

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

(301) 495-4605

MCPB
Item# 3
11/7/02

MEMORANDUM

DATE: November 1, 2002
TO: Montgomery County Planning Board
VIA: John A. Carter, Chief, Community-Based Planning JAC
FROM: Kathleen A. Reilly, AICP, Community-Based Planning KA

REVIEW TYPE: Special Exception
APPLYING FOR: Telecommunication Facility
APPLICANT: Sprint PCS/APC Realty and Equipment Company, LLC
and Dal S. and Myeong S. Hong
CASE NUMBER: S-2544
REVIEW BASIS: Chapter 59, Zoning Ordinance

ZONE: RE-2
LOCATION: 2311 Norbeck Road
MASTER PLAN: Olney, 1980

FILING DATE: August 26, 2001
PLANNING BOARD: November 7, 2002
PUBLIC HEARING: November 22, 2002 at Hearing Examiner

STAFF RECOMMENDATION: APPROVAL with the following conditions:

1. The applicant shall be bound by all submitted statements and plans.
2. The telecommunications facility must be removed at the cost of the applicant when the facility is no longer in use by the telecommunication carrier.
3. The flagpole must follow approved federal regulations governing the flying of the United States flag.
4. Submit a revised plan showing the flagpole monopole, equipment compound and entrance drive relocated a minimum of 15 feet north on the subject to avoid encroachment of 30% or more to the critical root zone of a 39" specimen Tulip Poplar tree.
5. Applicant must submit a Tree Save Plan, prepared by a certified arborist, to staff prior to issuance of a sediment and erosion control or building permit. This plan shall include a detailed evaluation of the condition and

critical root zones of all specimen trees (trees 30"dbh and larger). This plan shall show construction techniques and schedules designed to minimize impact to specimen trees during the construction process; tree save measures for all specimen trees with 30% or greater impact to critical root zone; and a time frame for implementation of all tree save measures. Tree save measures shall include, but not be limited to, pre-construction watering and fertilizing, fencing, root pruning and dead wood pruning of any trees impacted by construction activities.

THE PROPOSAL

The applicant, Sprint PCS/APC Realty and Equipment Company, LLC, has requested a special exception to install a telecommunications facility located at 2311 Norbeck Road in Olney in the RE-2 Zone. This telecommunications facility will consist of a 134 foot high flagpole that will house 3 panel antennas inside the structure. Dal S. and Myeong Hong, co-applicants for this special exception application, own the subject property. Access to the site will be from Norbeck Road, a public right-of-way.

Site – The site is located on the north side of Norbeck Road at its intersection with Drury Road. It consists of 5.5 acres of RE-2 zoned land and is heavily wooded. It has a steep terrain along Norbeck Road and then gradually slopes down in the center and rear portion of the site. The site is developed with a single-family dwelling unit, a church and associated parking lot. Behind this dwelling unit is the Emmanuel Jesus Christ Church, a one-story brick building which operates on the subject site. Access to the site is via a gravel driveway from Norbeck Road that terminates in a gravel parking lot in front of the residence and church.

Neighborhood Description - The properties located to the north, east and west of the subject site are zoned RE-2 and are either developed with low-density residential uses or undeveloped. South of the site and across Norbeck Road, the properties are zoned R-200 and are developed with low-density residential uses. Other special exceptions approved by the Board of Appeals in the area include: S-412 for a veterinary clinic approved on 7/23/75; S-52 for an eleemosynary and philanthropic institution, approved on 4/18/75; and S-1108 for a country club approved 8/29/61.

Elements of the Proposal - A summary of the applicant's statement is as follows:

The applicants, Sprint PCS APC Realty and Equipment Company, LLC and Dal S. and Myeong Hong, request a special exception to construct a telecommunications facility with 3 panel antennas and related coaxial cables inside a 134 foot high flagpole. The equipment compound will contain 6 equipment cabinets enclosed by an 8 foot high wooden board on board fence. Sprint proposes to lease approximately 2,500 square feet of the site for this facility.

Sprint proposes to install 3-panel antennas at the centerline elevation of 130 feet inside the proposed 134-foot high flagpole. The flagpole will be 34 inches in diameter at the

base and taper to 19.5 inches at its top and will fly the American flag. Each antenna measures approximately 56 inches long, 8 inches wide and 2.75 inches deep. The antennas are white in color and will be hidden inside the flagpole. Sprint's related equipment cabinets will be placed on concrete piers within a 50-foot by 50-foot compound, which will be screened by an 8-foot high, board on board wood fence. Six cabinets are proposed which each measure approximately 6 feet high by 3 feet wide and 3 feet deep and will be beige in color. Coaxial cables approximately 1 1/4 inches in diameter will run from the equipment cabinets up inside the flagpole to connect the antennas. The flagpole will be constructed to accommodate two additional carriers whose antennas would also be installed inside the flagpole. The antennas do not generate any noise dust, fumes, odors, light, glare, vibrations, or interfere with radio, television or telephone reception.

Access to the facility will be via a 12-foot wide gravel driveway extending from the existing gravel driveway and parking lot on the property. There will be periodic visits of one or two times per month to check or repair equipment. The only utilities required will be electricity and land telephone lines. The facility will operate 24 hours a day, 7 days a week. There is no landscaping or lighting proposed with this facility.

