
Telecommunications Transmission Facilities Coordinating Group

TTFCG Home**BACKGROUND AND DESCRIPTION OF THE
TOWER COORDINATION PROCESS****I. Background**

In early 1995, Montgomery County officials were faced with a growing demand for towers and monopoles to support wireless communications needs. They recognized that the number of applications for sites would increase even more to meet both government and private sector needs. The FCC had licensed six carriers to provide wireless communications services and was expected to license more in the future. The County Executive and the County Council wanted to minimize the negative impact of these sites on the community.

An interagency taskforce was formed to study the problem. The taskforce met extensively with industry representatives and government agencies, and concluded that in the near future well over 300 sites would be needed. They reported that the number of new poles needed could be reduced by two-thirds (to about 130) if antennas could be located on existing rooftops, water tanks, towers or monopoles. Industry representatives also made it clear that what they needed most was a speedy and reliable process in order to level the competitive playing field.

The study's examination of the County's existing processes for considering and siting facilities on both public and private land revealed the need for change. At that time, all new monopoles required carriers to obtain a Special Exception from County zoning regulations - a costly and time-consuming process. The taskforce recommended that the County develop a new comprehensive policy and regulatory process to govern the siting of telecommunications facilities.

The taskforce report recommended the creation of a Tower Coordinator position within the Executive Branch and the designation of a person within each land-owning and land use agency to work with the Tower Coordinator. This group would pro-actively engage the County Government and its agencies to recommend the most appropriate sites for telecommunications towers and monopoles by evaluating requests filed with the County. The ultimate decision-making authority would remain with each agency. The report suggested that agencies be allowed to keep the revenue received from leasing their facilities in order to encourage agencies to make their facilities available to private carriers.

II. Legislative Response

The County's Zoning Ordinance allows certain types of construction to take place as a matter of right, requiring only that a building permit be issued by the Department of Permitting Services prior to the start of construction. Other types of construction are allowed only if a Special Exception is granted by the Board of Appeals after review by the Planning Board.

In response to the taskforce report, the County Council adopted a Zoning Text Amendment

(ZTA 95028) to regulate the installation of telecommunications facilities on private and public lands and to address many of the issues raised by the study. The legislation provided that the installation of telecommunications facilities would be encouraged at less intrusive sites, including industrial and commercial lands, existing buildings, water towers, power transmission poles, and certain public lands. Co-location of telecommunications facilities was required to minimize the negative impact on residential areas and to diminish the multiplicity of towers. Changes to the zoning regulations implemented under ZTA 95028 include the following:

Industrial zones - Monopoles are allowed as a matter of right up to 199 feet in height, with a setback from the property lines of all adjacent residential and agricultural zoned properties of at least one foot for every foot of height.

Agricultural zones - Monopoles are allowed as a matter of right if they do not exceed the allowed building height of the zone and meet a 1:1 setback from the property line, or if located within the right-of-way of an overhead transmission line not closer than 300 feet to any residence with a monopole height not in excess of 199'. In all other cases a special exception would be required.

Commercial zones - Monopoles are allowed as a matter of right up to 150' in height with a setback of 1:1 from all adjacent residential and agricultural zoned properties. In certain specified zones a special exception would be required.

Rooftop Antenna - Monopoles are allowed as a matter of right on any building that is 30' or greater in height in industrial, commercial or multi-family zones, and on any non-residential building that is greater than 50' in height in single-family residential zones.

Residential Zones - Except for the above, the Zoning Text Amendment did not change existing controls in residential zones; a special exception is still required in most instances. The filing fee for a special exception is high compared to that of a building permit, and there is a minimum period of 60 days between the submittal date of an application and the date of the Board hearing to allow adequate time for public review and comment. Carriers tend to view new sites requiring a special exception as a last resort because of the cost and the time delay.

Public Land - Private telecommunications antennas may be attached as a matter of right to an existing structure owned or operated by a county, bi-county, state or federal agency. If a carrier wishes to construct a new privately owned tower or monopole for the exclusive use of private telecommunications carriers on publicly owned land, a special exception is required. If the new tower or monopole will be used by a government agency, the application is submitted to the Planning Board rather than the Board of Appeals and the application goes through a public review process known as Mandatory Referral. Since this process is shorter (60 days maximum) and less costly than the special exception process, there is an incentive for applicants to work with government agencies to identify compatible uses with the government for facilities on public lands.

III. Coordination Process

The County Executive proposed and the County Council adopted an Executive Regulation which provided for the appointment of the Tower Coordinator to serve as the primary point of contact for industry representatives and the creation of the Telecommunications Transmission Facilities Coordinating Group (Tower Committee) to review tower site applications and make site recommendations.

The goal of the process is to assist industry by ensuring a timely review of applications and by providing a reliable process among agencies. Applications for antennas on existing structures are typically processed within 30 days, and the goal is to process all applications in less than 60 days. The Tower Committee meets every two to three weeks based on the number of applications received. Their recommendations are required prior to the issuance of a building permit. Industry representatives attend and participate in these meetings. The final decision to lease public land remains with the land-owning agency, and lease revenues are retained by that agency.

IV. Functions of the Tower Coordinator

The Tower Coordinator is responsible for creating and maintaining a database of existing wireless telecommunications facilities in the county, as well as existing structures of certain heights in all zones that could serve as potential sites for the placement of antennas or monopoles. The Coordinator checks applications for siting of new monopoles against the database to determine whether an alternative site exists that could meet the applicant's needs.

