

ATT&T Tower at Peace Methodist Church

After reviewing on-line documentation, the following is a brief summary of concerns and questions addressed to me and by me.

The first question is about the request itself. The church is situated on a special use land parcel for a church and preschool. Since this request is for a special use permit for the church, why are they not the applicant? If they were, the County could perhaps request maybe a favor, perhaps a donated acre for a small park. Just sayin...

The Department of Conservation and Recreation (DCR) strongly suggested strict conformity to environmental codes and rules to protect the streams and water flow in the area, We would like that spelled out if approved. Ongoing sediment from prior unrelated construction has already caused a lessening in the size of the pond nearby.

Although the location may have minimal visual effect on Historical sites, Salem Church is visible. Monuments on Route 3 are part of the historical appeal of the area and communication towers take away from this drastically. This tower is very near old Plank Road and many artifacts have been found in the area of Maple Grove.

It has been our observation, that Special use permits are usually requested for improvements related to needs of the land owner. It is the opinion of some that this request is for a commercial use of residential property. AT&T pays for a lease to build a facility to rent space to others and charges users for data handling. This is little different than U-Haul/Ryder/Penske sharing a facility for storage rental. Both are commercial projects.

Comments by neighbors on the process followed by the County Planning Staff have been very favorable from a professional viewpoint. However, some questions were raised and the approval was disappointing.

There seems to be little data as to the current and planned number of towers in the County and towers in residential developments. Also, data regarding coverage problems would be useful in determining need. There are surely

County or Regional plans somewhere to address the growing communication needs in our area, especially with the 5G issue looming.

The process of reviewing projects one at a time wastes valuable County Planning talent, especially with the restrictions voiced in the review cycle. It's like approving one telephone pole at a time.

Although there is a restriction on questions based on RF effects of humans, news articles about theories and studies are on peoples' minds. It is not an issue to be openly discuss but it may affect businesses located close to this tower. Parents may decide not to send the kids to daycare or preschools and negatively affect enrollment.

There have also been discussions about property values declining as well. The only information available is conjecture but a tower won't help the home values. The number of home sales and rentals have recently risen, but there are several factors unique to the area that may also be factors. The cut through situation in Maple Grove, the drainage problems in Waverly Village and Governors Green, the expansion of traffic resultant from the buildout of Avalon Woods, etc. are significant. Much like the effect of cell towers on antenna based TV and AM/FM radio, we won't know until we know.

Just a word about the Comprehensive Plan. The Communication towers don't seem to be specifically, directly addressed. The Plan does suggest 30% of land should be open space. We are losing 8+ acres to this project. The phrase "places to work, live, shop and play" is found in the Plan and elsewhere. This tower doesn't fit any of these.

I just have to repeat statements made about the proposed tower by several residents, if only to have them haunt you also. " Everyday I have to see that thing that looks like a fancy toilet brush." "NO", said another, " it's more like a goofy bottle cleaner."

In summary, there is a lot of discussion about the location of this Communication tower and the precedent it will set for future placement in Residential areas.

References:

<https://docs.fcc.gov/public/attachments/FCC-18-133A1.pdf>

<https://statescoop.com/seattle-says-its-preparing-to-sue-fcc-over-5g-order/>

STATEMENT OF FCC COMMISSIONER JESSICA ROSENWORCEL
APPROVING IN PART, DISSENTING IN PART Re: Accelerating
Wireless Broadband Deployment by Removing Barriers to
Infrastructure Investment, WT Docket No. 17-79;
Accelerating Wireline Broadband Deployment by Removing
Barriers to Infrastructure Investment, WC Docket No. 17-84
A few years ago, in a speech at a University of Colorado
event, I called on the Federal Communications Commission
to start a proceeding on wireless infrastructure reform. I
suggested that if we want broad economic growth and
widespread mobile opportunity, we need to avoid
unnecessary delays in the state and local approval
process. That's because they can slow deployment. I
believed that then. I still believe it now. So when the
FCC kicked off a rulemaking on wireless infrastructure
last year, I had hopes. I hoped we could provide a way to
encourage streamlined service deployment nationwide. I
hoped we could acknowledge that we have a long tradition
of local control in this country but also recognize more
uniform policies across the country will help us in the
global race to build the next generation of wireless
service, known as 5G. Above all, I hoped we could speed
infrastructure deployment by recognizing the best way to
do so is to treat cities and states as our partners. In
one respect, today's order is consistent with that vision.
We shorten the time frames permitted under the law for
state and local review of the deployment of small cells—an
essential part of 5G networks. I think this is the right
thing to do because the shot clocks we have now were
designed in an earlier era for much bigger wireless
facilities. At the same time, we retain the right of state
and local authorities to pursue court remedies under
Section 332 of the Communications Act. This strikes an
appropriate balance. I appreciate that my colleagues were
willing to work with me to ensure that localities have

time to update their processes to accommodate these new deadlines and that they are not unfairly prejudiced by incomplete applications. I support this aspect of today's order. But in the remainder of this decision, my hopes did not pan out. Instead of working with our state and local partners to speed the way to 5G deployment, we cut them out. We tell them that going forward Washington will make choices for them—about which fees are permissible and which are not, about what aesthetic choices are viable and which are not, with complete disregard for the fact that these infrastructure decisions do not work the same in New York, New York and New York, Iowa. So it comes down to this: three unelected officials on this dais are telling state and local leaders all across the country what they can and cannot do in their own backyards. This is extraordinary federal overreach. I do not believe the law permits Washington to run roughshod over state and local authority like this and I worry the litigation that follows will only slow our 5G future. For starters, the Tenth Amendment reserves powers to the states that are not expressly granted to the federal government. In other words, the constitution sets up a system of dual sovereignty that informs all of our laws. To this end, Section 253 balances the interests of state and local authorities with this agency's responsibility to expand the reach of communications service. While Section 253(a) is concerned with state and local requirements that may prohibit or effectively prohibit service, Section 253(d) permits preemption only on a case-by-case basis after notice and comment. We do not do that here. Moreover, the assertion that fees above cost or local aesthetic requirements in a single city are tantamount to a service prohibition elsewhere stretches the statute beyond what Congress intended and legal precedent affords.



In its second quarter earnings conference call today, AT&T Chief Financial Officer John Stephens confirmed that the carrier is looking to sell its remaining cell towers in the U.S as well as those in Mexico.

In discussing asset sales, Stephens said, "I think that it's public knowledge that we're out there selling our collections of about 1,300 U.S. cell towers that we still have, we still own. We have a whole collection of approximately 1,000 cell towers in Mexico."

In 2013, AT&T sold 9,100 of its towers to Crown Castle for \$4.85 billion.

It is likely that AT&T will be considering the leaseback rates being offered by suitors.

In 2017, AT&T signed an agreement with Tillman Infrastructure to build hundreds of towers for lease.

At that time, AT&T said the company was focused on creating a diverse community of suppliers and tower companies that embrace a sustainable business model.

To that end, they also announced an agreement with CitySwitch to continue to execute new lease agreements for new cell sites as they grow their network footprint across the nation.

Stevens also said during the call that the company had cut \$6.8 billion from its debt load in Q2, primarily via the sale of its stake in Hulu and a property in New York City.

It ended the quarter with \$157.9 billion in debt remaining and is now looking to eliminate another \$12 billion by the end of the year.

-Wireless ESTIMATOR
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