A telecommunications facility is needed in this location to provide coverage along Norbeck Road, Layhill Road and the surrounding areas. As a licensee of the Federal Communications Commission (FCC) this facility is needed by Sprint to provide seamless telecommunication services to its users, which entails building out a seamless network of wireless communications facilities throughout the Washington-Baltimore region.

ANALYSIS

Master Plan - The property is located just inside the southern boundary of the 1980 Olney Master Plan area. There is no specific guidance or recommendation regarding this use of this property in the master plan. The 1980 Olney Master Plan is currently being updated. At this time there are no preliminary draft recommendations that may impact the proposed use on this property.

Tower Coordinating Committee - On September 11, 2002, the Telecommunications Transmission Facility Coordinating Group (TTFCG) reviewed the subject application. A concern of the Tower Committee was whether the flag would be lowered every night. A copy of TTFCG's recommendation and minutes from the September 11, 2002 meeting is contained in Appendix 2 of this report.

With respect to the Tower Committee's flag concern, staff notes that there are federal rules for flying the flag and unless the flag is lighted at night, the applicant will need to have it raised and lowered daily. If this application is approved, staff has recommended a condition of approval, that the applicant must follow the approved federal regulations governing flying the United States flag.

Environment – The Environmental Planning staff has reviewed the referral referenced above. Staff recommends approval of this special exception with the following conditions:

The entrance drive and flag monopole and equipment compound must be moved a minimum of 15' north to avoid encroachment of 30% or more to the critical root zone of a 39" specimen Tulip Poplar tree.

Applicant must submit a Tree Save Plan prepared by a certified arborist to the M-NCPPC, County Wide Planning (CWP), Environmental Unit prior to obtaining the sediment and erosion control or building permit. This plan shall include a detailed evaluation of the condition and critical root zones of all specimen trees (trees 30" dbh and larger). This plan shall show construction techniques and schedules designed to minimize impact to specimen trees during the construction process; tree save measures for all specimen trees with 30% or greater impact to critical root zone; and a time frame for implementation of all tree save measures. Tree save measures shall include, but not be limited to, pre-construction watering and fertilizing, fencing, root pruning and dead wood pruning of any trees impacted by construction activities.

A Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) has been approved for this site. A Forest Conservation Plan exemption has been granted because this is a special exception with a total disturbance of less than 10,000 square feet and forest clearing less than a total of 5,000 square feet. A Tree Save Plan must be approved prior to issuance of building and sedimentation and erosion control permits.

The applicant's submitted plan shows the proposed flag monopole and equipment compound in a location that encroaches approximately 30% into the critical root zone of one significant (29") Tulip Poplar and over 40% into the critical root zone of a specimen (39") Tulip Poplar. In order to save these trees, staff recommends that proposed flag pole monopole, equipment compound and gravel drive be shifted to a location 15 feet north of its proposed location on the submitted plan to avoid disturbance entirely to the critical root zone of the significant tree and less than 30% of the critical root zone of the specimen tree. The shifted location requires the removal of several 10" dbh to 13" dbh Virginia Pines. Appendix 1 contains an exhibit prepared by staff that shows the proposed relocation of the flagpole monopole, equipment compound and gravel drive access to this compound. Staff recommends that the applicant submit a revised plan showing the relocated flagpole, equipment compound and gravel drive as depicted on this exhibit.

If the equipment compound is shifted, a Tree Save Plan, prepared by a certified arborist, will be required since the proposed location of the compound encroaches on the critical root zones of any specimen trees. This plan will need to be submitted to the M-NCPPC, County Wide Planning (CWP), Environmental Unit prior to obtaining the sediment and erosion control or building permit. This plan shall include a detailed evaluation of the condition of all specimen trees (trees 30" dbh and larger) and

associated critical root zones. The Tree Save Plan shall show construction techniques and schedules designed to minimize impact to specimen trees during the construction process; tree save measures for all specimen trees sustaining impact to the critical root zone; and a time frame for implementation of all tree save measures. Tree save measures shall include, but not be limited to, pre-construction watering and fertilizing, fencing, root pruning and dead wood pruning of any trees impacted by construction activities.

A Storm Water Management Plan is not required by the Department of Permitting Services because the proposal disturbs less than 5000 square feet. This site is located in the Batchelor's Forest Tributary of the Northwest Branch watershed. The Countywide Stream Protection Strategy (CSPS) indicates that the stream and habitat conditions are good in this subwatershed.

Transportation - The Transportation Planning Division staff has reviewed the subject request. The Olney Master Plan classifies Norbeck Road, MD 28 as a major highway, M-18, with a recommended 150-foot right-of-way. No right-of-way dedication is required, because the existing 160-foot right-of-way exceeds the Master Plan recommendation.

The proposed telecommunications facility is expected to generate approximately two trips per month for routine maintenance or emergency repair. Under the LATR Guidelines, this use is considered de minimis and no traffic impacts are anticipated. No traffic study is required. The proposed telecommunications facility is located in the Olney Policy Area. As of September 30, 2002, this policy area has a remaining job capacity of 2,033.

Community Comments – To date, no comments have been received from the community on this application.

Compliance with Specific and General Special Exception Provisions - Staff has reviewed the application for compliance with all applicable special exception provisions and finds the following:

Sec. 59-G-2.43. Public utility buildings, public utility structures and telecommunication facility.