Applications for siting of telecommunications facilities are received by the Tower Coordinator and are reviewed to ensure that they are complete. The Tower Coordinator works with the Department of Permitting Services to confirm the zoning of the site for each application, determines whether it is considered "by right" or requires a special exception, and provides a recommendation on each siting request to the Tower Committee. The Coordinator also staffs the meetings of the Tower Committee, maintains a written record of all actions, and serves as a technical resource to the Board of Appeals and other agencies as needed.

V. Role of the Tower Committee

The Tower Committee consists of representatives from various land-owning and land use agencies. It reviews the tower applications, considers the recommendation and other information compiled by the Tower Coordinator, and formulates a siting recommendation that goes forward to the affected agency. The participants on the Committee include members from land owning agencies, such as the Department of Transportation and Public Works, the Montgomery County Public Schools, the Maryland-National Capital Parks and Planning Commission, and the Washington Suburban Sanitary Commission; from land use agencies, such as the Department of Permitting Services; and other parties involved in telecommunications services for the County, such as the Department of Information Systems and Telecommunications, the Office of Cable Communications Administration, and the Office of Management and Budget.

The Committee meetings provide a forum for members to discuss siting issues, review and comment on telecommunications transmission facility policies of various agencies, and facilitate communications between member agencies and between government officials and the industry. The Committee also stays current on federal legislation and FCC rulemakings which affect tower siting and issues such as federal rules concerning RF emissions. One of the added benefits of the Committee is that each participating agency now has a person with extensive knowledge about the telecommunications industry's needs and the appropriate involvement for local government.

For the industry, a speedy and reliable process is in place. Applications for antenna sites that are allowed as a matter of right by the zoning ordinance are typically approved within thirty days. Applications involving sites that require a special exception for construction of a new tower or monopole are evaluated more closely and often take somewhat longer to

Background and Description

receive a recommendation. Barring any unusual circumstances, the sixty-day time frame established by the Executive Regulation has been adequate for processing applications.

County agencies are currently receiving over \$2 million per year in revenue from leasing public property for telecommunications transmission sites. The Tower Committee is currently looking at establishing model leases and site license agreements for use by County agencies. The application is being expanded to include the applicant's assurances of compliance with federal RF guidelines.

In addition to an effective new partnership between telecommunications providers and County officials, the goal of more effective competition is becoming a reality. Seven carriers now provide wireless phone service to county customers with better quality at lower rates.

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Telecommunications Transmission Facilities Coordinating Group

Current Tower Committee

TTFCG Home

NAME	ORGANIZATION	ADDRESS	PHONE	FAX#	E-MAIL ADDRESS
Jane Lawton (Chairperson)	DTS- Cable Office	100 Maryland Av. #250 Rockville, MD 20850	(240) 777- 3724	(240) 777- 3770	Jane.Lawton@montgomerycountymd.gov
Steve Batterden	DPWT	101 Monroe St., 10th Floor Rockville, Md 20850	(240) 777- 6086	(240) 777- 6109	mailto:Rey.junquera@montgomerycountymd.gov
Jennifer Bryant	OMB	101 Monroe St., 14th Floor Rockville, MD. 20850	(240) 777- 2761	(240) 777- 2756	mailto:Carzoe@montgomerycountymd.gov
Carlton Gilbert	M-NCPPC	8787 Georgia Av Silver Spring, MD. 20910	(301) 495- 4576	(301) 495- 1306	carlton.batterden@mncppc-mc.org
Pat Hanehan	MCPS Dept. of Facilities Mgmt.	7361 Calhoun Pl. #400 Rockville, MD. 20855	(301) 279- 3609	(301) 279- 3737 (301) 279- 3812	mailto:Patrick_hanehan@fc.mcps.k12.md.us
Dave Niblock	Dept. Of Permitting Services	255 Rockville Pk, 2nd flr Rockville, MD. 20850	(240) 777- 6252	(240) 777- 6241	mailto:Dave.Niblock@montgomerycountymd.gov
Jim Krause	WSSC	14501 Switzer Ln. Laurel, MD. 20707	(301) 206- 4209	(301) 206- 7199	
		16647	(240)	(301)	

Helen Xu	DTS	Crabbs Branch Wy., Rockville, MD. 20855	777- 2804	208- 7072	xuh@montgomerycountymd.gov
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Q: What is the role of the (TTFCG)?

A: A 1995 task force report recommended the creation of a Tower Coordinator position within the Executive Branch and the designation of a person within each land-owning and land use agency to work with the Tower Coordinator.

In response to the taskforce report, the County Council adopted a Zoning Text Amendment (ZTA 95028) to regulate installation of telecommunications facilities in the County to the extent permitted by federal law. The legislation provided that the placement of antennas and towers would be encouraged at less intrusive sites, including industrial and commercial lands, existing buildings, water towers, power transmission poles, and certain public lands. Co-location of these kind of facilities is required to minimize the negative impact on residential areas and to diminish the multiplicity of towers. Another goal of the process is to assist industry by ensuring a timely review of applications and by providing a reliable process among agencies. For the industry, a speedy and reliable process is in place. Applications for antenna sites that are allowed as a matter of right by the zoning ordinance are typically approved within thirty days. Applications involving sites that require a special exception for construction of a new tower or monopole are evaluated more closely and often take somewhat longer to receive a recommendation.

