



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

April 15, 2002

S. Leonard Rottman
Adelberg, Rudow, Dorf & Hendler, LLC
600 Mercantile Bank & Trust Building
2 Hopkins Plaza, Baltimore, MD 21201

Dear Mr. Rottman,

RE: 40 South Dundalk Street Telecommunication Facility
Spirit and Intent Case No. 96-446-X, 12th Election District

Your letter addressed to Mr. Jablon, dated April 5, 2002 has been referred to me for reply. After careful review of the materials included with the letter and the zoning records for this property the following has been determined.

The proposed additional equipment cabinet is considered to be within the "spirit and intent" of Zoning Case No. 96-446-X. You must sticky-back a copy of this letter on all plans submitted to Baltimore County for permit approval.

Please prepare and submit to this office an amended version of the site plan submitted in Zoning Case No. 96-446-X clearly showing the addition and other collateral changes, including a signature block titled:

APPROVED AS BEING WITHIN THE SPIRIT AND INTENT OF THE
PLAN AND ORDER IN ZONING CASE No. 96-446-X

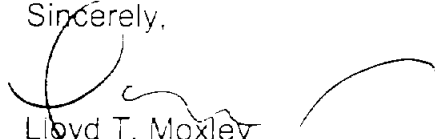
Signed By _____

Date _____

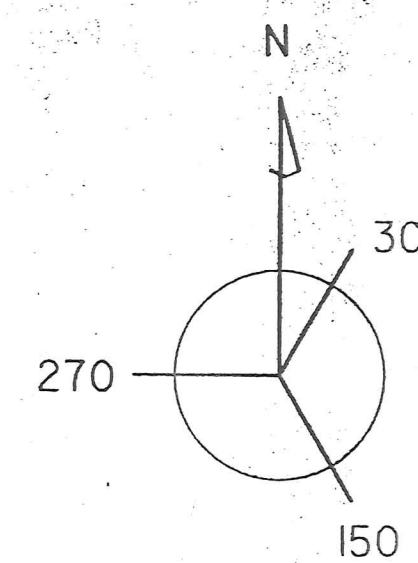
This amended plan will be included in the zoning case file.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,


