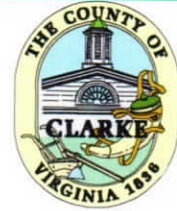


Clarke County



PLANNING COMMISSION TELECOMMUNICATIONS SUBCOMMITTEE MEETING MINUTES THURSDAY, OCTOBER 6, 2016

A meeting of the Planning Commission Telecommunications Subcommittee was held at the Berryville/Clarke County Government Center, Berryville, Virginia, on Thursday, October 6, 2016 at 4:00PM.

ATTENDANCE

Members Present: Robina Bouffault, Douglas Kruhm, and Jon Turkel

Members Absent: None

Staff Present: Brandon Stidham, Planning Director; Ryan Fincham, Senior Planner/Zoning Administrator

Others Present: George Condyles (Atlantic Group); Frank Stearns (attorney for Verizon Wireless); Cathy Kuehner (Winchester Star)

AGENDA

Ms. Bouffault moved to approve the agenda as presented, seconded by Mr. Turkel. All voted AYE.

APPROVAL OF MINUTES

Mr. Turkel moved to approve the August 24, 2016 minutes as presented, seconded by Mr. Kruhm. All voted AYE.

Discussion – Telecommunications Engineering Study Proposed Tower Location Map

Mr. Stidham introduced Mr. Condyles who gave a brief presentation on the proposed tower location map that will be a component of the Telecommunications Engineering Study. Ms. Bouffault indicated that she had some corrections to be made to the Permitted Commercial Tower Development Areas (PCDTA) narrative and would forward those to Mr. Stidham.

Ms. Bouffault asked if Mr. Condyles had maps showing the location of wired broadband. He replied that he has locations for the Verizon central offices but that Comcast does not release the locations of their transmission nodes. Ms. Bouffault said that Comcast is in the process of laying cable lines close to the County line and noted that fiber optic cables could be added in the future. Mr. Turkel asked whether we should infer that if wired broadband is in a particular location, there is less pressure to provide wireless broadband access in that area. Ms. Bouffault said no it is a combination of both because wireless data is transmitted via fiber optic and you need both wired and wireless broadband accessibility. Mr. Condyles noted that the proposed tower locations factor in the location of existing fiber optic lines or areas in which fiber optic lines could be reasonably installed.

Ms. Bouffault asked about Blandy Experimental Farm being a potential location for a tower since it is a State-owned facility (University of Virginia) and could serve a large area of the southern portion of the County. Mr. Condyles said that the primary purpose of the study is to determine the optimal height, number, and location of towers to serve the County in addition to the length of fiber optic lines needed to serve the tower network. Once the study is complete, it may be used to market the concept of a new tower to the University of Virginia.

Mr. Condyles stated that the tower location map identifies the best locations, labeled as PCTDAs, for new towers to establish an effective communications network. Mr. Turkel asked whether the next step would be to craft an ordinance to help facilitate development of the proposed tower network. Mr. Stidham said yes and also to link the ordinance to the Telecommunications Study.

Regarding the PCTDA narrative, Ms. Bouffault noted the first sentence in the second paragraph does not make sense beginning with the word “upon.” She said that “upon” should be deleted and “it has been” should be replaced with “have.” She noted in the ninth line that the word “efficiently” should be “efficiency,” that the comma should be replaced with a semicolon, and the word “face” should be “share.” She also noted that the last sentence was confusing and Mr. Condyles said that he would re-work the sentence. In the last paragraph, Ms. Bouffault asked about the word “wires” in the second sentence and Mr. Condyles said that it should be “wireless.”

Mr. Kruhm asked about recent articles about advances in broadband over power transmission lines. Mr. Condyles noted that he has referenced this technology in addition to other technologies in the Telecommunications Study as future broadband alternatives that may be available for the County. Regarding broadband over power lines, he said they are working on new approaches to avoid electrical interference and that this might be available to the consumer within the next ten years. Ms. Bouffault reported on information that she obtained from Rappahannock Electric Cooperative on recent attempts to provide broadband over power lines. Mr. Condyles said that he did not think that the electric companies will be involved with broadband distribution to customers in the future but will be involved in the transmission of broadband from city to city and region to region. He added that the “white space” technology being pursued by Microsoft looks to be the most promising.

