

**CITY OF DOVER**  
**HISTORIC DISTRICT COMMISSION**  
**August 15, 2019**

The Regular Meeting of the City of Dover Historic District Commission was held on Thursday, August 15, 2019 at 3:30 PM with Chairperson Mr. McDaniel presiding. Members present were Mr. McDaniel and Mr. Street. Ms. Horsey, Mr. Czerwinski, and Ms. Mason were absent. Planning Office Staff members present were Mrs. Melson-Williams, Mr. Hugg and Mrs. Purnell.

With only two members present, there was not quorum to conduct business. All business items (Agenda, Minutes, Communications & Reports, and New Business items) and reports were deferred until the next meeting of the Historic District Commission. However, the members in attendance heard the informational Presentation on Small-Cell Wireless Installations. A summary this presentation and the question/answer discussion is provided below.

**Presentation on Small-Cell Wireless Installations**

Presentation entitled “Small Cell Wireless Update” by Jim Robinson the City of Dover Electric Director using a PowerPoint Presentation and including handouts of the slides.

Since his hire about a year ago, Mr. Robinson has become involved in the topic of small-cell wireless. Today he will present an overview of this Small-Cell Wireless topic from the City perspective noting the Federal government has already weighed-in on this. We have two major carriers that are working with us to put installation locations in the City. In responding to Mr. Daniel’s question, this involves the major carriers of Verizon and AT&T.

An overview notes that wireless technology is evolving and drive by the Internet of Things (IoT); everyone has (or is governed by) a cellular device and results in pressure on the providers in terms of volume and capacity. We are in 4G LTE and 5G is coming. The potential roll out of 5G technology is forcing cities to look at this. The FCC (Federal Communications Commission) has established special rules on “small-cell wireless” that make it very easy for the providers to install them.

There is a difference in macro style (the big-towers, antennas on water tanks) vs. small cell. Small cell frequencies need installations to be closer together like 300-400 feet apart. The Federal Rules have set up “shot clocks” for approval actions in 60-90 days upon application, definitions, limits on application fees, and limits on requirements.

Responding to Mr. Street question about who makes the application, Mr. Robinson indicated that the carrier would make application to the municipality. Mr. McDaniel questioned how the City or Historic District Commission might be involved. Mr. Robinson notes that is part of the reason that they are focusing on this to help field questions and get the story out there before they are installed, and also to what we are thinking.

The FCC has established rules and the one most interest to the Historic District Commission would be the about aesthetic items. The Federal rules limits allowable local aesthetic requirements. The City can set requirements that are “(1) reasonable, (2) no more burdensome than those applied to other types of infrastructure deployments, and (3) published in advance.”

State laws enacted in 2017 that apply to small-cell wireless facilities within the State's rights-of-way. This makes the DeIDOT rights-of-way available for placement; there is a State application process. And there are a number of DeIDOT rights-of-way in the City. The carrier has to apply to the State and the City.

The City's Electric Department has 17,000+ poles (light poles and utility poles) where we can encourage placement on existing poles. Most poles are the City and the wires may be ours or others. They have done with Verizon and DeIDOT site walk-thru visits of potential sites. DeIDOT safety concerns were noted but the City will be able to deal with aesthetic issues.

Included in the Presentation were examples of existing poles and a proposed installation (photo mock-ups). They have been working with Verizon for potential sites and are trying to be sensitive to Historic District concerns. The proposed devices would replace the ornamental/decorative light pole and consist of a pedestal base, the pole with light fixture, and then the antenna. The images are examples of placement for a decorative pole and on page 9, an example with a cobra-head light.

Mr. McDaniel questioned who pays for this installation/pole replacement. Mr. Robinson responded that it is the carrier. The carrier would have to "make ready" the pole which could mean replacement of the pole. The City has been very clear about our primary lines (high voltage) in that no placements could be made on them due to power space/power zones issues. In another example, a box and antenna places on an existing utility pole.

Mr. Robinson stated that Verizon is has been very willing to work with us. They are hoping to have pre-determined formats and permit acceptable devices for certain areas. Then they can make their placements requests for review in a permitting process. The units would not be metered; electric billing would occur based on electric usage reported. There will be a Pilot Program of 6 sites for each carrier to learn about how to permit, to help design the format, and to identify issues; it is a learning process for all. This process also includes a need for a fiber network which has its own issues to sort through. Most of the City involvement will likely be through the Electric Department with minor Planning Department involvement; there is the Electric Department's pole attachment agreement process. A key question has been dealing with the regulatory authority in the right-of-way and zoning.