Lloyd T. Moxley
Planner II, Zoning Review

LTM



DISTRICT COURT
100 CENTER PLACE

CENTER PLACE

38 S. DUNDALK AVENUE
LOUIS L. DE PAZZO & IRENE C.
DEED/REF. 6163/195
TAX. ACCT. NO. 1207058321

EXIST. 2 STY.
COMMERCIAL
OFFICES

SECTOR A
30 DEGREES

EXISTING MACADAM PARKING

EXISTING PENTHOUSE
HATCHWAY

NEW VERTICAL
CABLE RUN

EXISTING
ROOF
MOUNTED
EQUIPMENT

EXISTING PENTHOUSE

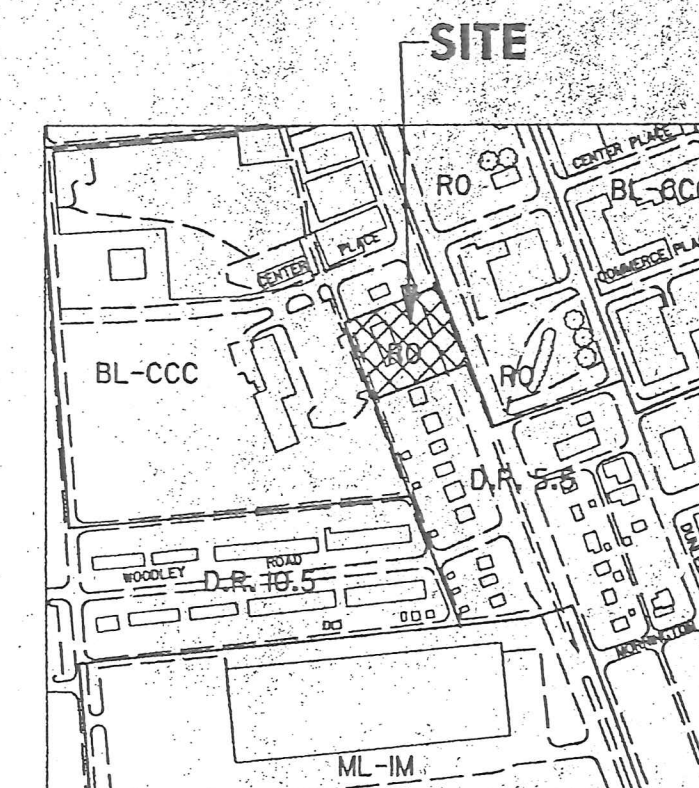
EXISTING PIPE VENTS

SECTOR B
150 DEGREES

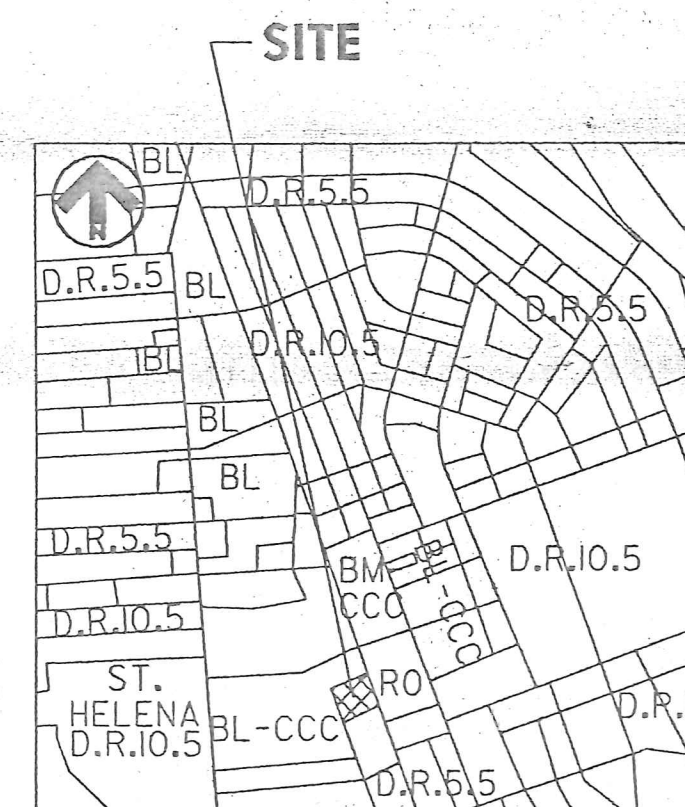
EXIST. 2 STY.
RESIDENCE

48 S. DUNDALK AVENUE
AUGUSTINE L. LEVERO
DEED/REF. 8374/79
TAX ACCT. NO. 1201069121

EXIST. U.S. POST OFFICE



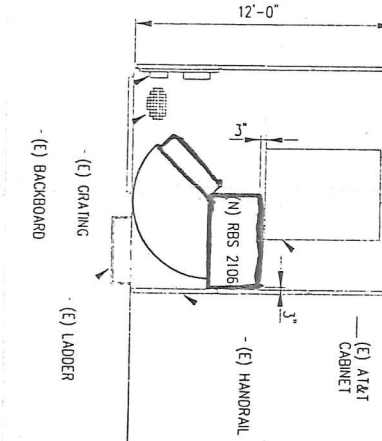
PORTION OF 200' SCALE BALTIMORE COUNTY
ZONING MAP S.E. 4-E



PORTION OF 1000' SCALE BALTIMORE COUNTY
ZONING MAP G-2, 4-E

SCOPE OF WORK
(Amendments)

Place a new RBS 2106 cabinet on the existing
12' x 10' Grated platform.



"APPROVED AS BEING WITHIN THE SPIRIT AND INTENT
OF THE PLAN AND ORDER IN ZONING CASE NO. 96-446-X
Signed by: *[Signature]* Date: *[Signature]*

NOTES:

- Current owner and street address:
Dundalk Professional Center, Inc.
6610 Holabird Avenue
Baltimore, MD 21224
- Contract lessee/
Petitioner: AT&T Wireless Services, Inc.
8403 Colesville Road, 10th Floor
Silver Spring, MD 20910
- Site area: .54 acres
- Existing use: Office Building
- Street Address: Dundalk Professional Center
40 S. Dundalk Avenue
Baltimore, MD 21222
- Site data: Tax map 103, grid 21, parcel 502
Deed Reference No.: 5382/238
Tax Account No.: 1204077770
Zoning: R0
Election District: 12
- The proposed wireless transmitting and receiving facility will consist of (3) 5-1/2' high x 5-1/2' wide pole mounted panel antennas attached to the existing penthouse, (3) 5-1/2' x 5-1/2' wide skid mounted antennas located at the main building roof, and (2) equipment cabinets (if future) measuring 5'-0" wide x 6'-11-1/2" high x 3'-6" deep, installed on a new platform on the main building roof.
- Setbacks:
Non-residential principal structure in a D.R.16 zone pursuant to Paragraph 1B01.2.C.1.a

	Required to wireless trans. & rec. facility	Provided to wireless trans. & rec. facility
Front:	30'	49.22' +/-
Side (north):	25'	44.16' +/-
Side (south):	25'	41.63' +/-
Rear:	30'	58.9' +/-

Existing maximum height of building = 78' +/-
Proposed maximum height = 82.5' +/-

- No new or additional water or sanitary utilities are required for the proposed wireless transmitting and receiving facility.
- Environmental protection agency standards and guidelines relating to radiation emissions shall be met at all times.
- This site was the subject of Zoning Reclassification, Case Number 71-235, which requested a variance from Section 413.1a to allow signs of 40 square feet instead of the allowable 1 square foot. On March 22, 1971, the Zoning Commissioner granted the request.
- This site was also the subject of a petition to reclassify the property from R-6 to R-A (Case Number 67-185) because of an error in the original Land Use Map of the 12th Election District of Baltimore County, change in neighborhood since adoption of the 12th District Land Map. On March 30, 1967 the Zoning Commissioner granted this request.

- There are no signs proposed for this facility.
- No lights are proposed for the wireless transmitting and receiving facility.
- Previous Commercial Permits:
B-141173 - Sign Permit
E-148252 - Electrical Permit
- Amenity open space: N/A
- Parking: Existing Spaces: 49 +/-
Proposed New Spaces: 0
- The proposed wireless transmitting and receiving facilities will not block or affect any existing parking spaces.
- When the use is terminated, the structure shall be removed.
- An environmental impact statement, as defined in Section 101 of the Baltimore County Zoning Ordinance shall be submitted to the Zoning Commissioner.
- The information and boundary location shown hereon is taken from a site plan, as obtained from Zoning Office of Baltimore County and is assumed to be accurate.

REQUESTED ZONING ACTION

Special Exception pursuant to Baltimore County Zoning Regulations (BCZR) Paragraph 1B01.1.C.20 to permit a wireless transmitting and receiving facility in D.R.16 zone.

(Pursuant to Paragraph 502.7.D.1 the site is exempt from subparagraphs 502.7C.1, 2, 3, 4 and 5 of the BCZR).

ENGR/ARCH. DESIGN BY DRAWN BY CHECK BY DATE	DRAWING INTENT IS TO INDICATE GENERAL ARRANGEMENT, DESIGN AND INTENT OF WORK AND IS PARTLY DIAGRAMMATIC. DRAWING SHALL NOT BE SCALED. ©Buchart-Horn, Inc.	REVISIONS			
		NO.	DESCRIPTION	BY	DATE
			ZONING SUBMITAL		04/16/98



Engineers, Architects and Planners

AT&T WIRELESS SERVICE
PROPOSED EQUIPMENT LOCATION
SITE NUMBER: B015.2
SITE NAME: DUNDALK PROFESSIONAL CENTER
SITE ADDRESS: 40 S. DUNDALK AVENUE
BALTIMORE, MD. 21222

SITE PLAN

DRAWING NO.