- (a) A public utility building or public utility structure, not otherwise permitted, may be allowed by special exception. The findings of this subsection (a) do not apply to electric power transmission or distribution lines carrying in excess of 69,000 volts. For other buildings or structures regulated by this section, the Board must make the following findings

- (1) The proposed building or structure at the location selected is necessary for public convenience and service.

The proposed facility in this location is necessary for the public convenience and service.

- (2) The proposed building or structure at the location selected will not endanger the health and safety of workers and residents in the community and will not substantially impair or prove detrimental to neighboring properties.

The proposed use will have a visual impact on some neighboring properties but will not endanger the health and safety of residents or workers in the community or substantially impair these properties.

- (b) A public utility building allowed in any residential zone, must, whenever practicable, have the exterior appearance of residential buildings and must have suitable landscaping, screen planting and fencing, wherever deemed necessary by the Board.

Not applicable.

- (c) The Board may approve a public utility building and public utility structure exceeding the height limits of the applicable zone if, in the opinion of the Board, adjacent residential developments and uses will not be adversely affected by the proposed use.

The height limit in the RE-2 Zone is 50 feet; the proposed monopole will be approximately 134 feet in height. The Tower Committee recommended approval of this request based on the need for telecommunications structure in this area and the absence of any other tall structures in the vicinity to accommodate the applicant's antennas.

- (d) Any proposed broadcasting tower must have a setback of one foot from all property lines for every foot of height of the tower; provided, that any broadcasting tower lawfully existing on September 1, 1970, is exempt from the setback limitations imposed by this subsection, and may be continued, structurally altered, reconstructed or enlarged; provided further, that any structural change, repair, addition, alteration or reconstruction must not result in increasing the height of such tower above the then existing structurally designed height.

Not applicable

- (e) Examples of public utility buildings and structures for which special exceptions are required under this section are buildings and structures for the occupancy, use, support or housing of switching equipment,

regulators, stationary transformers and other such devices for supplying electric service; telephone offices; railroad, bus, trolley, air and boat passengers stations; radio or television transmitter towers and stations; telecommunication facilities; above ground pipelines. Additional standards for telecommunication facilities are found in subsection (j).

The subject application is a special exception use as defined in this statement.

- (f) Reserved.
- (g) In addition to the authority granted by Section 59-G-1.22, the Board may attach to any grant of a special exception under this section other conditions that it may deem necessary to protect the public health, safety or general welfare.

Recommended conditions of approval are included on page 1 of this report.

- (h) Petitions for special exception under this section may be filed on project basis.

Not applicable

- (i) A petitioner under this section is considered an interested person for purposes of filing a request for a special exception if the petitioner states in writing under oath that a bona fide effort has been made to obtain a contractual interest in the subject property for a valid consideration without success, and that there is an intent to continue negotiations to obtain the required interest or in the alternative to file condemnation proceedings should the special exception be granted.

Not applicable.

- (j) Any telecommunication facility must satisfy the following standards:
 - (1) The minimum parcel or lot area must be sufficient to accommodate the location requirements for the support structure under paragraph (2), excluding the antenna(s), but not less than the lot area required in the zone. The location requirement is measured from the base of the support structure to the property line. The Board of Appeals may reduce the location 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 unobtrusive location after considering the height of the structure, topography, existing vegetation,

adjoining and nearby residential properties, if any and visibility from the street.

The minimum lot size in the RE-2 Zone is 87,120 square feet; the subject site consists of 5.5 acres. The applicant is leasing approximately 2,500 square feet of this site and the property owners are also co-applicants on the subject request. Staff recommends that the proposed monopole "flagpole" be relocated 15 feet north on the site to save the one significant tree and one specimen tree. There is existing and extensive vegetation in the area where the equipment compound and monopole will be located. This area cannot be seen from Norbeck Road. The Tower Committee noted that views of this flagpole would be visible from residences south of the site and across Norbeck Road and possibly northeast, east and southeast of the site. However, the proposed monopole flagpole will be sited among trees 70 to 90 feet in height that will screen much of its base and associated equipment compound from nearby residential uses. The remaining height of this telecommunications facility will be visible as a flagpole and not a tower as is common practice with these uses.

(2) A support structure must be located as follows:

- a. In agricultural and residential zones, a distance of one foot from property line for every foot of height of the support structure.

The proposed facility designed as a flagpole will be 134 feet high. As submitted by the applicant, the monopole setback would be 138 feet from the eastern (side) property line and 137 feet, 8 inches from the western (side) property line. Under the relocation of this facility as recommended by staff the support structure will have setbacks of approximately 969 feet, 137 feet, 290 feet and 135 feet from the northern (rear), eastern, southern (front) and western property lines, respectively, which meet the setback distance of 134 feet.

- 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.

Not applicable

- c. These location requirements apply to perimeter lot lines and not to interior lot lines.

The location requirements for proposed flagpole apply to perimeter lot lines not to interior lot lines.

- (3) A freestanding support structure must be constructed to hold no less than 3 telecommunication carriers. The Board may approve a support structure holding less than 3 telecommunication carriers if: 1) requested by the applicant or 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 telecommunication 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 flagpole will be constructed to hold 3 telecommunication carriers.

