

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, MAY 17, 2000**

PRESENT: John R. Byers, Mount Vernon District
Judith W. Downer, Dranesville District
Janet R. Hall, Mason District
Suzanne F. Harsel, Braddock District
John B. Kelso, Lee District
Ronald W. Koch, Sully District
Ilryong Moon, Commissioner At-Large
Peter F. Murphy, Jr., Springfield District
John M. Palatiello, Hunter Mill District
Linda Q. Smyth, Providence District
Laurie Frost Wilson, Commissioner At-Large

ABSENT: Walter L. Alcorn, Commissioner At-Large

//

The meeting was called to order at 8:15 p.m. by Vice Chairman John R. Byers.

//

COMMISSION MATTERS

Commissioner Palatiello MOVED THAT THE PUBLIC HEARING ON 2232-H00-10, BELL ATLANTIC MOBILE, INC., BE DEFERRED TO A DATE CERTAIN OF MAY 31, 2000.

Commissioner Hall seconded the motion which carried unanimously with Commissioner Murphy not present for the vote; Commissioner Alcorn absent from the meeting.

//

Commissioner Downer announced her intent to defer the public hearing on SE-00-D-006, Oakcrest School, from June 14, 2000 to June 28, 2000.

//

Commissioner Downer MOVED TO FURTHER DEFER THE DECISION ON 2232-D00-14, BELL ATLANTIC MOBILE, INC., TO A DATE CERTAIN OF MAY 25, 2000, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

Commissioner Hall seconded the motion which carried unanimously with Commissioner Murphy not present for the vote; Commissioner Alcorn absent from the meeting.

//

Commissioner Downer MOVED TO FURTHER DEFER THE DECISION ON 2232-D00-6, AT&T WIRELESS SERVICES, TO A DATE CERTAIN OF MAY 25, 2000, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

Commissioner Hall seconded the motion which carried unanimously with Commissioner Murphy not present for the vote; Commissioner Alcorn absent from the meeting.

//

Chairman Murphy announced that the Planning Commission's Seminar Committee would meet on Wednesday, May 31, 2000 at 7:15 p.m. in the Board Conference Room in preparation for the seminar which would be held on September 22-24, 2000. He noted that Commissioners Byers, Downer, Hall, Kelso and Palatiello were members of the Committee.

//

Chairman Murphy also announced that Mr. Brian George would join the Planning Commission staff on Monday, May 22, 2000 as Chief of the Notification Branch. He noted that Mr. George had previously been employed by Supervisors Michael Frey and Elaine McConnell.

//

FS-VOO-16 - METRICOM, 6911 Richmond Highway

Commissioner Byers MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE DETERMINATION OF THE DEPARTMENT OF PLANNING AND ZONING THAT THE TELECOMMUNICATIONS FACILITY PROPOSED BY METRICOM FOR THE BUILDING DESIGN ASSOCIATION ARCHITECT'S OFFICE BUILDING, LOCATED AT 6911 RICHMOND HIGHWAY, IS IN CONFORMANCE WITH THE RECOMMENDATIONS OF THE COMPREHENSIVE PLAN AND SHOULD BE CONSIDERED A "FEATURE SHOWN" PURSUANT TO SECTION.15.2-2232 OF THE CODE OF VIRGINIA.

Commissioner Kelso seconded the motion which carried unanimously with Commissioner Murphy not present for the vote; Commissioner Alcorn absent from the meeting.

//

FS-Y00-51 - NEXTEL COMMUNICATIONS OF THE MID-ATLANTIC, 4050 Westfax Drive

Commissioner Koch MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE DETERMINATION OF THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND ZONING THAT THE TELECOMMUNICATIONS FACILITY PROPOSED BY NEXTEL COMMUNICATIONS OF THE MID-ATLANTIC, INC., FOR THE HAMPTON INN BUILDING LOCATED AT 4050 WESTFAX DRIVE, IS IN CONFORMANCE WITH THE

RECOMMENDATIONS OF THE COMPREHENSIVE PLAN AND SHOULD BE CONSIDERED A "FEATURE SHOWN" PURSUANT TO SECTION 15.2-2232 OF THE CODE OF VIRGINIA.