1

SHEET NO.

1 OF 2

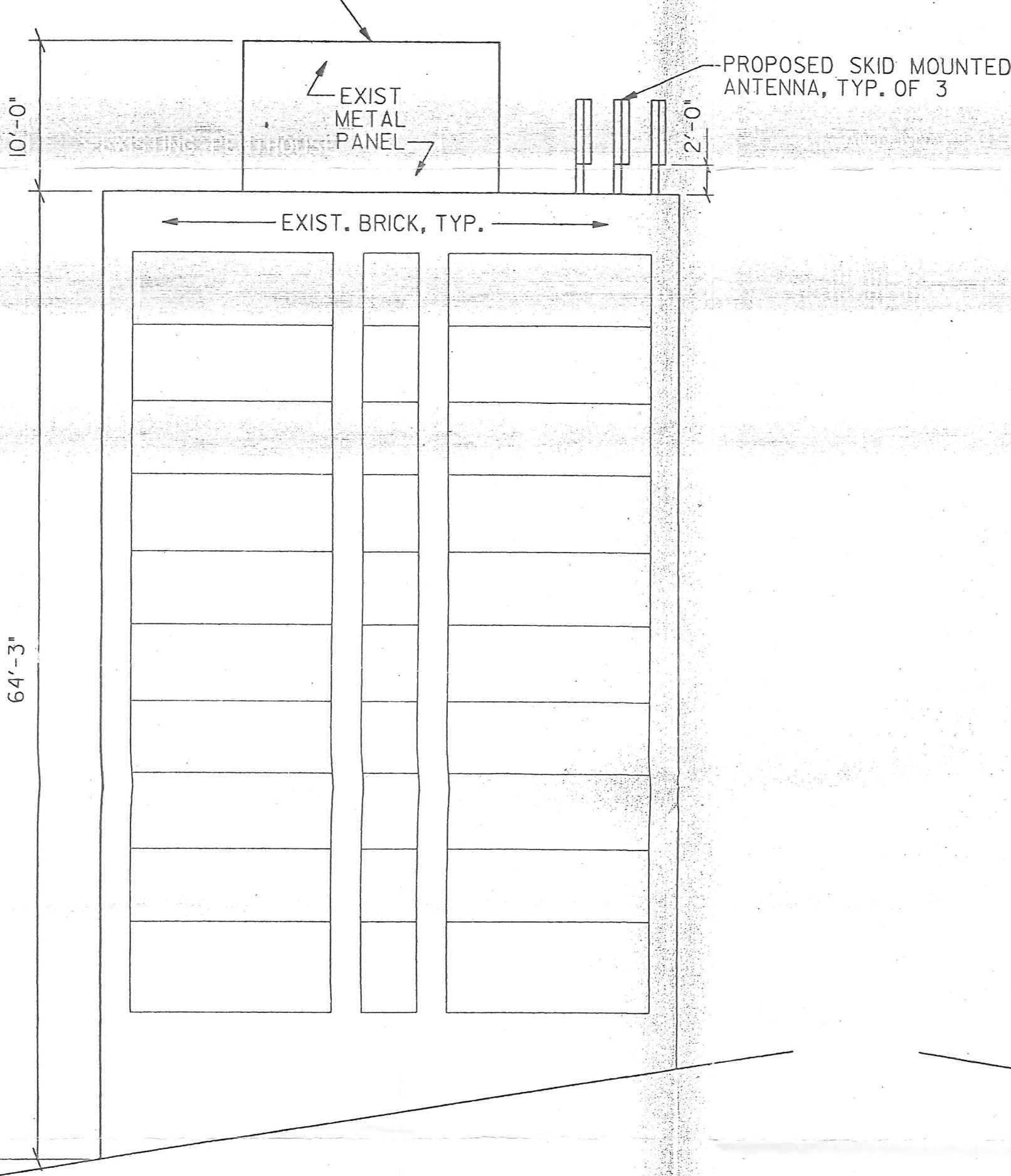
PROJECT NO.

