

TOWNSHIP OF LOWER MERION

Building and Planning Committee

Issue Briefing

Topic: AT&T Right of Way antenna waiver request

Prepared By: Robert Duncan, Assistant Township Manager

Date: July 20, 2018

I. Action To Be Considered By The Board:

Consider a request from AT&T to install Wireless Communication Facility antennas mounted to Township street lights in the Township Right of Way at various locations in the Township.

II. Why This Issue Requires Board Consideration:

In June, the Board of Commissioners granted a waiver to allow these antennas in the Right of Way subject to a condition that any installation requiring the replacement of a Township light pole or any installation mounted to a Township light pole be brought back to the Board of Commissioners for approval.

III. Current Policy Or Practice (If Applicable): N/A

IV. Other Relevant Background Information:

The Board's approval of this antenna installation in June included five conditions as listed below. Condition c as amended requires AT&T to come back to the Board for approval of all Township light pole installations, or any other poles without utilities. The five approval conditions are included below.

- a. This approval only applies to antennas and associated equipment being installed on utility poles.
- b. Any replacement of poles must be replaced in kind.
- c. Antennas and associated equipment proposed for installation on light poles or any poles without utilities must be brought back to the Board of Commissioners for approval.
- d. The color of the equipment being installed must be adjusted to blend in with the poles upon which they are located.

- e. The bottom of the shroud must be a minimum of 12 feet above the ground at the base of the pole.

AT&T has submitted a plan to install 9 antennas on utility poles, 9 antennas on Township light poles at various locations in the Township, and one on a Wawa store light pole. It has not been determined yet whether the street light pole installations will require the complete replacement of the existing light poles. AT&T does not perform the structural analysis of the existing street light poles until the final locations have been approved. The structural analysis will determine if the existing poles can be used or whether new poles are required.

If any of these new Township light poles are damaged and require repair or replacement, the agreement with AT&T will be amended to place responsibility for repairs/replacement on AT&T.

The PowerPoint provided by AT&T is attached to this Issue Briefing. Staff has raised the comments/questions below and plans to have these issues resolved prior to the presentation to the Building & Planning Committee on July 25th.

- The accuracy of property addresses provided by AT&T.
- If the City Ave location is located on the Philadelphia side of City Ave, approval will be required from the City of Philadelphia.
- The Township will be installing a sidewalk at the Coulter/Llanfair location so we will need to verify that the pole at this location will not impact the proposed sidewalk.
- The pole at the Wawa on Conshohocken State Road must be located within the public right of way, which is 10' inside the curb line. This type of antenna is only permitted within the right of way, or outside the right of way if mounted to a building taller than 35'. We have asked AT&T to verify whether this pole can be installed within the right of way.

V. Impact On Township Finances:

These antennas will result in an increase in revenue to the Township in accordance with the Township's antenna permit fee provisions. The actual permit revenue will depend on the total number of antennas to be installed.

VI. Staff Recommendation:

Staff recommends the Board of Commissioners approve the light pole locations subject to AT&T agreeing to take responsibility for repairs or replacement of these light poles if they are damaged or require replacement. This recommendation for approval is also subject to the Township Solicitor's approval of the agreement between the Township and AT&T.