- (4) No signs or illumination are permitted on the antennas or support structure unless required by the Federal Communications Commission, the Federal Aviation Administration, or the County.

No signs or illumination are proposed to be placed on the antennas or support structure under this application.

- (5) Every freestanding support structure must be removed at the cost of the applicant when the telecommunication facility is no longer in use by any telecommunication carrier.

Removal of the flagpole and equipment compound is a recommended condition of approval.

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

The Tower Committee reviewed the subject request on September 11, 2002 found a need for this facility and recommended its approval. A copy of their comments is contained in Appendix 2.

Sec. 59-G-1.2. Conditions for granting a special exception.

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 not necessarily associated with the particular use, or adverse effects created by unusual 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.

The inherent and non-inherent effects associated with the proposed use would include construction of a 134- foot flagpole, the associated equipment compound and gravel driveway. The proposed equipment cabinets will be enclosed by an 8-foot high board on board fence and not visible to the surrounding area. The infrequency of vehicular traffic to the site associated with the use's monthly routine maintenance will be minimal. No lighting is proposed for this use .The non-inherent characteristic of height of the proposed use designed to look like a flagpole will not be as significant visually if the use were to be designed as a normal cell tower. While the top of this structure will be visible its complete or full visibility to the surrounding area will be somewhat mitigated by its proposed location among mature and tall existing trees and other extensive vegetation on site.

Sec. 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 use is so allowed in the RE-2 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.

The proposed use complies with the standards and requirements for a telecommunications facility under 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 thereof adopted by the Commission. Any decision to grant or deny special exception must be consistent with an recommendation in an approved and adopted 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 the 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 subject property is covered by the 1980 Olney Master Plan. The master plan supports the existing RE-2 Zone for the property and telecommunication facilities are allowed by special exception in that zone.

- (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 design of this monopole to look like a flagpole, its location on the site which cannot be viewed from the adjacent roadway and its siting among extensive and mature trees and other on site vegetation will allow the proposed structure to be more in harmony with the general character of the area.

- (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.

The applicant has submitted information showing that telecommunications facilities did not prove detrimental to the economic value or development of surrounding properties. Staff has reviewed this information and found these conclusions acceptable.

- (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 proposed use will not cause adverse effects with respect to any of these criteria.

- (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 proposed use will not increase the number or intensity or scope of approved special exceptions in the area.

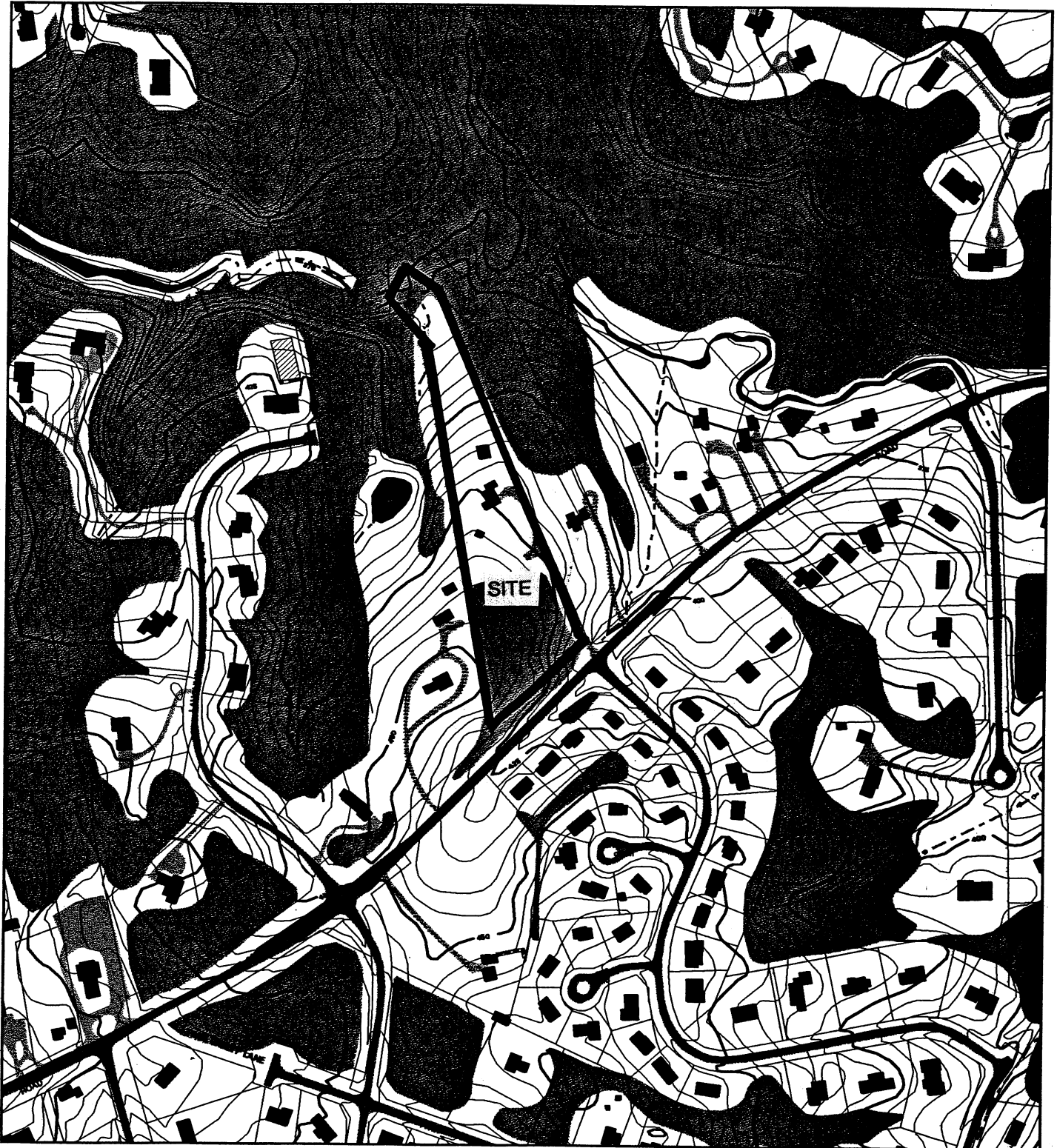
- (8) Will not adversely affect the health, safety, security, morals or general welfare of residents, visitors or workers in the area at the subject site, irrespective on any adverse effects the use might have if established elsewhere in the zone.