71936

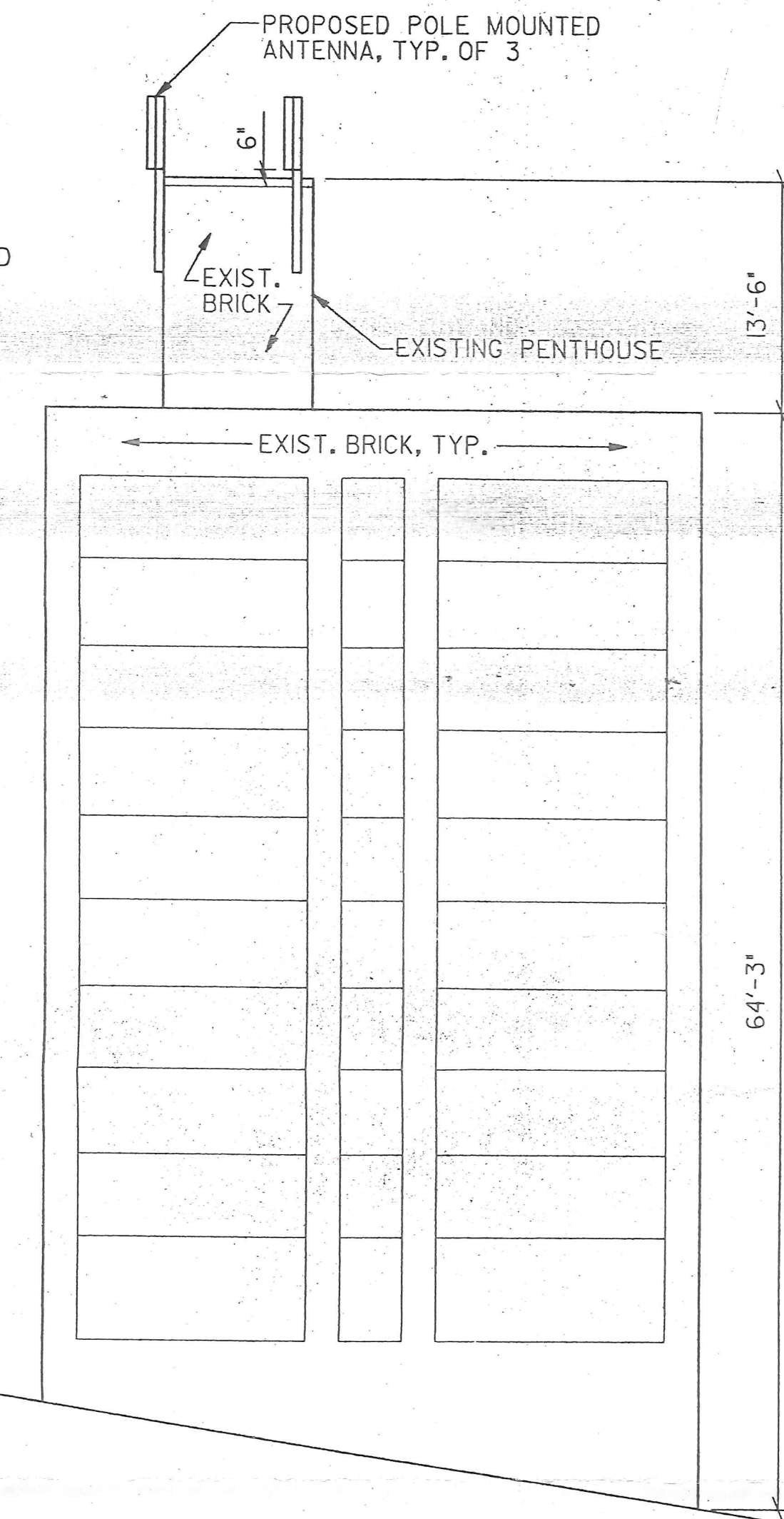
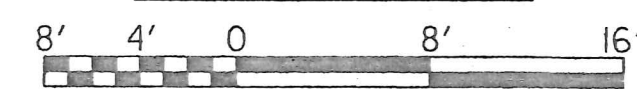
1996-0446-X