The County Executive proposed and the County Council also adopted an Executive Regulation (#14-96) which provides for the appointment of the Tower Coordinator to serve as the primary point of contact for industry representatives and the creation of the Telecommunications Transmission Facilities Coordinating Group (Tower Committee) to review tower site applications and make site recommendations.

The TTFCG and the Tower Coordinator actively engage member County government agencies to recommend the most appropriate sites for new towers and monopoles by

evaluating requests filed with the TTFCG. Of course, the ultimate decision-making authority would remain with each agency. The TTFCG facilitates communications between the member agencies and the carriers to achieve the desired goals of the process.

The TTFCG include members from land owning agencies including the Department of Transportation and Public Works, the Montgomery County Public Schools, the Maryland-National Capital Parks and Planning Commission, and the Washington Suburban Sanitary Commission; from land use agencies, such as the Department of Permitting Services; and the other parties involved in telecommunications services for the County, the Office of Cable Communications Administration, and the Office of Management and Budget, and of course, the Department of Information Systems and Telecommunications, which has authority for administration of the TTFCG.

Q: What is the role of the Tower Coordinator?

A: Applications for siting of telecommunications facilities are submitted to the Tower Coordinator who conducts a review to ensure that they are complete. The review includes:

Verification with the County's Department of Permitting Services of the zoning of the site for each application to determine whether the proposed facilities are permitted "by right" or requires a special exception.

Checking applications for new monopoles against a database of all existing telecommunications facilities to determine whether an alternative site exists that could meet the applicant's needs.

Maintaining a database of existing wireless telecommunications facilities in the county. The database is updated monthly with new application information and annually with information submitted by the telecommunications service providers about all their sites.

Conducting an engineering review to determine if new structures are needed and if there are any radio frequency conflicts with other existing facilities, compliance with transmission regulations, or other technical issues for the TTFCG to consider is its review of the applications.

Providing a recommendation on each siting request to the Tower Committee regarding the zoning standards applicable to the application, CO-location options, and the effect of the placement of the facility on land-owning agencies, future telecommunications plans, and its impact on the surrounding area.

Provide information to carriers, the public, land owning public agencies, and land use agencies.

Q: What happens at the TTFCG meetings?

A: The TTFCG meetings provide a forum for members to discuss siting issues, review and comment on telecommunications transmission facility policies of various agencies, and facilitate communications between member agencies and between government

officials and the industry. The Committee also stays current on federal legislation and FCC rulemakings which affect tower siting and issues such as federal rules concerning RF emissions. One of the added benefits of the Committee is that each participating agency now has a person with extensive knowledge about the telecommunications industry's needs and the appropriate involvement for local government.

At each meeting, the Tower Coordinator will present a review of an application and make a recommendation for action to the TTFCG. The TTFCG discusses the application and then decides the appropriate action to take in each case. The meetings typically last one to two hours. The meetings are open to the public, but these meetings are not the proper place for formal public testimony or submission of materials regarding an application.

The TTFCG votes on whether to "recommend" or "not recommend" an application allow the applicant to move forward to the next step in the process of constructing its facilities. The applicant will either applying for a building permit to the County's Department of Permitting Services (DPS), or, if necessary, apply to the Board of Appeals (BOA) for Special Exception or Modification of Special Exception, or is referred to the Maryland National Park and Planning Commission (M-NCPPC) for a review under the County's Mandatory Referral process. The TTFCG does not have "approval" authority, per se. However, the DPS, the BOA, and the M-NCPPC verify that the applicant has been through the TTFCG process and those agencies take the recommendation made by the TTFCG on each application into consideration as they perform their formal public approval process.

Q: When are TTFCG meetings held?

A: TTFCG Scheduled Meeting Dates

Q: Are minutes from the TTFCG meetings available?

A: All minutes from the TTFCG meetings are available for public review in the Rockville Regional Library located on Maryland Avenue in Rockville, or in the County's Cable Office in Room 250 of the Council Office Building.
TTFCG Meeting Minutes

Q: Where are new tower facilities permitted in the County?

A: The County's Zoning Ordinance allows certain types of construction to take place as a matter of right, requiring only that a building permit be issued by the Department of Permitting Services prior to the start of construction. Other types of construction are allowed only if a Special Exception is granted by the Board of Appeals after review by the Planning Board.

Installation of telecommunications facilities are encouraged at less intrusive sites, including industrial and commercial lands, existing buildings, water towers, power transmission poles, and certain public lands. Wherever reasonably possible, CO-location of telecommunications facilities is required to minimize the negative impact on residential

areas and to diminish the multiplicity of towers. Telecommunications facilities are permitted as follows:

Industrial zones - Monopoles are allowed as a matter of right up to 199 feet in height, with a setback from the property lines of all adjacent residential and agricultural zoned properties of at least one foot for every foot of height.

Agricultural zones - Monopoles are allowed as a matter of right if they do not exceed the allowed building height of the zone and meet a 1:1 setback from the property line, or if located within the right-of-way of an overhead transmission line not closer than 300 feet to any residence with a monopole height not in excess of 199'. In all other cases a special exception would be required.

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Residential Zones - Except for the above, the Zoning Text Amendment did not change existing controls in residential zones; a special exception is still required in most instances. The filing fee for a special exception is high compared to that of a building permit, and there is a minimum period of 60 days between the submittal date of an application and the date of the Board hearing to allow adequate time for public review and comment. Carriers tend to view new sites requiring a special exception as a last resort because of the cost and the time delay.