The proposed special exception will not cause any of these effects.

- (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.

The use will be served by adequate public facilities.

Conclusion - Staff recommends approval of the proposed special exception with conditions stated on page 1 of this report.



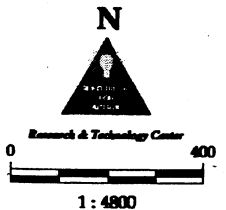
Map compiled on October 30, 2002 at 11:02 AM | Site located on base sheet no - 221NW02

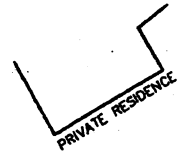
NOTICE

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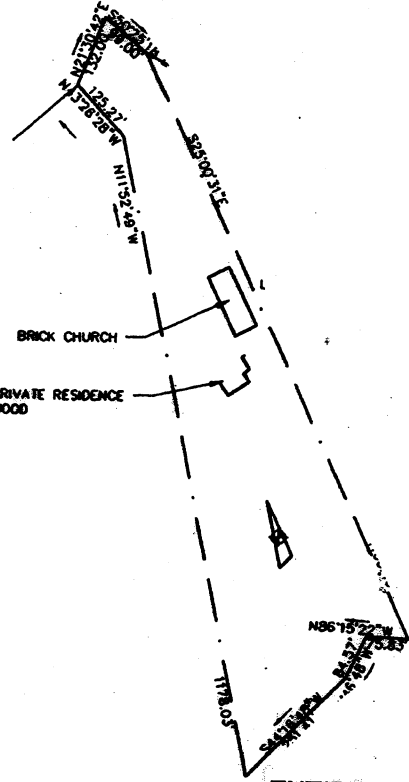


PARENT PARCEL
PARCEL 'A' NORBECK KNOLLS
AREA PER DEED 5.50 ACRES

N 528686.18
E 1298183.52
ELEV. 428.0' MSL

EXISTING CONCRETE SIDEWALK
EXISTING GRAVEL PARKING LOT

BRICK CHURCH
PRIVATE RESIDENCE
WOOD



ENTIRE SITE

EQUIPMENT COMPOUND

SIGNIFICANT TREE

FLAGPOLE

SPECIMEN TREE

ELEV. 407.6' MSL
N 528375.75
E 1298365.26

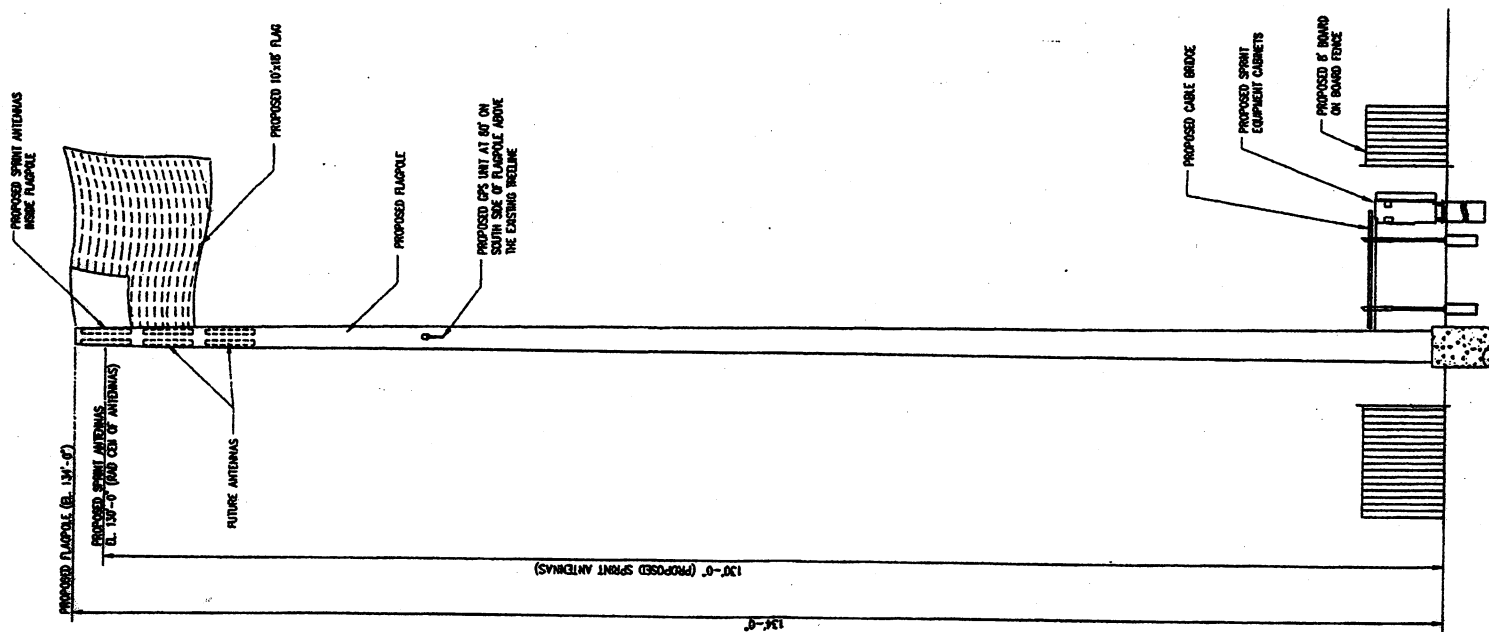
NEW RIGHT OF WAY
100' FROM EXISTING CENTER LINE