SECTOR A

SECTOR B



SOUTH ELEVATION

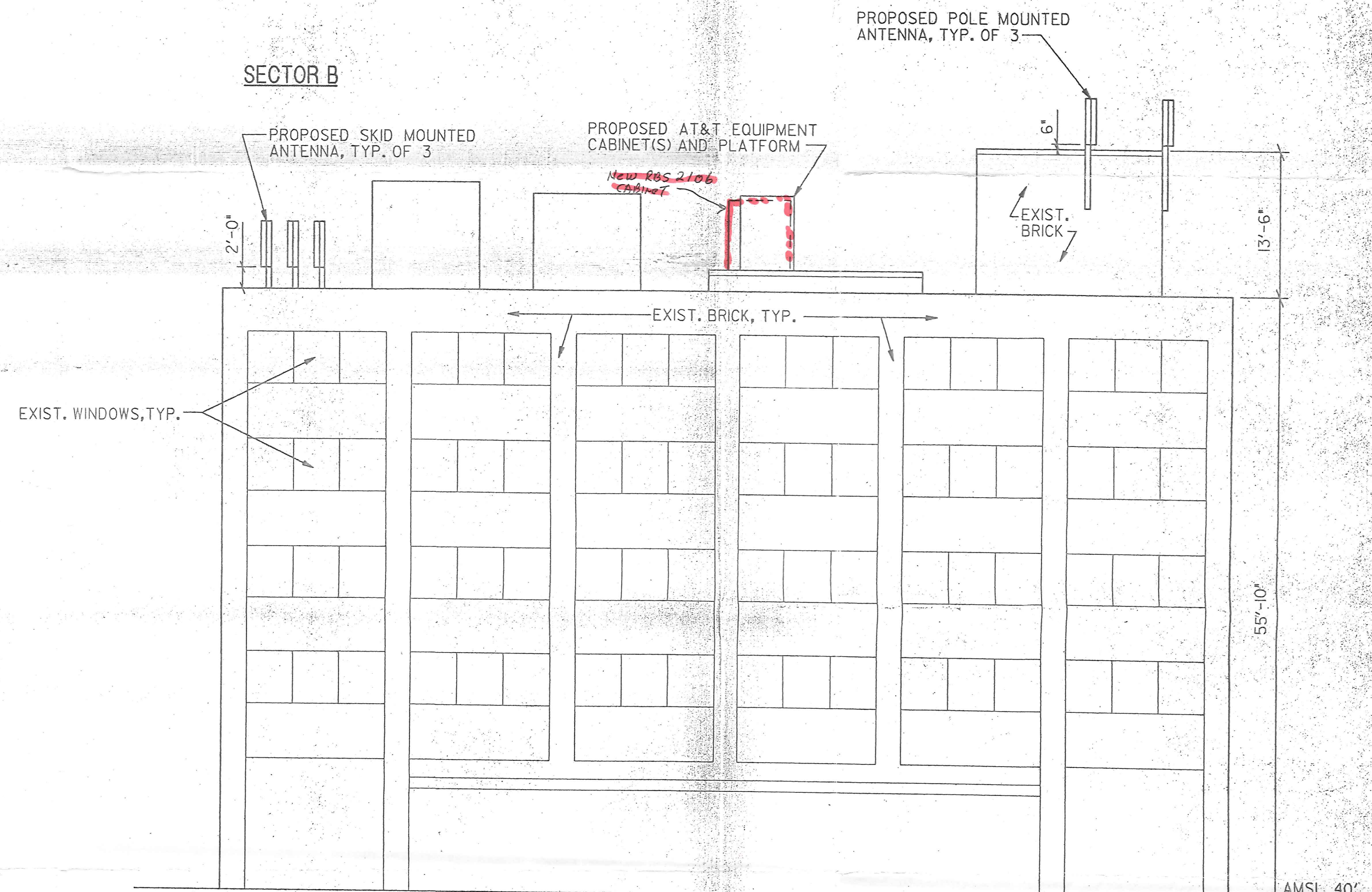


NORTH ELEVATION



SECTOR B

SECTOR A



EAST ELEVATION



REVISIONS				
NO.	DESCRIPTION	BY	DATE	
1	ZONING SUBMITAL		04/16/98	

BUCHART HORN, INC.
Engineers, Architects and Planners

AT&T WIRELESS SERVICE
PROPOSED EQUIPMENT LOCATION
SITE NUMBER: BO15.2
SITE NAME: DUNDALK PROFESSIONAL CENTER
SITE ADDRESS: 40 S. DUNDALK AVENUE
BALTIMORE, MD. 21222

BUILDING ELEVATIONS

DRAWING NO.	2
SHEET NO.	2 OF 2
PROJECT NO.	71936

1996-0446-X

IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
W/S Dundalk Avenue, 100' S of the
c/l of Center Place * DEPUTY ZONING COMMISSIONER
(40 S. Dundalk Avenue)
12th Election District * OF BALTIMORE COUNTY
7th Councilmanic District * Case No. 96-446-X
Dundalk Professional Center, Inc. - Owners;
AT & T Wireless Services - Contract Purchaser/Lessee

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Exception for that property known as 40 South Dundalk Avenue, located in the vicinity of Center Place in Dundalk. The Petition was filed by the owner of the property, Dundalk Professional Center, Inc., by Deborah S. Torre, and the Contract Purchaser/Lessee, AT & T Wireless Services, by Frances Kingsbury, through their attorney, Paul A. Dorf, Esquire. The Petitioners seek approval to establish a rooftop wireless communications radio link (base station) and an electronic control cabinet atop the existing building on the subject property. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Leonard Rottman, Esquire, and Khua Khuu, Radio Frequency Engineer with AT & T Wireless Services, Contract Purchaser/Lessee, and Joseph C. Kokosinski, a representative with D. Garvey Corporation. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of .54 acres, more or less, zoned R.O., and is improved with an office building housing the Dundalk Professional Center. The Petitioners have entered into an agreement to allow AT & T Wireless Services to erect

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

a wireless transmitting and receiving facility and related equipment atop the subject building for the purpose of completing their digital wireless communications network in this area. The Petitioners submitted as Petitioner's Exhibit 1, a site plan of the property, depicting the subject building and the proposed equipment. Furthermore, an Environmental Impact Statement prepared by Daft-McCune-Walker, Inc., was submitted and accepted into evidence as Petitioner's Exhibit 2.

It is clear that the B.C.Z.R. permits the use proposed in an R.O. zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

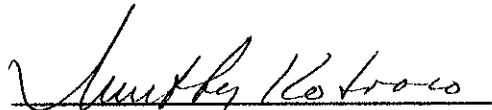
COPIES RECEIVED FOR FILING
Date 6/21/86
By JPB

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special exception should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 21st day of June, 1996 that the Petition for Special Exception to establish a rooftop wireless communications radio link (base station) and an electronic control cabinet atop the existing building on the subject property, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED.

TMK:bjs


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING

Date 6/21/96

By [Signature]

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Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

June 21, 1996

Paul A. Dorf, Esquire
600 Mercantile Bank & Trust Building
Baltimore, Maryland 21201

RE: PETITION FOR SPECIAL EXCEPTION
W/S Dundalk Avenue, 100' S of the c/l of Center Place
(40 S. Dundalk Avenue)
12th Election District - 7th Councilmanic District
Dundalk Professional Center, Inc., Owners;
AT & T Wireless Services, Contract Purchaser/Lessee - Petitioners
Case No. 96-446-X

Dear Mr. Dorf:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy M. Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Ms. Deborah S. Torre, Dundalk Professional Center, Inc.
6610 Holabird Road, Baltimore, Md. 21224

Mr. Frances Kingsbury, AT & T Wireless Services
8403 Colesville Road, 10th Floor, Silver Spring, Md. 20910

People's Counsel

File

MICROFILMED





Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at

96-446-X

40 S. Dundalk Avenue, Baltimore, MD

which is presently zoned

R-0

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

The establishment of a rooftop wireless communications radio link (base station) which includes 6 panel antennas (which are approximately 54 inches tall, 6-8 inches wide and 3 inches thick) and an electronic control cabinet.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

AT&T Wireless Services

(Type or Print Name)

Signature

8403 Colesville Road, 10th Floor

Address

Silver Spring MD 20910

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Legal Owner(s):

Dundalk Professional Center, Incorporated

(Type or Print Name)

Signature

(Type or Print Name)

Signature

6610 Holabird Road (410) 633-2262

Address

Phone No.