Public Land - Private telecommunications antennas may be attached as a matter of right to an existing structure owned or operated by a county, bi-county, state or federal agency. If a carrier wishes to construct a new privately owned tower or monopole for the exclusive use of private telecommunications carriers on publicly owned land, a special exception is required. If the new tower or monopole will be used by a government agency, the application is submitted to the Planning Board rather than the Board of Appeals and the application goes through a public review process known as Mandatory Referral. Since this process is shorter (60 days maximum) and less costly than the special exception process, there is an incentive for applicants to work with government agencies to identify compatible uses with the government for facilities on public lands.

Q: What are alternatives to construction of a new tower in the community?

A: In reviewing applications, the TTF CG considers whether or not the applicant has sufficiently demonstrated need for a new facility and that there are no other existing structures already in place in the community which could reasonably accommodate the applicant's antennas. Examples of existing structures which may be able to support telecommunications antennas include power company transmission line towers, existing tall buildings, church steeples, water tanks, existing lattice towers, monopoles, and in some cases, public utility poles. Selection of locations for siting telecommunications antenna facilities are generally the result of the carrier's own market analysis, the area desired to be

covered, the terrain of the area to be served, the elevation of the antennas, the strength of the antenna signals, and in some cases, the capacity of existing facilities to provide continued coverage in a given area. In some cases antenna facilities can be made to blend is with the surrounding environment by "disguising" them as, for example, flagpoles, ball field lights, or even artificial trees.

Q: To what extent does federal law limit local regulation of placement of telecommunications facilities?

A: Below is an excerpt from the Telecom Act of 1996 (§704(a) National Wireless Telecommunications Siting Policy) which states the extent to which local authorities are prevented from regulating telecommunications facilities:

Section 332(c) (47 U.S.C. 332(c)) is amended by adding at the end the following new paragraph:

(7) PRESERVATION OF LOCAL ZONING AUTHORITY-

(A) GENERAL AUTHORITY- Except as provided in this paragraph, nothing in this Act shall limit or affect the authority of a State or local government or instrumentality thereof over decisions regarding the placement, construction, and modification of personal wireless service facilities.

(B) LIMITATIONS-

(i) The regulation of the placement, construction, and modification of personal wireless service facilities by any State or local government or instrumentality thereof--

(I) shall not unreasonably discriminate among providers of functionally equivalent services; and

(II) shall not prohibit or have the effect of prohibiting the provision of personal wireless services.

(ii) A State or local government or instrumentality thereof shall act on any request for authorization to place, construct, or modify personal wireless service facilities within a reasonable period of time after the request is duly filed with such government or instrumentality, taking into account the nature and scope of such request.

(iii) Any decision by a State or local government or instrumentality thereof to deny a request to place, construct, or modify personal wireless service facilities shall be in writing and supported by substantial evidence contained in a written record.

(iv) No State or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission's regulations concerning such emissions.

(v) Any person adversely affected by any final action or failure to act by a State or local government or any instrumentality thereof that is inconsistent with this subparagraph may, within 30 days after such action or failure to act, commence an action in any court of competent jurisdiction. The court shall hear and decide such action on an expedited basis.

Any person adversely affected by an act or failure to act by a State or local government or any instrumentality thereof that is inconsistent with clause (iv) may petition the Commission for relief.

(C) DEFINITIONS- For purposes of this paragraph--

(i) the term 'personal wireless services' means commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services;

(iii) the term 'unlicensed wireless service' means the offering of telecommunications services using duly authorized devices which do not require individual licenses, but does not mean the provision of direct-to-home satellite services (as defined in section 303(v)).'

(ii) the term 'personal wireless service facilities' means facilities for the provision of personal wireless services; and

(iii) the term 'unlicensed wireless service' means the offering of telecommunications services using duly authorized devices which do not require individual licenses, but does not mean the provision of direct-to-home satellite services (as defined in section 303(v)).

Q: How can the public file comments on proposed antenna facilities?

A: The TTFCG is not the official body to receive public testimony regarding placement of telecommunications facilities in the County. If not otherwise permitted by County zoning regulations, a new telecommunications facility either goes through the Special Exception process or the Mandatory Referral process. The Special Exception process falls under the jurisdiction of the Montgomery County Board of Appeals, where each application is scheduled on the agenda for the Board to review. Special Exceptions require a formal, publicized, public hearing which is the proper forum for public input about the proposed facility. Siting of telecommunications facilities which are subject to the Mandatory Referral process are scheduled for review by the Maryland National Park and Planning Commission (M-NCPPC) at one of its regularly scheduled sessions. The Mandatory Referral sessions are not advertised but are open to the public and interested parties are permitted to provide testimony.

To obtain schedules and agendas for the Board of Appeals, please contact the Montgomery County Board of Appeals office at 240-777-6600. For sessions at the M-NCPPC, you may obtain meeting and agenda information on their website www.mncppc.org.

Q: Who can I call for answers to questions not answered here?

For questions about the TTFCG or current issues being discussed at TTFCG meetings, please call Jane Lawton at 240-777- 3724.

For questions regarding technical aspects of applications pending before the TTFCG, please call the Tower Coordinator, Bob Hunnicutt, with Columbia Telecommunications at 410-964-5700.

For questions regarding pending applications before the Maryland National Park and Planning Commission, please call Michael Ma at 301-495-4595.