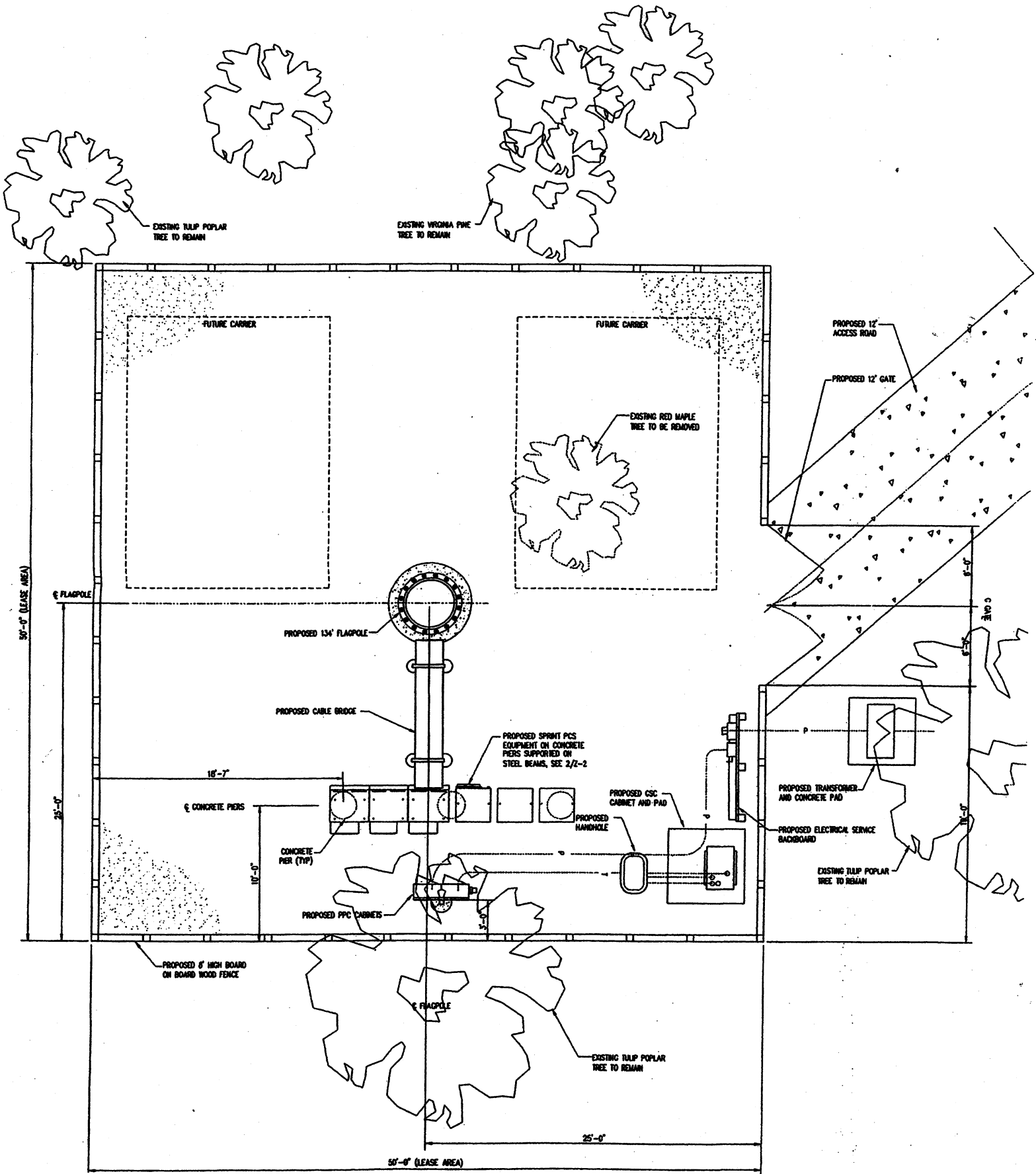
NORBECK ROAD
RIGHT OF WAY WIDTH 180'