Discussion – Revised Draft Monopole Text Amendment

Mr. Stidham provided an overview of the changes that were made to the draft text amendment, noting that Mr. Condyles’s recommendations have been incorporated into the new version.

Mr. Turkel noted that Class 3 (maximum 120 foot height) and Class 4 towers (maximum 199 foot height) both require special use permit and site plan review, and he asked why there needed to be a distinction between the two classes. Mr. Condyles said that an applicant could make a viable case for a Class 4 tower due to the height required for a point-to-point microwave connection or some other legitimate issue. He added that 120 feet is the maximum ideal height as determined through the Telecommunications Study. Ms. Bouffault asked if that is essentially what we have now. Mr. Stidham replied that existing towers could reach that height with the Federal co-location requirement. Mr. Stidham said that the incentive for the Class 3 towers is that an application will likely be approved if they meet all technical requirements and are in the general location of a PCTDA. He said a Class 4 tower will have to meet these same requirements in addition to justifying the need for a tower over 120 feet. This distinction would steer applicants towards the Class 3 tower option.

Mr. Condyles noted that this is a double-edged sword in that you will be hard pressed to deny a Class 3 tower application that complies with all technical requirements and is located in or near a PCTDA. Ms. Bouffault asked Mr. Condyles if 120 feet will handle all topographical issues in the area and he replied yes. Mr. Turkel noted that the proposed PCTDAs east of the river are in lightly populated areas that are heavily forested so they should provide discreet locations. Ms. Bouffault said that the southern end of the County has a significant need for broadband access which is why she is interested in having a tower at Blandy. Mr. Turkel said that he believed it is beyond their purview as a committee and Ms. Bouffault said she disagreed with him. Mr. Stidham asked whether the proposed map would fill in the southern part of the County and Mr. Condyles said yes. He said that the Class 1 and Class 2 towers can fill in other gaps and can be approved by right as an incentive to providers. Ms. Bouffault asked whether the University of Virginia would have to go through a local zoning process for a tower. Mr. Condyles replied that as a matter of practice, State agencies will follow the local zoning process.

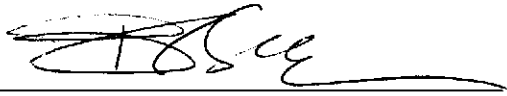
Mr. Turkel exited the meeting at 4:50 indicating that he liked the direction that we are going but that he thought there needed to be more distinction between the Class 3 and Class 4 tower regulations. Mr. Stidham suggested strengthening the wording of Class 3 towers in the Study to emphasize that it is the preferred tower height. Mr. Condyles suggested removing Class 4 and Ms. Bouffault said no, that the Committee did not work for several months on the text amendment just to end up with 120 foot towers. Mr. Condyles noted that tower location is often determined by the property owner, who could tell the provider to place the tower in a ravine or other undesirable location. Keeping Class 4 will allow for some flexibility for situations like this.

Ms. Bouffault noted on page 10 of 29, 1b, that "Objectives" should have a lower case "o." In the same section, she said that the concluding sentence was oddly written. Mr. Stidham noted that this sentence is not regulatory language and could be deleted. He said that it could be added to the Study. On page 11 of 29 under Co-Location, Ms. Bouffault said in the seventh line that "so long as" should be "provided that." The same change goes for Subsection e on page 12 of 29. On page 14 of 29, she said that "shall" should be added before "become" under Subsection 8. On page 22 of 29, Mr. Kruhm said that "mess" should be "mesh" in Subsection d.

Regarding maximum height, Mr. Kruhm asked whether the maximum height of 199 feet for Class 4 towers does not allow for further co-location height increase. Mr. Stidham said that the prohibition on a lighted tower would prevent a 199 foot tower from being increased in height.

Mr. Stidham concluded by stating that Mr. Condyles's final report will likely be provided in a special Board of Supervisors meeting to be held the last week of November or early December. He added that he would like to invite the Planning Commission to attend as well. Once the Board accepts the Telecommunications Study, the Subcommittee can move forward with the text amendment. Mr. Condyles said he welcomes any comments or corrections on the draft report once he completes it.

The meeting was adjourned at 5:08PM.

A handwritten signature in black ink, appearing to read 'B. Stidham', with a long horizontal flourish extending to the right.

Brandon Stidham, Planning Director