

**Leeway Overlee Civic Association
Minutes of General Membership Meeting
Thursday, June 25, 2009 at Lee Center**

Reports

1. Civic Association President Jenni Michener called the meeting to order at 7:30 p.m. and invited Treasurer Carolyn Connell to report on Civic Association funds. The Civic Association had a decrease in net assets of \$62.75 to \$4,049.37 as of 6/25/09, reflecting \$718 in income (\$513 yard sale receipts, \$205 membership dues) and expenses of \$780.75 (\$455 in yard sale expenses, \$225.75 newsletter printing, and \$100 donation to Yorktown HS senior class boat party). The assets include a certificate of deposit of \$3,026.79 and checking account balance of \$1,022.58. CA Secretary Ladd Connell then summarized minutes of the April 16 meeting, at which residents learned about Arlington's new commingled recycling and decided on ranking of Neighborhood Conservation [sidewalk] projects, with Nottingham St. (between Lee Highway and 22nd St.) first, following the anticipated funding of the final piece (Powhatan to Quantico) of the 22nd St. project, and Illinois (Lee Highway to 22nd St.) and 24th (from Kensington to Illinois) Streets second.

Civic Association Elections; New Business

2. The Nominating Committee (Chips Johnson and Amy Appelbaum) proposed as candidates Jennifer Michener for President; Pierre Boyer, Vice President; Ladd Connell, Secretary; Karla Brown, Treasurer; Robert Swennes, Neighborhood Conservation Advisory Committee (NCAC) representative; Michael O'Connor, NCAC alternate; Jerry Auten and Ed Robinson, Arlington County Civic Federation (ACCF) delegates; Vicki Howard, Suzanne Kray-Idziak, Robert Swennes, and Ladd Connell, ACCF alternates. The Civic Association President and Vice President are ACCF full delegates *ex officio*. Other nominations were solicited, but none received, and the slate was elected by acclamation.

3. Ms. Michener invited reports on new business. Suzanne Kray-Idziak raised a concern over the County's use of motorized street sweepers on streets where cars are parked, e.g. Patrick Henry Blvd. This seemed a waste since they couldn't get to the curb, unless parking rules to eliminate street parking on certain days were implemented and enforced. Other residents agreed that this was not the most effective use of the sweepers, but also did not feel this was a problem for the neighborhood, or that they would want to restrict parking hours on their streets.

Invited Speakers: AT&T Tower

3. Ms. Michener then offered the floor to the invited speakers so that they could address concerns about the telecommunications tower on the former AT&T property between Lee Highway and 22nd St., just east of Harrison St. Jimmy Audia, principal of Crest Development LLC, which has a County-approved subdivision plan to build 16 houses on the site, spoke first. He noted that infrastructure, including the extension of N. Greenbrier St., was 98% complete. There remained trees to put in [to compensate for those lost in preparing the site]. Concerning the

tower, there were a lot of issues. The immediate concern was the environmental hazard posed by its shedding paint. This had been stopped, and the soils tested around the tower revealed normal levels of minerals and compounds. The remediation work had been quick and professional, and he was now satisfied with the halt of the flaking, the new paint, and the soils. As the owner of the tower land, he had separate disputes on the tower lease, for which they were in mediation.

4. Representing American Tower Management (AT), its Senior VP/Associate General Counsel and Chief Compliance Officer, Anthony Lev spoke next. AT, a publicly held company headquartered in Boston, owns/leases and operates over 23,000 wireless and broadcast communications sites. The tower here serves three of the four major cell/telephone operators, television, and WAVA. Lev stated that AT had made a concerted effort over the last 6-8 months to address issues reported with the tower. Efforts began last fall to find a contractor qualified to do the work; however, the painting can only be done in warm weather. Preliminary reports since the painting is that lead levels are close to zero or baseline for natural soils.

5. To describe the work, Lev turned to Doug Sawyers, an environmental consultant licensed in building, civil and environmental engineering who AT hired to direct and oversee the painting. To ensure the work was done safely, the painters covered the tower with a shroud, and collected and removed paint chips, starting at the top. They then applied two products: 1) primer specifically designed for adhesion to exterior metal; and 2) industrial grade long-term anti-corrosion paint. This paint does contain low levels of lead (less than 1% by weight), but is standard for industrial use. They expected to finish within a week except for touch-ups.

6. The floor was opened to questions. Concerning the tower's creaking, Lev noted that AT does periodic (independent, third party) structural analysis of all its towers: the last for this one was in 2007; the next will be scheduled fairly soon. Such towers are designed (like tall buildings) to have some sway. The support system extends to massive footers/ caissons underground. The only towers that have fallen have been those in the path of Hurricane Katrina. Noise could also come from attached components. Cell phone companies often move their antennas if a better spot on the tower becomes available (i.e. when another telecom tenant leaves).

7. Concerning AT's maintenance of the tower, Lev noted that AT bought the tower in 2000. The 2007 inspection found that the paint was in fair condition; AT was not aware of any deficiency before last fall. Since then, they had been working to correct it. No other work is being done on the tower except for tenant equipment changes. The tower is still expected to have a long life; the structural inspection did not reveal any needs. AT also does quarterly site inspections, primarily to check lighting (that prevents aircraft crashing into towers). If lights go out, they have an electronic system for notification and notify the FAA. A resident noted that

he had seen mid-level lights out for extended periods. Lev offered his business card and asked that he be notified if that was the case.