TREE LINE

SUBMITTED SITE PLAN

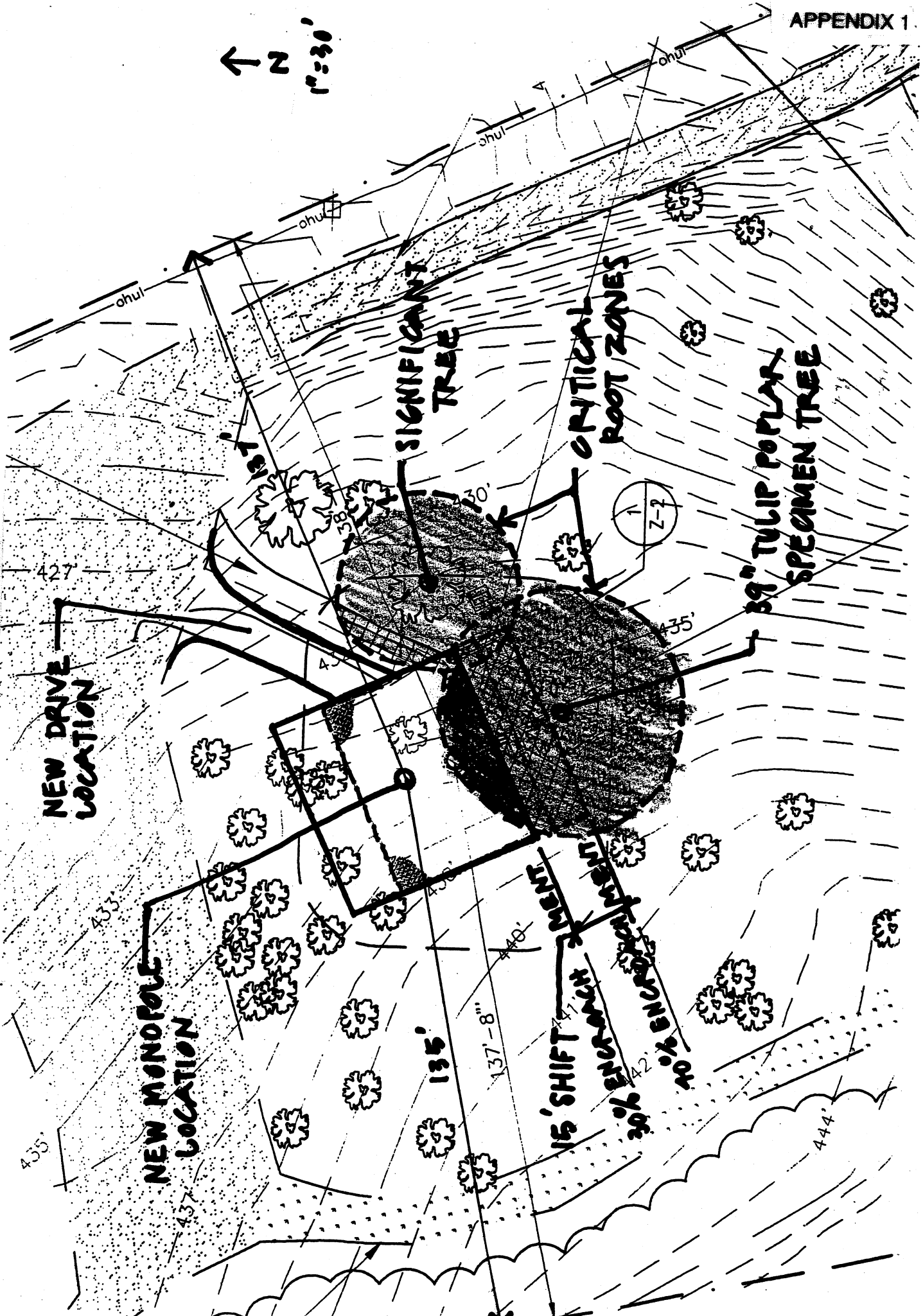
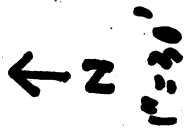
FLAGPOLE





COMPOUND LAYOUT

RECOMMENDED RELOCATED FLAGPOLE SITE PLAN



NEW DRIVE
LOCATION

NEW MONOPOLE
LOCATION

SIGNIFICANT
TREE

CRITICAL
ROOT ZONES

39" TULIP POPLAR
SPECIMEN TREE

15' SHIFT
30% ENCROACHMENT
40% ENCROACHMENT

427'

433'

435'

437'

135'

137'-8"

438'

440'

442'

444'

435'

430'

ohul

ohul

ohul

ohul





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

APPLICATION NUMBER: 200208-02

DATE: 11 September 2002

Application Review:	
Applicant:	Sprint PCS
Description:	Construct a new 134' monopole.
Site Location:	Emmanuel Jesus Christ Church 2311 Norbeck Road, Silver Spring
Property Owner:	Dal and Myeong Hong
Tower Coordinator Recommendation:	Recommended: <input checked="" type="checkbox"/> Not recommended: <input type="checkbox"/>
Land-owning Agency input:	Attached: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Group Comments: In reviewing this application at its September 11, 2002 meeting, the TTFCG wanted to bring to the attention of the Commission and the Board of Appeals certain issues regarding the display of the American flag on this monopole. The TTFCG believes the issues regarding display of the flag warrant consideration as part of the Special Exception process. An excerpt of the minutes of the group's discussion regarding this issue is attached for your reference. In voting to recommend this application, the TTFCG wanted these comments to be added to the recommendation.	