Commissioner Hall seconded the motion which carried unanimously with Commissioner Murphy not present for the vote; Commissioner Alcorn absent from the meeting.

//

ORDER OF THE AGENDA

Secretary Harsel set the following order for the agenda items:

1. 2232-D00-12 - BELL ATLANTIC MOBILE, INC.
2. 2232-D00-4 - AT&T WIRELESS SERVICES
3. 2232-B00-8 - AT&T WIRELESS SERVICES

This order was accepted without objection.

//

2232-D00-12 - BELL ATLANTIC MOBILE, INC. - Appl. under provisions of Sects. 15.2-2204 & 15.2-2232 of the Code of Virginia to establish a telecommunications facility, consisting of an 80-ft. tall monopole, panel antennas, & equipment shelter within the VDOT right-of-way near I-495 & Lewinsville Rd. in McLean. Tax Map 29-2. (VDOT right-of-way.) DRANESVILLE DISTRICT. PUBLIC HEARING.

Ms. Pamela Nee, Planning Division (PD), Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. She noted that staff recommended that the Planning Commission find the telecommunications facility and co-located facility to be in substantial accord with the provisions of the adopted Comprehensive Plan.

Frank Stearns, Esquire, with Wilkes, Artis, Hedrick and Lane, stated that the telecommunications industry was rapidly growing and that the subject monopole provided the reliability needed because of its proximity to I-495. He explained that Bell Atlantic had constructed the pole in a public/private partnership with the Virginia Department of Transportation (VDOT). He presented a computer simulation which depicted the coverage area, topography, vegetation buffer, the Virginia Power Company right-of-way, motorists' views, neighborhood views, and proposed landscaping. He discussed alternative sites and explained why they were unsuitable. Mr. Stearns noted that the facility was in conformance with the Comprehensive Plan and requested a favorable recommendation.

Mr. Stearns responded to questions from Commissioner Harsel about access to the site from I-495, screening, and use of the pole by other carriers. He responded to questions from Commissioners Hall, Byers and Palatiello about alternative locations.

Chairman Murphy called the first listed speaker and recited the rules for testimony before the Commission.

Mr. Michael Smoyer, 1335 Timberly Lane, McLean, spoke in opposition to the application. He said the pole would be visible from his home in the winter time and that its close proximity to Lewinsville Road posed a safety hazard.

Mr. Smoyer responded to questions from Commissioner Downer about the maintenance of the landscaping around the monopole, and from Commissioner Smyth about vehicular access to the site.

Mr. John Foust, Esquire, 8345A Greensboro Drive, McLean, a member of the Board of Directors of the Timberly South Homeowners Association, said that he did not agree with staff's evaluation of the subject application and that it did not satisfy the objectives of the Comprehensive Plan. He noted that this monopole had precipitated a suit being filed by the County challenging the location of monopoles on VDOT right-of-way.

Commissioner Palatiello pointed out that the suit referred to by Mr. Foust had been filed to challenge the placement of any monopole in a VDOT right-of-way without being subject to the public hearing process, not just this particular monopole.

In response to a question from Commissioner Palatiello, Mr. David Marshall, PD, DPZ, said that VDOT had a camera on the top of the monopole.

A lengthy discussion by Commission members ensued concerning the present location of the monopole and alternative locations.

Continuing his testimony, Mr. Foust said that the monopole had a severe adverse visual impact on residential neighborhoods and public rights-of-way and that access to the site presented unsafe conditions. He explained that numerous alternative sites were available and should be considered by Bell Atlantic.

Commissioners Hall and Downer discussed the possibility of locating the monopole on the Virginia Power easement.

Mr. Wade Smith, 8010 Birnam Wood Drive, McLean, representing McLean Hamlet Citizens, expressed opposition to the monopole and the ground station because it was visually intrusive and that alternative sites should be investigated by the applicant and staff.