Baltimore MD 21224

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Frances Kingsbury

Name

8403 Colesville Rd (301) 608-5360

Address

Phone No

Silver Spring, MD 20910

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE 5-9-96

MICROFILMED



ORDER RECEIVED FOR FILING

Date

By

444

DUNDALK PROFESSIONAL CENTER, INC.
 CERTIFICATE OF CONVEYANCE

OF REAL PROPERTY BY ARTICLES OF TRANSFER

Pursuant to Article 23, Section 66(g) (2) of the Annotated Code of Maryland (1966 Replacement Volume), Title "Corporations," subtitle "Consolidation, Merger and Other Transfer of Property": We hereby certify that the herein described property is being conveyed by Articles of TRANSFER TO FRANK SCARFIELD

REAL PROPERTY AFFECTED: (Show separately for each parcel deed reference and brief description preferably as shown on recent tax bill.)

BEGINNING for the same on the westerly side of Dundalk Avenue at a point located South 20 degrees 22 minutes East 65.63 feet from the northeasterly corner of Lot No. 33 Block 2 as shown on a Plat entitled "Plat No. 3A of Dundalk" dated November, 1926 and filed among the Land Records of Baltimore County in Plat Book WPC No. 8, folio 95, etc. said point being also the end of the first or South 20 degrees 22 minutes East 65.63 foot line of a Deed from The Dundalk Company to the Dundalk Real Estate Corporation, dated March 14, 1941 and recorded among the Land Records of Baltimore County in Liber C W B Jr. No. 1154, folio 92, thence along said Westerly side of Dundalk Avenue South 20 degrees 22 minutes East 175.5 feet to the end of the first or North 20 degrees 22 minutes West 70 foot line of a Deed from the Dundalk Company to Sampson D. McKinney dated October 1, 1939 and recorded among the Land Records of Baltimore County in Liber C W B Jr. No. 1076, folio 464, thence along the second line of said Deed from The Dundalk Company to Sampson D. McKinney, South 69 degrees 38 minutes West 135 feet to the easterly line of the alley west of Dundalk Avenue thence North 20 degrees 22 minutes West along the easterly line of said alley 175.5 feet to the end of the second line of said Deed from The Dundalk Company to the Dundalk Real Estate Corporation, thence reversely along said second line of said deed from The Dundalk Company to the Dundalk Real Estate Corporation, North 69 degrees 38 minutes East 135 feet to the place of beginning BEING a portion of Lot No. 33, Block 2 * Ordinary Post Office Address for receipt tax bills

6610 Holabird Avenue, Baltimore, Maryland 21224
 Address

For Department
 use only.

As Witness to the act of the State Department
 of Assessments and Taxation at Baltimore, this
28th day of December 1972 I
 have set my hand and caused the seal of said
 Department to be hereto affixed.

Richard H. Kella
 Supervisor-Charter Division

444

* as shown on the aforesaid Plat No. 3A of Dundalk, dated November, 1926.

Deed Reference Liber O T G No. 4886, folio 351 dated June 14, 1968

Rec'd for record AUG 2 1973 at 12⁴⁹ PM



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 444 Petitioner: A T T Wireless Services

Location: 40 S. Dondick Ave - Balto Md

PLEASE FORWARD ADVERTISING BILL TO:

NAME: S LEONARD ROHMAN

ADDRESS: Suite 600 - Mercantile Safe Deposit, Trust
2 Hopkins Place - Balto Md. 11207 ^{R/S}

PHONE NUMBER: 539-5195

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BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 019905

96-446-X

DATE May 9, 1996 ACCOUNT R-001-615-000

©

AMOUNT \$ 335.00

RECEIVED FROM: S. Leonard Rattman

050-- Sp. Ex. --- \$300 ITEM # 4114

080- sign --- \$ 35 Taken by: JRF

FOR: \$ 335

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CONSISTENT WITH
ON 05/09/96 11:26

1051-111

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

96-446

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

96-446-X

District 12th
Date of Posting 6/2/96
Posted for: Special Exception
Petitioner: Dun Jalk Professional Center, Inc.
Location of property: 40 S. Dun Jalk Ave.
Location of Sign: Facing road way on property being zoned
Remarks: _____
Posted by M. Hester Date of return: 6/7/96
Number of Signs: 1
Signature

MICROFILMED

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property situated at:

Room 100 of the County Office Building, 777 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #96-446-X
(Item 444)

40 S. Dundalk Avenue
W/S Dundalk Avenue, 100
+/- S of 7th Center Place
12th Election District
7th Councilmanic

Legal Owner(s):

Dundalk Professional Center, Inc.

Contract Purchaser/Lessee:

AT&T Wireless Services

Special Exception for the establishment of a rooftop wireless communications radio link (base station) which includes 6 panel antennas (which are approximately 54 inches tall, 6-8 inches wide and 3 inches thick) and an electronic control cabinet.

Hearing: Tuesday, June 18, 1996 at 2:00 p.m. in Rm. 118, Old Courthouse.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call 887-3353.

(2) For information concerning the File and/or Hearing, Please Call 887-3391.

5/31/96 May 23

CS4226

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

May 24, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on May 23, 1996.

THE JEFFERSONIAN,

A. Henrichson

LEGAL AD. - TOWSON

MICROFILMED

TO: PUTKENT PUBLISHING COMPANY
May 17, 1996 Issue - Jeffersonian

Please forward billing to:

S. Leonard Rottman
Mercantile Safe Deposit & Trust Bldg, Suite 600
2 Hopkins Plaza
Baltimore, MD 21202
539-5195

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-446-X (Item 444)
40 S. Dundalk Avenue
W/S Dundalk Avenue, 100' +/- S of c/l Center Place
12th Election District - 7th Councilmanic
Legal Owner(s): Dundalk Professional Center, Inc.
Contract Purchaser/Lessee: AT&T Wireless Services

Special Exception for the establishment of a rooftop wireless communications radio link (base station) which includes 6 panel antennas (which are approximately 54 inches tall, 6 - 8 inches wide and 3 inches thick) and an electronic control cabinet.