Vote on recommendation of approval: For: 6 Against: 0 Abstain: 0

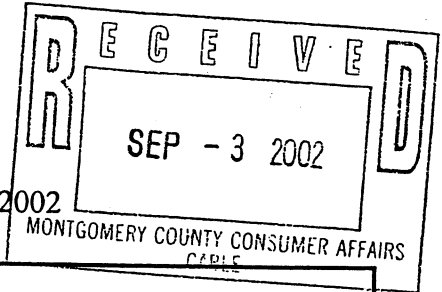
Results: Recommended Not recommended

	9/16/02
Chairman Signature	Date

	9/16/02
Tower Coordinator Signature	Date



MONTGOMERY COUNTY, MARYLAND
TOWER COORDINATOR
RECOMMENDATION



APPLICATION NUMBER: 200208-02 DATE: 14 August 2002

Application Information:		
Applicant:	Sprint PCS	
Description:	Construct a new 134' monopole.	
Site Location:	Emmanuel Jesus Christ Church 2311 Norbeck Road, Silver Spring	
Property Owner:	Dal and Myeong Hong	
Classification in accordance with Zoning Ordinance: RE-2		
Private Property:	<input checked="" type="checkbox"/>	By right: <input type="checkbox"/>
Public Property:	<input type="checkbox"/>	By right: <input type="checkbox"/>
		Special Exception: <input checked="" type="checkbox"/>
		Special Exception: <input type="checkbox"/>
		Mandatory Referral: <input type="checkbox"/>
Impact on land-owning agency: N/A		
Existing or future public safety telecommunications facilities and plans: None		
Co-location options: We searched the tower database and conducted a site visit to determine if there were any existing structures to which Sprint could attach its antennas in lieu of constructing a new monopole, but did not find any tall structures in the general vicinity of the proposed site. Once erected, the design plans show that this monopole can accommodate two other carriers' antennas attached in a similar mounting configuration in this specially designed monopole.		
Implications to surrounding area: The site for the monopole (where engineer is standing in photo #1) is located in a wooded area surrounding the church (photo #2) just off of Norbeck Road (photo #3). The trees immediately around the monopole site appear to be approximately 70' to 90' high. That being the case, it appears that the top of the monopole will be approximately 30' to 40' feet above the existing trees. As best we could determine from our site visit, the monopole will not be visible from most of the adjoining properties on the same side of Norbeck Rd. because of tall trees around the homes which will, at least when in full foliage, obscure the monopole from view (see example in photo # 4). Many of the surrounding homes are quite large and appear to be very expensive properties, (a new project on land immediately behind the monopole site advertises homes starting at \$1.2 million - see photo # 5). The top 30' to 40' of the monopole and the large 10' x 18' flag, if flown, will be visible from some homes directly across Norbeck Road from the site, (see CTC photo #6 and photo simulations from Sprint) and may also be seen from residences approximately a half mile to a mile away to the northeast, east, and southeast of the proposed monopole site (see photos # 7-11). If the flag is not retired at night, this monopole will require lighting.		
Attachments: Application and photos		
Comments: We examined the RF contours submitted by Sprint and agree that they show a need for antennas to serve this area and that antennas attached to the new monopole as		

Action Item: Sprint PCS application to construct a new 134' monopole on the Emmanuel Church property located at 2311 Norbeck Road in Silver Spring (Application #200208-02).

Kamal Johari summarized the application. He noted that it appeared as though it would be difficult to see this monopole from Norbeck Road because of the tall trees surrounding the site. He stated that since the trees were approximately 70 - 90' tall, the monopole would have to be approximately 130' tall in order to place the antennas higher than the tree line to obtain Sprint's desired coverage. He added that there were some homes directly across from the site and also farther away in the surrounding community that would see the top of the monopole and the flag.

Eric Carzon commented on the issue of raising and lowering the flag, and asked the carrier who would be responsible for the flag. He commented that if the flag was left up at night, it would need to be lighted. The Sprint engineer replied that those issues would be addressed in the lease with the landowner, and the landowner would be required to raise and lower the flag. Mr. Michal added that Sprint did have a lease with the landowner for this site.

Amy Rowan noted that she thought it was very unusual to have such a large flagpole in a residential area surrounded by trees. Jim Michal stated that flagpoles are not regulated in Montgomery County and he suggested that Dave Niblock would agree with that fact. Dave Niblock replied that this was not a flagpole, and that he had already discussed this matter with Mr. Michal and he reiterated that Permitting Services considered this structure a monopole.

Eric Carzon stated he believed it would be appropriate for the Planning Board to be made aware of the flag issue in order to address it in their review. Michael Ma replied that he believed that the flag issue was a land use matter and should be reviewed by the Board of Appeals and Planning Board.

Motion: Eric Carzon moved the application be recommended, and asked to include the group's discussion about the proper display of the flag. Pat Hanehan seconded the motion and it was unanimously approved.