For zoning cases regarding telecommunications facilities pending before the Board of Appeals, contact the Board of Appeals Office at 240-777-6600.

For further information: You may want to go the Federal Communications Commission's website, www.fcc.gov, and review the information in the Wireless Bureau's "FACT SHEET" documents for information about wireless facilities. You may also go to the pages devoted to the FCC's Local and State Government Advisory Committee, of which Montgomery County Councilmember Marilyn Praisner is a member, to review the handbook they prepared discussing radio frequency emissions, or to easily link to the FCC's Consumer Information Bureau which also has information on this subject.

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November 10, 2005

Mr. Terry H. Brooks, Jr.
Special Program Coordinator
Office of the Director
Department of Park & Planning
8787 Georgia Avenue
Silver Spring, MD 20910-3760

RE: Application for Technical Review/Construction Permit Submitted by Verizon Wireless for the Placement of a Wireless Telecommunications Structure and Related Equipment Building in Northwest Branch Park Unit 6, adjacent to the site of the new, relocated National Capital Trolley Museum, 1313 Bonifant Road, Colesville, Maryland

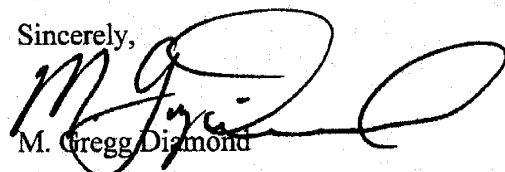
Dear Mr. Brooks:

I represent Washington D.C. SMSA Limited Partnership d/b/a Verizon Wireless, with regard to the above referenced application. As you will recall, Verizon Wireless filed the above referenced application by hand delivery to the Engineering Supervisor on August 22, 2005. Thereafter, I engaged you and Christopher Malone in discussions regarding process. As a result, it was determined in late September 2005 that the applicant should proceed with a community meeting, followed by a hearing before the Planning Board.

Although the Administrative Procedures for Telecommunications Facilities call for a community meeting within three (3) weeks after receipt of an application, Verizon Wireless needed more time to prepare its presentation. Informally, we requested that you put the application on hold pending further notice that we were prepared to proceed with the application. At this time, Verizon Wireless is requesting that the application be removed from its hold status, and that we should proceed as if the application had been filed on this date. We understand that you will be providing notice to the community and scheduling a community meeting for December 6, 2005.

If you have any questions about this letter, please give me a call.

Sincerely,



M. Gregg Diamond

Encl.

cc: Robert Posilkin
Christopher Malone, Esq.



TELECOMMUNICATIONS

Application for Technical Review / Construction Permit

Washington D.C. SMSA Limited Partnership

Owner / Applicant d/b/a Verizon Wireless Principal Contact M. Gregg Diamond, Esq.

Address 4416 E. West Highway, Ste 400, Bethesda, MD 20814

Telephone Number/Fax (t) 301-634-3181 / (f) 301-634-3182 mgdiamond@mgd-law.com

Engineer Joseph Joyce, P.E.

Address c/o Verizon Wireless, 9000 Junction Drive, Annapolis Junction, MD 20701

Telephone Number/Fax (t) 301-512-2438 / (f) 301-512-2186

Subdivision/Property Name Northwest Branch Park Unit 6

Lot(s)/Block(s) _____ or Parcel(s) Parcel 229 Liber 3364 Folio 235

Preliminary Plan # _____ Env. Planning Reviewer (Tel #) _____

SM File # _____ DPS Reviewer (Tel. #) _____

Affected Park A portion of Northwest Branch Park, at 1313 Bonifant Road, Silver Spring, MD adjacent to the National Capital Trolley Museum in the Park.

Description of work proposed _____

See attached description of work.

Disturbed area on Park land (sq.ft. / ac.) 2250 sq. ft. Watershed (Class) _____

Anticipated Natural Resources Impacts None.

Anticipated construction date July 2006

Contractor (if known) _____

Application for Technical Review / Construction Permit

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Description of proposed work:

Construction of a Telecommunications Facility consisting of the following:

- (a) a 140' tall freestanding Tower (monopole) disguised to appear as a pine tree;
- (b) 12 communications antennas attached at the 138' level of the Tower and hidden from view by simulated pine tree foliage;
- (c) a 12' x 30' equipment building with exterior design and finish to match the future construction of the new Trolley Museum buildings;
- (d) additional space available on the Tower for collocation of a minimum of two (2) additional wireless communications carriers; and
- (e) additional space on the ground for Park & Planning to lease to additional wireless communications carriers for their equipment buildings or cabinets.

The proposed Telecommunications Facility will require the approval of a special exception pursuant to Zoning Ordinance Sec. 59.G-2.43(j).

STATEMENT OF SERVICE NEED

RE: Verizon Wireless Proposal for the Placement of a Wireless Telecommunications Structure and Related Equipment Building in Northwest Branch Park Unit 6, adjacent to the site of the new, relocated National Capital Trolley Museum, 1313 Bonifant Road, Colesville, Maryland (hereafter the "Trolley Museum"). The subject property is Zoned RE-2.

Identification of Need

As a result of continuing study of its wireless network performance, the RF (radio frequency) engineers at Verizon Wireless identified an area primarily along Bonifant Road between Layhill Road and New Hampshire Avenue where improved coverage is needed. In addition to providing primary coverage along Bonifant Road, there is a secondary need for a new site in this area to relieve heavy call volume at the existing Verizon Wireless cell site on a WSSC water tower in the Glenmont area, thereby allowing additional calls to accommodate the public's demand for service on the Verizon Wireless network.