Ms. Adrienne Whyte, 6704 West Falls Way, Falls Church, McLean Citizens Association, said the Association recommended that the application be denied and the monopole facility removed.

Mr. Irwin Auerbach, 8633 Overlook Road, McLean, speaking on behalf of the Lewinsville Coalition, expressed opposition to the subject application and suggested that alternative sites be considered.

In response to a question from Commissioner Hall, Mr. Marshall said that the issue before the Planning Commission was the Bell Atlantic equipment on the monopole, not the pole itself.

Responding to a question from Commissioner Palatiello, Mr. Stearns said that if the Bell Atlantic antenna did not stay on the pole, the ground facility would not be necessary.

There being no further speakers, Chairman Murphy called upon Mr. Stearns for a rebuttal statement.

Mr. Stearns said that the present site came the closest to meeting the objectives of the Comprehensive Plan because it was on public land with established overhead wires and an existing pole. He said the decision was not made arbitrarily or capriciously and that other sites had been rejected because they were not available, required special exception approval or would require a more visible pole. He noted that the applicant had, at its own expense and in a good faith effort to establish a rapport with the community, installed a sprinkler system for its facility which also served the Timberly South development.

Mr. Stearns said that the ground facility could be effectively screened and perhaps the pole could be made less noticeable. He added that the applicant was willing to consider all options available to reduce the visible impact of the site on the surrounding area.

Mr. Stearns responded to a question from Commissioner Smyth about the safest way to access the present site.

Ms. Nee and Mr. Marshall responded to questions from Commissioners Downer and Wilson about the date by which a decision had to be made on the application.

Commissioner Hall suggested that the applicant meet with the community to try to resolve the issues raised tonight.

There were no further comments or questions from the Commission and staff had no closing staff remarks, therefore, Chairman Murphy closed the public hearing and recognized Commissioner Downer for action on this item. (Verbatim excerpts are in the date file.)

//

Commissioner Downer MOVED THE PLANNING COMMISSION DEFER THE DECISION ON 2232-D00-12 TO A DATE CERTAIN OF JULY 13, 2000, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

Commissioners Byers, Hall and Wilson seconded the motion which carried unanimously with Commissioner Alcorn absent from the meeting.

//

The Commission recessed at 10:10 p.m. and reconvened at 10:30 p.m.

//

2232-D00-4 - AT&T WIRELESS SERVICES - Appl. under provisions of Sects. 15.2-2204 & 15.2-2232 of the Code of Virginia to establish a telecommunications facility, consisting of a 130-ft. tall monopole, panel antennas, & an equipment cabinet, located at the crossing of I-495 & the Old Dominion Dr. overpass in McLean. The application also includes co-located telecommunications facilities established by Cellular One, consisting of panel antennas & an equipment shelter, & by Sprint PCS, consisting of panel antennas & equipment cabinets. Tax Map 21-3 pt. (VDOT right-of-way.)
DRANESVILLE DISTRICT. PUBLIC HEARING.

Mr. David Jillson, Planning Division (PD), Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. He noted that staff recommended that the Planning Commission find the telecommunications facility and co-located facility to be in substantial accord with the provisions of the adopted Comprehensive Plan.

Edward Donohue, Esquire, with Cole, Raywid and Braverman, L.L.P., introduced Mr. Christopher Scott, Radio Frequency Engineer, AT&T Wireless Services, who identified the location of the site and said that the facility had substantially increased coverage in the area.

Mr. Donohue stated that AT&T and Sprint had equipment on the subject monopole and was ready for the installation of Cellular One equipment. Addressing alternative locations, he explained that the Virginia Power pole was not sufficiently tall to provide the signal coverage required and that the NVR building did not provide sufficient height to clear the tree line.

In response to a question from Commissioner Wilson, Mr. Donohue said a Virginia Department of Transportation camera was located on the subject pole.