HEARING: TUESDAY, JUNE 18, 1996 at 2:00 p.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

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Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

May 17, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-446-X (Item 444)
40 S. Dundalk Avenue
W/S Dundalk Avenue, 100' +/- S of c/l Center Place
12th Election District - 7th Councilmanic
Legal Owner(s): Dundalk Professional Center, Inc.
Contract Purchaser/Lessee: AT&T Wireless Services

Special Exception for the establishment of a rooftop wireless communications radio link (base station) which includes 6 panel antennas (which are approximately 54 inches tall, 6 - 8 inches wide and 3 inches thick) and an electronic control cabinet.

HEARING: TUESDAY, JUNE 18, 1996 at 2:00 p.m. in Room 118, Old Courthouse.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Dunalk Professional Center
AT&T Wireless Services/Frances Kingsbury
Paul A. Dorf, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

RECEIVED
JUN 19 1996





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

June 12, 1996

Paul A. Dorf, Esquire
600 Mercantile Bank & Trust Bldgs.
Baltimore, MD 21201

RE: Item No.: 444
Case No.: 96-446-X
Petitioner: Deborah S. Torre

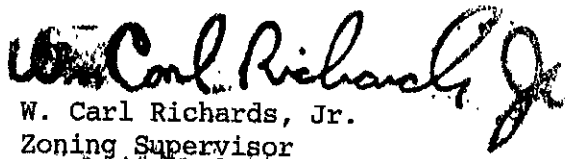
Dear Mr. Dorf:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on May 9, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,


W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: 6-3-96

FROM: R. Bruce Seeley
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: MAY 20, 1996

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 437

438

441

442

444

447

RBS:sp

BRUCE2/DEPRM/TXTSBP

MICROFILMED

B A L T I M O R E C O U N T Y , M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
 Permits and Development
 Management

DATE: May 16, 1996

FROM: Pat Keller, Director
 Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item No. 417, 442, 443, 444, 445, 447, and 448

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by: _____

Division Chief: _____

PK/JL

MICROFILM



**Maryland Department of Transportation
State Highway Administration**

David L. Winstead
Secretary
Hal Kassoff
Administrator

5-17-96

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 444 (JRF)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

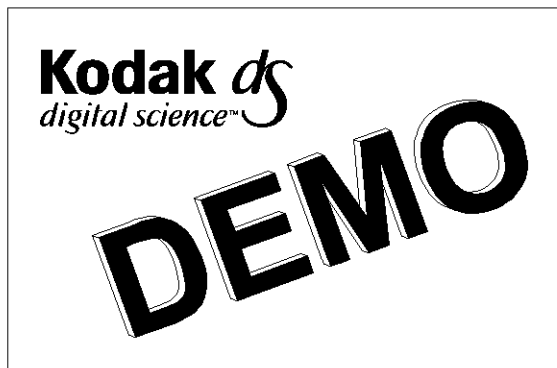
Very truly yours,

Bob Small

for

Ronald Burns, Chief
Engineering Access Permits
Division

BS/es



MICROFILMED

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410)887-4880

DATE: 05/20/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF MAY 20, 1996

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 437, 438, 440, 441, 442, 443,
444, 445, 446, 447 AND 448. , 0

RECEIVED

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND

I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director
 Department of Permits &
 Development Management

DATE: May 28, 1996

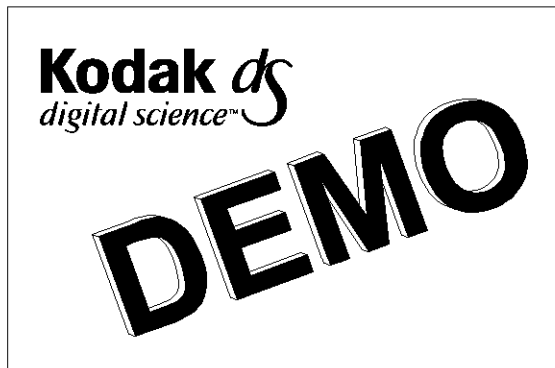
FROM: Robert W. Bowling, P.E., Chief
 Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
 for May 28, 1996
 Item Nos. 437, 440, 442, 444, 445,
 446, 448 & 449

The Development Plans Review Division has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File



MICROFILMED

RE: PETITION FOR SPECIAL EXCEPTION	*	BEFORE THE
40 S. Dundalk Avenue, W/S Dundalk Ave.,		
100'+/- S of c/l Center Place, 12th	*	ZONING COMMISSIONER
Election District, 7th Councilmanic		
	*	OF BALTIMORE COUNTY
Legal Owner: Dundalk Professional Center, Inc.		
Contract Purchaser/Lessee: AT&T Wireless	*	CASE NO. 96-446-X
Services		
Petitioners	*	

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of June, 1996, a copy of the foregoing Entry of Appearance was mailed to Paul A. Dorf, Esquire, 600 Mercantile Bank & Trust Bldg., Baltimore, MD 21201, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

MICROFILMED

PETITION PROBLEMS

#437 --- JJS

1. No review information on bottom of petition form.

#439 --- RT

According to pink sheet, petition was taken in by RT -- Where is it???

#440 --- MJK

1. No original signature for legal owner.
2. No original signature for attorney.

#444 --- JRF

1. No printed name or title for person signing for legal owner.
2. Need authorization of person signing for legal owner.
3. No printed name or title of person signing for contract purchaser.
4. No telephone number for attorney.

#446 --- JLL

1. Petition says zoning is "D.R.-5.5"; folder says zoning is "D.R.-3.5"
- which is correct zoning?

MICROFILMED

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

LEONARD ROTHMAN
Attorney for AT + T

600 Mercantile Bk Bldg
2 Hopkins Plaza
Baltimore Md. 21202

Khoa Khuu
RF Engineer
AT + T

10th Floor
8403 Coleridge Rd.
Silver Spring Md.
20910

Joseph C. Kokosinski
D. Garvey Corp.