In order to address this need for improved coverage, Verizon Wireless identified a specific geographic area where its facilities need to be located, called a search area, just east of the intersection of Bonifant and Layhill Roads and extending until near the intersection of Nutley and Bonifant Roads. The southern boundary is the Indian Spring Country Club. To the north is the area of the Northwest Branch which includes the existing Trolley Museum as well as the raw land on which the new Trolley Museum is to be constructed.

Attached please find "before and after" coverage studies demonstrating the present coverage conditions requiring improvement and resulting enhanced coverage if the proposed site is constructed [See Exhibit 1]. The current coverage map shows that a portion of the area east of Layhill Road and along Bonifant Road receives either no coverage or insufficient coverage. The proposed coverage map demonstrates that when the site is "turned on" the area receives adequate signal strength. In these instances, the dark green color indicates adequate and reliable coverage, while yellow and white coloring shows inadequate and unreliable signal strength.

In sum, the proposed Trolley Museum site meets the Verizon Wireless required radio frequency objectives for service along Bonifant Road which is now experiencing unreliable coverage in the transmission, reception and maintenance of wireless phone calls and also provides additional capacity to the neighboring Glenmont site due to heavy call volume.

Alternate Sites Considered

Verizon Wireless initially identified two locations in or near the search area where there are existing structures, which could accommodate the required facilities. As a practice,

Verizon Wireless assesses the technical feasibility of available structures in the and around the search area before proposing, as in this case, a new structure.

The first structure considered was the existing 130 foot wireless telecommunications structure located at the Argyle Country Club. Although outside of the search area, Verizon Wireless conducted a transmission test at this facility by raising test antennas with a crane at the required heights. Unfortunately, the test results demonstrated that this location failed to provide adequate coverage.

The second structure considered was the rooftop of the two-story office building located at the intersection Layhill and Bonifant Roads. This building location had two problems. If antennas could attach to this building, they would fail to yield adequate coverage required in this area. Additionally, the building was not capable of supporting additional antennas, and did not have sufficient space for the equipment necessary to operate the antennas. The Montgomery County Tower Coordinator reviewed test data for each of these sites and agreed with these conclusions. Thus, co-location of Verizon Wireless antennas on existing facilities within the search area is not feasible. "Before and after" coverage maps are also attached for alternative sites considered for these facilities [See Exhibit 2].

The Proposed Site

The remaining properties within the search area are predominately residential and parkland. A major portion of "already disturbed" land is the existing Trolley Museum, located on property owned by MNCPPC. Verizon Wireless contacted the Trolley Museum operators and received their permission, as well as that of MNCPPC, to enter the property to conduct a drive test to determine if coverage would be adequate from this location. A crane was brought onto this property on April 20, 2004 and located in the gravel parking lot of the current Trolley Museum. Test antennas were raised to a height of 180' as determined by prior computer modeling. Based on the results of the radio tests, Verizon Wireless RF engineers approved this location. Verizon Wireless site engineers began to study the site after the RF testing and obtained a copy of the site plan for the new Trolley Museum location at the same property. Given the ICC alignment and the location of the new Trolley Museum, a new site was proposed for the proposed structure. The proposed site of the new Trolley Museum is at a higher elevation on the property than at the current Museum location. Starting at a higher ground elevation allows for a shorter structure. A second drive test with a crane was conducted on October 10, 2004. Based on data collected in the drive test, Verizon Wireless' RF Engineers approved a structure height of 140' in order to achieve Verizon Wireless' RF coverage goals. [See drive test maps/data, Exhibit 3] These results were reviewed by the Montgomery County Tower Coordinator and confirmed. This is the site currently being proposed [See reduced size site plan, Exhibit 4, and full size plans submitted with this application].

The proposed location at the Trolley Museum results in improvement in wireless coverage from presently unacceptable levels to acceptable levels and increased reliability

in call reception and transmission, the key to network design and public confidence in making and receiving calls. This expectation for improved service is confirmed through computer modeling of the site as well as drive tests which measure actual signal strength from the site as it is received by driving in a test vehicle.

The proposed tower would be a tree monopole design. A tree monopole is a monopole constructed to appear as a tree in order to blend in with nearby foliage, mitigate potential impact on the community, and reduce views from within the area including roadways and residential areas. The antennas would be hidden within the "branches". The monopole would be approximately 900 feet from the nearest home in the closest residential community located to the east of the proposed site. The tree monopole is designed to accommodate the antennas of at least two other wireless providers should there be co-location requests. Photographs were taken during the October 10, 2004 RF crane test. Digital simulations were prepared presenting a representative sample of views of the proposed tree monopole. Copies of the photos and simulations are attached hereto as Exhibit 5.

The equipment building would also be located at the site, within a fenced compound area of 45' x 50', at the base of the structure. In consultation with the Trolley Museum, the equipment building exterior would be designed to match the new Trolley Museum buildings. The communication facility is proposed to be located within a wrought iron fence. There is adequate ground space to accommodate the equipment for other wireless carriers if needed, in the areas immediately adjacent to the 45' x 50' compound.

