

BOARD OF ALDERMEN

ITEM NO.: C(2)

AGENDA ITEM ABSTRACT

MEETING DATE: MARCH 21, 2006

TITLE: A MINOR MODIFICATION TO THE TOWN HALL TELECOMMUNICATIONS TOWER CONDITIONAL USE PERMIT- 301 WEST MAIN STREET

DEPARTMENT: PLANNING DEPARTMENT	PUBLIC HEARING: YES __ No <u>X</u>
ATTACHMENTS: A. PLANS B. RESOLUTION C. LETTER CONCERNING ANTENNA INTERFERENCE D. LAND USE PERMIT APPLICATION	FOR INFORMATION CONTACT: JAMES THOMAS- 918-7335

PURPOSE STATEMENT

Clearwire, LLC has applied for a minor modification to the Town Hall Telecommunications Tower located at 301 West Main Street. The Crown Castle Telecommunications Tower was last amended on May 21st, 2002(to allow the installation of an additional antenna to the tower as well as installing equipment within the existing fenced in area). The proposed minor modification consists of adding a new antenna to the tower as well as installing equipment (3 foot x 3 foot pad) within the existing fenced in area at the base of the tower. This co-location is for mobile Internet use and is not associated with cellular phone usage. Per Section 15-176 (15) of the Land Use Ordinance (LUO), additional antenna arrays located on existing towers must be approved through the minor modification process. The town staff recommends that the Board of Aldermen approve the request.

INFORMATION

Clearwire, LLC has applied for a minor modification to the Town Hall Telecommunications Tower located at 301 West Main Street. The proposed minor modification consists of adding a new antenna to the tower as well as installing equipment within the existing fenced in area at the base of the tower. No grading and only minimal site work will be necessary as a result of this proposed minor modification. All work will take place on the tower and inside the existing fenced in area at the base of the tower.

Section 15-176 of the LUO contains certain requirements that pertain to towers, certain requirements that pertain to antennas and certain requirements that pertain to both. Sections 15-176 (3, 4, 5, 6, 10, 12, and 13) of the LUO are specifically applicable to the minor modification request. The applicant has supplied the Zoning Division a letter (**Attachment C**) that satisfies the requirements of Section 15-176. The letter states that the antenna and equipment will not interfere with the use or operation of radios, televisions, telephones, etc. on adjoining or nearby properties. The applicant also states that no commercial advertising will be placed on the tower, no outdoor storage will take place on the site, equipment will be removed if unused for a period of six months or more, and that the site will not be used as an employment area (office) with the exception of periodic maintenance or monitoring.

In order to satisfy the requirements of Section 15-176 (6) of the LUO, the applicant has stated that the amount of EMF produced by the proposed antenna and equipment does not exceed the federally approved

levels. William Joines, the Town's cellular tower consultant, reviewed the proposed co-location and stated that due to the low ground-level radiation that a full review was not necessary.

The information presented on the plans and in the letters demonstrates compliance with the requirements of the LUO for minor modifications to existing towers. As a result, the Administration recommends that the Board of Aldermen approve the minor modification to the Town Hall Telecommunications Tower located at 301 West Main Street to allow Clearwire, LLC to install an antenna on the tower, and to install additional equipment within the fenced in area at the base of the tower.

RECOMMENDATION

The town staff recommends that the Board of Aldermen adopt the attached resolution (**Attachment B**) approving the minor modification to the Town Hall Telecommunications Tower located at 301 West Main Street to allow Clearwire, LLC to install an antenna on the tower, and to install equipment within the existing fenced in area at the base of the tower.