8. A resident noted the paint was already in bad shape (rusted, bubbled) in 2006-07; why had it taken a lawsuit to bring action? And, given AT's ownership of 20,000+ towers, why was it difficult to find a contractor? Lev noted that AT's actions were based on the inspection report, which hadn't identified an immediate need in 2007. As for contractors, they do not keep any as direct staff because the needs for service vary and are intermittent. For example, they may use separate contractors to remove/dispose of and to apply paint. But it was noted that they have hundreds of towers in this region alone.

9. A resident suggested that AT work with the County to review the tower's use permit to allow more local oversight and to provide an effective 24-hour call-in line, not just a remote call center. Melinda Artman, Arlington's Zoning Administrator¹, replied that the County doesn't have the ability to monitor the tower's maintenance. Residents noted, however, that concerns about the tower a few blocks down Harrison St. had received much more County attention. Could recommendations in AT's inspection report become conditions of AT's use permit? Artman replied that the use permit pre-dated/did not include the requirement for periodic review. The County did not have a process for adding such conditions. Residents expressed concern that this did not leave them with support or options if there were problems.

10. Residents asked about the remaining term of AT's lease and whether the tower might adopt the conditions that other local towers have had to fulfill—for example, removal of dormant equipment within 90 days, a lightning rod, brick rather than razor wire fencing. Lev noted that security was needed because of the high value of tenants' communications equipment. The remaining lease term is 15-20 years. He added that AT complied with all zoning and use permit conditions, would like to be a good neighbor, and could do landscaping, if that was needed. In view of time, the invited speakers then departed.

¹ The Zoning Administration is part of Arlington's Department Of Community Planning, Housing And Development, 2100 Clarendon Blvd, Suite 1000, Arlington, VA 22201; Tel: 703.228.3883, Fax: 703.228.3896. Artman, a certified Zoning Administrator of Virginia's Association of Zoning Officials, became Arlington's in June 2008. From 1997-2008, she worked for Loudoun County, most recently as Zoning Administrator. From 1988 to 1997, she worked for Fairfax County, in the Office of Comprehensive Planning, leaving as deputy zoning administrator for the Zoning Permit Review Branch. From 1986 to 1988, Artman worked as a senior planner in the Department of Planning and Community Development for the City of Alexandria. Artman has a master's degree in City and Regional Planning from Rutgers University and a B.A. in geography from State University of New York in Albany, N.Y.

East Falls Church Re-Development

11. Ms. Michener invited Jerry Auten and Bob Moore to update residents on work of the East Falls Church Re-Development Task Force, meetings of which they have been monitoring and (to the extent allowed) participating on behalf the Civic Association. They provided copies of the drawings of proposed development of the EFC park-and-ride lot, which include buildings of 4-5 stories along Sycamore St. and Washington Blvd.(with 40-50,000 s.f. of retail), underground parking (for residents, not commuters), open public space (0.9 acre) mid-block, and a 10-12 story tower on the back side nearest the Metro. There would also be 8-10 story buildings on the Falls Church side of the EFC station. At the same time, VDOT is planning to add a third westbound lane on I-66 between Ballston and Sycamore St. The big issue for the neighborhood is the scale of the physical development, for which the retail alone would exceed that at Westover, including, for example, 12 shops or restaurants.² The General Land Use Plan (GLUP) would be revised from a current Floor-to-Area Ratio (FAR) of 1.5 to 2, not counting the extra density that can be achieved by using a green roof or including “affordable housing” units.

12. Residents commented that it does make sense to develop around the Metro station, noting Arlington’s success with development corridors, but expressed concerns about lack of parking, overflow into the neighborhood of new traffic, and aesthetic/ visual aspects of the development, i.e. planting of trees, etc. It was noted that park-and-ride spots will be completely eliminated under the draft plan. Mr. Moore underscored that amenities such as the open plaza and a western entrance to the Metro station that increase project costs mean that the scale of development will be increased to pay for them. Mr. Auten noted that while the re-development plan currently stops at Sycamore on the west side, it was expected that Lee Highway running east would be put forward for re-development afterwards. Residents suggested that there should be a survey to see what the community wanted, as had been done for the re-development of Reed School and Westover library. Mr. Auten noted that the task force chair, Mike Nardolilli, had stated “I write the report.”

13. The meeting concluded at 9:55 p.m.

--Submitted by Ladd Connell, Secretary

² As background, readers should be advised that a change in the General Land Use Plan (GLUP) does not get down to the level of deciding exactly what types of businesses will, in fact, be based in the property as developed. The task force's results will probably trigger a change in the GLUP designation for the property under study. Once approved, that GLUP change will set the stage for developers to come in over the next several years and propose specific construction projects at a higher zoning density than presently exists. But the new zoning sought would be compatible with the new GLUP levels. Only after a particular site plan is approved by the County Board would the developer then turn to advertising for actual retail tenants to move in once the construction is completed.