Free Methodist Church property zoned RE-1.

RECOMMENDATION

Transportation Planning staff recommends no transportation-related conditions to support granting of the subject special exception case. The proposed use will not have an adverse effect on the transportation network.

DISCUSSION

Site Location and Access

The unmanned wireless telecommunications facility is proposed to be located on the Free Methodist Church property across from the intersection of Spencerville Road (MD 198) and Thompson Road in Spencerville. Vehicular access to the site/facility is proposed from Spencerville Road, using existing access to the church.

Master Plan Roadway and Pedestrian/Bikeway Facilities

The 1997 Approved and Adopted *Cloverly Master Plan* describes the nearby master-planned roadway, pedestrian and bikeway facilities as follows:

- Spencerville Road, as a four-lane major highway (M-76), with a minimum right-of-way width of 120 feet to the west of Thompson Road to New Hampshire Avenue (MD 650) and a minimum right-of-way width of 70 feet to the east of Thompson Road to 360 feet east of Batson Road. A Class I bikeway (PB-34) is recommended in the master plan for this roadway and confirmed (as SP-21) in the 2005 Countywide Bikeways Functional Master Plan.

Local Area Transportation Review

A traffic study was not needed for the subject special exception use to satisfy Local Area Transportation Review and for APF purposes because the proposed unmanned wireless telecommunications facility typically will not generate any peak-hour vehicular trips during the weekday morning (6:30 a.m. to 9:30 a.m.) and evening (4:00 p.m. to 7:00 p.m.) peak periods. The proposed facility would be unmanned and would only require routine inspections or service once or twice a month.

DKH:CE:tc

cc: Barbara Kearney

S-2708 Spencerville Rd Monopole.doc



MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MEMORANDUM

DATE: April 2, 2008

TO: Carlton Gilbert, Development Review Division

VIA: Stephen Federline, Supervisor, Environmental Planning,
Countywide Planning Division

FROM: Candy Bunnag, Planner Coordinator, Environmental Planning,
Countywide Planning Division

SUBJECT: Special Exception Application S-2708, Cellular Communications Tower at 2100 Spencerville Road

STAFF RECOMMENDATION

Environmental Planning staff recommends approval of Special Exception Application S-2708 with the following conditions:

1. Total land disturbance must be less than 10,000 square feet on the entire property, and less than 5000 square feet within the Upper Paint Branch Special Protection Area (SPA). This condition is required to sustain the conditions for granting of the forest conservation plan exemption and to preclude the requirement for an SPA water quality plan.

DISCUSSION

The subject site includes two parcels: P195 and P240. A church, parking lot, and single family dwelling unit used as the parsonage or rectory exist on the site. There are no forests, streams, wetlands, or environmental buffers on the site. There are several trees on the site. Roughly the southern one-third of the site lies within the Upper Paint Branch Special Protection Area (SPA) and the associated Environmental Overlay Zone for the SPA. The northern two-thirds of the site lie within the Patuxent River watershed. The entire site is zoned RE-1. The Patuxent River Primary Management Area (PMA) lies in the northeastern corner of the site.

The special exception proposes a cell tower and associated equipment compound on the northeastern portion of the site. The existing church entrance driveway (from Rte. 198) will be shared, with an additional new driveway connecting from the existing driveway/parking lot to the cell tower. The proposed cell tower, equipment compound, and new driveway are proposed to be located within the Patuxent River watershed outside of the PMA. Existing impervious surfaces within the Upper Paint Branch SPA portion of the site will remain unchanged.

Upper Paint Branch SPA Environmental Overlay Zone

Roughly the southern one-third of the subject site, or about 2.34 acres, lies within the Upper Paint Branch Special Protection Area (SPA). The Upper Paint Branch SPA Environmental Overlay Zone applies over this portion of the site. The SPA portion of the site contains the majority of the existing church building, a large portion of the parking lot, and the two driveways that connect Spencerville Road to the parking lot. These features make up about 0.72 acre of existing impervious surfaces, or about 30.8 percent imperviousness, within the SPA. Section 59-C-18.152(a)(1)(A) of the Zoning Ordinance states that any impervious surface lawfully existing pursuant to a building permit issued before July 31, 2007 that exceeds the 8 percent restriction, may continue or be reconstructed under the development standards in effect when the building permit was issued.

No new impervious surfaces are proposed within the SPA portion of the site. Therefore, the proposed project complies with the environmental overlay zone.

Upper Paint Branch Special Protection Area Law

Section 19-62 of the Montgomery County Code states that “the requirements for a water inventory and a preliminary and final water quality plan apply in any area designated as a special protection area to a person proposing a land disturbing activity on privately owned property: (1) who is required by law to obtain approval of a development plan, diagrammatic plan, schematic development plan, project plan, special exception, preliminary plan of subdivision, or site...” Land disturbing activity is defined as land disturbance that *covers 5000 square feet or more of land area*. The project does not propose any land-disturbing activity within the SPA portion of the site. Therefore, no SPA water quality inventory or plan is required for the proposed special exception.

Patuxent River Primary Management Area (PMA)

The proposed cell tower, equipment compound, and new driveway lie within the Patuxent River portion of the subject site, but outside the PMA. There are no impervious surface limits on the portion of the site within the Patuxent River watershed that lies outside the PMA. Within the 0.29 acre portion of the property that lies within the PMA, there are no existing or proposed impervious surfaces.

Forest Conservation

The site is exempt (forest conservation plan exemption no. 4-07233E) from the requirements of a forest conservation plan under Section 22A-5(q)(3) of the County Forest Conservation Law. The exemption category is for a special exception application that proposes a total disturbance area that is no more than 10,000 square feet and does not propose clearing of specimen or champion trees or forest clearing greater than 5000 square feet.

No trees are proposed to be removed. Staff estimates that the land disturbance associated with the new driveway, cell tower, and equipment compound is roughly 8500 square feet.