Commissioner Byers noted that Ms. Mary Maycock, 1200 Dominion Court, McLean, had written a letter to Commissioner Downer in which she stated that her property had been used to access the site and that damage to it had occurred. Mr. Donohue said that AT&T had discussed this matter with Ms. Maycock and had entered into an agreement with homeowners in the vicinity which addressed this issue.

In response to a question from Commissioner Downer, Mr. Donohue said that if the application were approved, present and future tenants of the pole would be made aware of the acceptable means of access to the site.

Chairman Murphy called for speakers from the audience.

Ms. Adrienne Whyte, 6704 West Falls Way, Falls Church, McLean Citizens Association, expressed support for this application. She said that she understood that damaged property would be restored.

In response to a question from Commissioner Kelso, Ms. Whyte said the Association was satisfied with all aspects of this application.

Mr. Jillson responded to questions from Commissioner Downer about the possibility of one location serving the needs of both AT&T Wireless and Bell Atlantic Mobile.

There being no further speakers, Chairman Murphy called upon Mr. Donohue for a rebuttal statement.

In response to the question asked by Commissioner Downer, Mr. Donohue said that the Bell Atlantic Mobile site could not adequately serve the needs of AT&T.

There being no further comments or questions from the Commission and no closing staff remarks, Chairman Murphy closed the public hearing and recognized Commissioner Downer for action on this application. (Verbatim excerpts are in the date file.)

//

Commissioner Downer MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY ON 2232-D00-4, AT&T WIRELESS, TO A DATE CERTAIN OF MAY 18, 2000, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Alcorn absent from the meeting.

//

2232-B00-8 - AT&T WIRELESS SERVICES - Appl. under provisions of Sects. 15.2-2204 & 15.2-2232 of the Code of Virginia, to establish a telecommunications facility, consisting of a 100-ft. tall monopole, panel antennas, & equipment shelter, at the Rt. 620 (Braddock Rd.) interchange on I-495. Tax Map 70-4 pt. (VDOT right-of-way.) BRADDOCK DISTRICT. PUBLIC HEARING.

Mr. Michael Hines, Planning Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He noted that staff recommended that the Planning Commission find the telecommunications facility to be in substantial accord with the provisions of the adopted Comprehensive Plan.

Edward Donohue, Esquire, with Cole, Raywid and Braverman, L.L.P., stated that a Virginia Department of Transportation (VDOT) camera was located on the subject monopole. He said the site was surrounded by industrial, office and commercial development and was not readily visible from any residential neighborhood. He said he had contacted citizen groups in the area, but that none desired to meet with him.

Mr. Donohue and Mr. Christopher Scott, Radio Frequency Engineer, AT&T Wireless Services, explained to Commissioners Kelso and Wilson how service vehicles would access the site.

Chairman Murphy called for speakers from the audience, but received no response. He noted that no rebuttal was necessary. There were no further comments or questions from the Commission and no closing staff remarks, therefore Chairman Murphy closed the public hearing and recognized Commissioner Harsel for action on this application. (Verbatim excerpts are in the date file.)

//

Commissioner Harsel MOVED THAT THE PLANNING COMMISSION APPROVE, IN ACCORD WITH SECTION 15.2-2232 OF THE CODE OF VIRGINIA, AS AMENDED, THIS TELECOMMUNICATIONS FACILITY, AN AT&T POLE IN THE RIGHT-OF-WAY OF VDOT, (SINCE IT) DOES MEET THE CHARACTER, EXTENT AND LOCATION (REQUIREMENTS).

Commissioner Byers seconded the motion which carried unanimously with Commissioner Alcorn absent from the meeting.

//

The meeting was adjourned at 11:10 p.m.
Peter F. Murphy, Jr., Chairman
Suzanne F. Harsel, Secretary

For a verbatim record of this meeting, reference may be made to the audio and video recordings which may be found in the Office of the Planning Commission of Fairfax County, Virginia.

Minutes by: Linda B. Rodeffer

Approved on: March 1, 2001

Mary A. Pascoe, Clerk to the
Fairfax County Planning Commission