Meetings with MNCPPC Staff and the Trolley Museum

On May 25, 2004, Representatives of Verizon Wireless and MNCPPC staff met to discuss this project at its initial stages. On November 19, 2004, another meeting was held with MNCPPC staff. Verizon Wireless reported back that in response to the request of MNCPPC to consider its golf course maintenance facility in the Northwest Park Golf Course, the site was considered and rejected following RF analysis that it was too far outside the search area and, therefore, provided inadequate coverage. Also discussed was Verizon Wireless' subsequent work in identifying a site location next to the new Trolley Museum, and setback from the ICC right of way. Verizon Wireless also reported that in October 2004, it conducted a drive test of this site and the result indicated that a 140-foot structure would provide the needed antenna height for adequate coverage.

Verizon Wireless met the President of the Trolley Museum at the suggestion of MNCPPC to discuss the proposed location of the wireless facilities at this location at a height of 140 feet and the related 12' x 30' unmanned equipment building required to operate the communications facility. Given the present plans for the ICC, the proposed structure is set back approximately 150 feet from the edge of this right of way.

Tower Committee Review and Recommendation

Further review of the siting proposal required that the county's tower committee review it. In order to do so, Verizon Wireless requested direction from MNCPPC as to proceeding with this review. On February 14, 2005, Terry Brooks, MNCPPC, Special Program Coordinator, notified Verizon Wireless' counsel that the Verizon Wireless project was generally in compliance with the Department's Administrative Guidelines for locating telecommunications facilities on park property. Additionally, he stated that the Department requires Verizon Wireless to formally apply to the Montgomery County Tower Committee and seek its technical approval.

On May 17, 2005 Verizon Wireless submitted its Application for the Proposed 140' Monopole and Related Facilities at the Trolley Museum to the Montgomery County Tower Committee. A copy of this applications ad all subsequent materials were also sent to Mr. Brooks at M-NCPPC.

On June 8, 2005, the Montgomery County Telecommunications Transmission Facility Coordinating Group reviewed the Verizon Wireless application for this proposed site. As part of its discussion, it considered the report by its consultant, Mr. Robert Hunnicutt. [See attached recommendation, Exhibit 6]. In summary, this report confirmed the need for coverage in this area and that these proposed facilities would meet that need at the suggested height and location. However, the tower coordinator also reviewed drive test results at a height of 120 feet and concluded that there did not appear to be a significant difference when compared to results for 138 feet. Thus, Mr. Hunnicutt recommended the approval of the proposed facilities but with a structure height of 120 feet.

The tower committee members discussed this recommendation and approved a tower height of 140 feet as proposed by Verizon Wireless. [See attached minutes, Exhibit 7]. The tree pole design mitigated views of this facility and this additional height provided additional height to accommodate future co-locators, which may have an interest in providing coverage in this area. The Tower Committee approved the proposed height of 140 feet [see Notice of Action for June 8, 2005, attached hereto, Exhibit 8].

Verizon Wireless Request for a Lease Agreement for the Use of MNCPPC Property

Construction of a 140-foot tree monopole on the subject property would require the approval of a special exception pursuant to zoning ordinance Sec. 59-G-2.43(j). Prior to filing for a special exception, Verizon Wireless would need to complete a lease agreement with MNCPPC. A proposed Lease Agreement is attached hereto as Exhibit 9. Therefore, Verizon Wireless requests that MNCPPC approve its application for use of park property, and that MNCPPC staff be authorized to negotiate and conclude a Lease Agreement as soon as feasible so that the application for special exception for this project may proceed.

Brooks, Terry

From: Alvin J. Auerbach [sca.pres@verizon.net]
Sent: Thursday, March 02, 2006 5:26 PM
To: Brooks, Terry
Subject: Verizon Comm. Tower Near Stonegate: Vote on Mar 1, 2006

Stonegate Citizens Association
Alvin J. Auerbach, President
15117 Centergate Drive
Silver Spring MD 20905-5714

Phone/Fax: 301-384-0796

Dear Mr. Brooks,

Regarding the application of Verizon Wireless to lease a Wireless Communications Tower site in the Northwest Branch Park near Stonegate:

On March 1, 2006, at a quarterly meeting of the Stonegate Citizens Association (SCA), representatives of Verizon Wireless made a presentation about their proposed Wireless Communications Tower, then Mr. Terry H. Brooks Jr. of the Maryland National Capital Park and Planning Commission (MNCPPC) made brief remarks. A lively question and answer period followed. After our guests left, the members of the SCA discussed the issue.

After the SCA discussion, a motion was passed stating that the Association would not oppose Verizon at the MNCPPC hearing on March 16, 2006.

At this time, this leaves the SCA neutral regarding the issue.

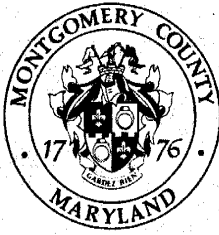
Before this meeting, the SCA wanted to verify the Verizon claim that only the proposed site would give them the signal strength they desired; that no other site would do. We were told that by law, the information we wanted was proprietary and would not be released to us. At the meeting, Verizon told us that before another specific hearing in the process of allowing them to proceed with the Tower, this information would become available to us. We intend to proceed with our verification at that time.