Mr. Hugg noted that originally, they were working on developing an ordinance was creating very complicated (60 pages+ regulations) around the Federal regulations; but realized it probably wouldn't work. But we are rethinking the process more straight-forward and get a better understanding especially in the Downtown area and perhaps have "pre-approved" devices. Mr. McDaniel questioned if each carrier would have their 'own' versions and how do you make it look "historic." Mr. McDaniel and Mr. Street concurred that the design concept for the black pole with base and upper antenna attachment seemed to fit in the Historic District. Ideas are to continue to have a black pole and match the lighting fixture.

In response, Mrs. Melson-Williams noted that these proposals are in the right-of-way which is one of the issue Planning Staff was trying to deal with on how to apply any regulations and process. It is part of the larger character of the Historic District and they are on the right track with the all

black color and maintaining the look of the light fixture, but a concern would be all light fixtures they all looked this way. Mr. McDaniel noted that it appears you have it have a box on the bottom and something on top to transmit; and black is a good color. Mr. Street noted that consistency is a key item. There are also the large DelDOT black decorative Traffic Light Poles as an option. There is also a question of changes as technology change. Mrs. Melson-Williams noted that there are concerns about the green “gas-light” style light poles (areas of The Green and part of South State Street) where attachment may not be recommended.

The other question is about the placement of these on private property as the carrier would have to work with the private property owner; what is the process for that and how is the City involved? Mr. Street noted that these are things to considered about installation on private property like if it’s placed as a parking light pole. Mr. Hugg notes that the zoning related question is if the installation is a streetlight pole (small-cell) versus a tower installation (small-cell vs. macro).

In response to Mr. McDaniel’s question of why so many, Mr. Robinson stated that it is related to the proximity needed frequency and space. Mr. Street questioned if they are also thinking about other infrastructure planning needs (roads, utilities, etc.) with this project. Mr. Robinson noted that they are thinking about what may happen in the future related to infrastructure, poles, etc.

Mr. McDaniel thanked him for the informational presentation noting that the proposed designs looked acceptable. Mr. Robinson noted that there are ‘ugly’ concepts out there too, but the City has an opportunity to be involved. In responding to a question about timeframe, Mr. Robinson noted that a MOU (Memorandum of Understanding) will be developed and hopefully installations associated for the Pilot Program can happen in the next few months. They also want to get the information out to the public for better understanding.

### **Meeting Agenda Items**

Going back to the regular Agenda Items. The highlights of the Meeting Packet were noted since everyone received it. The action on the Minutes was deferred. There is the Summary of Applications and Architectural Review Certification Reviews (Permits tracking) year-to-date is 15 permits in Historic District area and most were approved by Planning Staff. The Historic District Commission was involved in the Governors Café Kitchen Expansion project. Work on it has not started, as they appear to be working through ABC licensing (alcohol) for the expansion. No Permits were referred to the Commission today.

For the Certified Local Government Grant, the packet included the Report #3 (thru May 2019) on FFY2018. We had the Historic District Workshop in June with about half dozen in attendance, but we do have the outreach handout materials from the event for future use. Grant reporting for FFY2018 Grant is to be completed in the upcoming weeks including Final Report and financial information. Also provided is the FFY2019 CLG Grant Application submission with the Cover Letter and Project Narrative. The grant proposal is to go back to work on the Addendum to the *Design Standards & Guidelines* document using consultant services. Responding to questions on the grant monies, Mrs. Melson-Williams reported on eligibility for \$9,238 with a minimum required match of \$6,159; but we have more than required match as the approved Budget Line has \$10,000 on City side. We will be looking to do the RFP for consultant services this Fall. We have not officially heard its status.

For an update on Comprehensive Plan Project activities, on August 14, 2019 we released to Staff (City Department Heads) a Staff DRAFT #1 for internal review. We are looking to be out with a public Draft in the next month-and-a-half; we have to file for PLUS review by October 1<sup>st</sup>. As it came together, its looks like we actually have a good document to start from.

Responding to Mr. McDaniel question on staff level, it is one less with departure of Eddie Diaz, a Planner to a new position in Prince Georges County, MD. We will be advertising the position. Remaining Staff is working to fill the gaps and manage workload.

Meeting adjourned at 4:30 PM.

Summary prepared by: Dawn Melson-Williams  
For Maretta Purnell, Secretary