Respectfully,

Alvin J. Auerbach

The information in this message has also been sent to:

Senator Rona E. Kramer
Delegate Anne R. Kaiser
Delegate Adrienne Mandel
Delegate Karen S. Montgomery
Delegate Herman L. Taylor, Jr.
Councilmember Marilyn J. Praisner
Mr. Robert S. Posilkin, Consulting Manager for Real Estate and Zoning,
Verizon Wireless



MONTGOMERY COUNTY, MARYLAND
APPLICATION FOR WIRELESS COMMUNICATIONS
SITE COORDINATION

DATE: _____ **NUMBER:** _____
(To be filled in by County)

Applicant Name: Washington D.C. SMSA Limited Partnership d/b/a Verizon Wireless

Address: 9000 Junction Drive, Annapolis Junction, Maryland 20701

Contact Person and Phone No: MG Diamond, Esq.; 301-634-3181(o);301-632-3182(f); mgdiamond@mgd-law.com

Provide a description of the proposed installation, including the type and height of the structure (i.e. monopole, rooftop, water tank, guyed tower, self-support tower, etc.) and whether it is existing, modified, or new. Describe any modifications that will be made to existing structure.

Applicant proposes to construct a new monopole at a height of 140 feet. The structure will be built using the stealth design of a "tree monopole" thereby minimizing and mitigating the view of the structure from the surrounding area.

Address/City: 1313 Bonifant Road, Colesville, Maryland 20905

Site Name: Trolley Museum Zoning: RE-2

Site Owner/Landlord: Maryland National Capital Park and Planning Commission

Structure Owner: Washington D.C. SMSA Limited Partnership d/b/a Verizon Wireless

Latitude/Longitude (NAD27 Degrees/Minutes/Seconds): N39-05-39.4 W77-01-33.4

Ground Elevation AMSL in feet: 331 feet

Antenna Height AGL in feet: 140'

Frequency bands to be used: 850 (TX 880-894 MHz; RZ 835-849 MHz)
1900 (TX 1945-1950 MHz; 1865-1870 MHz)

Maximum Effective Radiation Power (EFP): 100W

Federal Communications Commission (FCC) Emission Designator: 1M25M1W

FCC Antenna Structure Registration Number: N/A

Description of antenna(s), including physical size, patterns, gain and orientation (include copy of spec sheet or drawings):

850 - LPA 80063/6CF 1900 - LPA 185063/8CF

Describe area to be served by the proposed installation. Attach a map of the general area showing the location of the site. Upon request, attach RF propagation studies showing service area coverage surrounding the proposed site with and without the proposed site.

The area to be served is primarily along Bonifant Road between Layhill Road and New Hampshire Avenue (see attached map and before/after propagation studies). Additionally, the search area was designed to provide relief to the Verizon Wireless site (Glenmont) to the south of the search area.

Will antennas be installed on an existing structure? NO

If not, describe results of investigation about possible co-location. Include a listing of alternative sites considered and an explanation as to why each possible alternative was not selected. If a site was ruled out because of radio frequency (RF) issues, provide RF propagation maps documenting inadequate coverage:

1. Argyle Country Club: This site has an existing 130' Spectrasite tower located on its property. This site was tested and rejected for RF reasons (plot attached). The major inadequacy was failure to cover a significant portion of Bonifant Road. Therefore, this site would leave a hole in coverage along this major transportation route.

2. Office Building at corner of Layhill and Bonifant Roads: This site provided inadequate coverage along Bonifant Road. (plots attached). Additionally, visual inspection of this rooftop indicated problems with the building's ability to support VZW antennas and related equipment.

Justification of why this site was selected: Site meets the required radio frequency objectives for coverage along Bonifant Road which is now experiencing unreliable coverage in the transmission, reception and maintenance of wireless phone calls. This site best meets these requirements when compared with other alternate sites considered and evaluated. This county parkland also lends itself to the use of a tree monopole which substantially mitigates views of the structure from nearby homes and blends in with tall trees on the site and surrounding parkland.

Will site be used to support government telecommunications facilities or other equipment for government use? Yes If yes, describe: Applicant has offered space on proposed structure to MNCPPC and the Trolley Museum to support their respective telecommunications needs.

Attach a site plan of the proposed facility showing location of monopole, tower, or structure on the property, location of existing and proposed equipment buildings or cabinets, and distance of any new structures or buildings from property lines and other buildings or residences within 300 feet. Clearly identify existing versus proposed facilities. Also provide an elevation sketch of the structure showing major dimensions, existing attachments, and mounting height of proposed antennas. If a balloon test has been performed, please provide copies of the photographs.

Will the antenna installation be in compliance with the maximum permissible RF exposure limits set forth in §1.1310 of the FCC Rules and Regulations? Yes X No _____
If the answer is no, please attach an explanation.

Type of compliance study required under §1.1307 of the FCC Rules and Regulations:

Categorically Excluded _____
Routine Environmental Evaluation X
Environmental Assessment _____

If antennas will be located on a rooftop, please attach a description of any steps that have been or will be taken to prevent the aggregate RF from exceeding exposure limits.

Montgomery County Code, Chapter 2-58E requires applicants to submit a facility location plan indicating the location of every existing telecommunications transmission facility and the general location of facilities that are anticipated to be built in the near future. Has a new or updated plan been filed with the County within the last year? Yes X No _____ If the answer if no, please submit a plan with this application.

If an application for an FAA review has been submitted or an FAA determination has been issued, please attach a copy. Planning to File.

Application fees have been paid to Montgomery County Government on 4/13/05.

Submit this application to:
Columbia Telecommunications Corporation
c/o Montgomery County Tower Coordinator
5550 Sterrett Place, Suite 200
Columbia, MD 21044
Phone: (410) 964-5700