1945 Old Gallows Rd.
Suite 200
Vienna Va 22182

ADELBERG
RUDOW
DORF
HENDLER
& SAMETH, LLC

S. LEONARD ROTHMAN
ATTORNEY AT LAW

600 MERCANTILE BANK & TRUST BUILDING
2 HOPKINS PLAZA
BALTIMORE, MARYLAND 21201

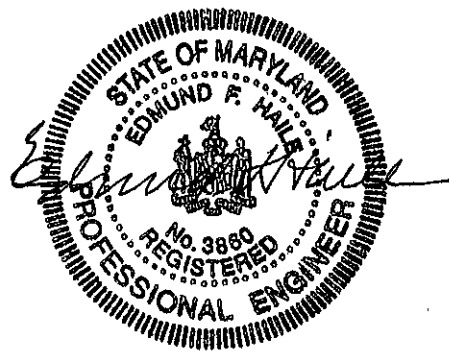
410-539-5195
FAX 410-539-5834

MICROFILMED

Environmental Impact Statement

AT&T Dundalk Baltimore County, Maryland

May 1995



Prepared for:

AT&T Wireless Services, Inc. (AT&T)
8403 Colesville Road
10th Floor
Silver Spring, MD 20910

Prepared by:

Daft•McCune•Walker, Inc.
200 East Pennsylvania Avenue
Towson, Maryland 21286
(410) 296-3333
Fax 296 4705
dmw@dmw.com

DMW

**PETITIONER'S
EXHIBIT 2**

MICROFILMED

I. INTRODUCTION

This Environmental Impact Statement (EIS) has been prepared to meet the requirements of the Baltimore County Zoning Ordinance, § 502.7.C.10, as supporting documentation to a Petition for Special Exception for the installation of a wireless transmitting and receiving facility on the Dundalk Professional Center located at 40 South Dundalk Avenue. The facility will be operated by a contract lessee, AT&T Wireless Services, Inc. (AT&T), 8403 Colesville Road, 10th Floor, Silver Spring, MD 20910.

II. PROJECT SUMMARY

The proposed project consists of the construction and operation of a wireless transmitting and receiving facility for use as a Personal Communications Service (PCS) station housing PCS radio and interconnect equipment. The facility will consist of six panel antennas (52"± high x 6±" wide x 3±" deep). Three of the antennas will be pole-mounted to the existing penthouse and three of the antennas will be skid mounted on the main roof of the existing commercial building. A pair of equipment cabinets (7±' high x 5±' wide x 3.5±' deep) will be installed on a new platform on the main roof. The station will be a component of the PCS system being constructed by AT&T to serve the Baltimore-Washington area.

The facility will be constructed on land owned by Dundalk Professional Center, Inc. The property is located at 40 South Dundalk Avenue in Baltimore and consists of a multi-level office building and a parking lot with approximately 50 spaces. The facility will be wholly contained on the roof of the existing building within the boundary of the property.

The property is zoned RO. Lands east of the property are also zoned RO. Lands north and west of the site are zoned BL-CCC. Land south of the site is zoned D.R.5.5. Land south of the site is residential, while all remaining adjacent properties are for commercial use.

The facility can be constructed at this location with no land disturbance to the area. The site will be served by electric and telephone utilities only. No sanitary sewer, water, or natural gas facilities are needed for the operation of the facility. The facility is programmed for unmanned operation, but will be subject to regular periodic maintenance visits.

III. PROBABLE ENVIRONMENTAL IMPACT

Site Clearing and Grading: The facility will be installed on an existing structure and will not require earth work or grading of any kind.

Site Drainage and Runoff: The facility will be installed atop an existing structure and will not create any new impervious area. There are no materials proposed to be used that could cause any chemical contamination of either runoff or ground water.

Wildlife Habitat: The site was visited by a Natural Resources Specialist on May 23, 1996. No significant plant or wildlife resources were found in the immediate vicinity of the proposed facility. The facility will be installed atop an existing structure, therefore no significant habitats will be disturbed.

The effects of radio broadcast towers on free ranging wildlife are largely unknown. However, studies on confined individuals indicate that non-ionizing radiation levels must be several orders of magnitude larger than those associated with this facility to have any measurable effect (see Page 3: Acute - short term exposures). Wildlife studies on the effects of radio frequency radiation similar to that emitted by the proposed AT&T facility are unwarranted due to the extremely low levels of radiation.

Numerous studies have been conducted examining the long term migration patterns and habits of migratory birds. It is generally assumed that these birds use astronomical, magnetic, and landscape cues to compliment inherited genetic abilities to migrate. Significant landscape features such as cities, rivers, and mountain ranges are widely considered to be the features utilized by birds. More localized features such as towns, creeks, and wood lots are learned as more precise locator cues. It is unlikely that waterfowl which may migrate through the Dundalk area could be confused by the addition of this facility.

Noise: The proposed facility will not generate any audible noise on a routine operating basis.

RF Radiation:

Background - Energy associated with electromagnetic radiation depends on its frequency (or wavelength). The higher the frequency, the greater the energy. X-ray and gamma radiation are at the far end of the radio frequency spectrum and thus have relatively large amounts of energy. This energy level is known as ionizing radiation which can alter biological molecules by stripping electrons from the atoms. It is important not to confuse the terms "ionizing" and "non-ionizing" when referring to electromagnetic radiation since their mechanisms of biological effects are quite different. The RF energy emitted by the AT&T system is non-ionizing. This means that the energy level is not sufficient to alter biological molecules. The AT&T PCS system operates in a radio frequency (RF) radiation spectrum of 1950 to 1965 Megahertz (MHz). This frequency of RF radiation is within the range of non-ionizing energy.

Typical radiated power from an AT&T PCS transmitter is about 500 watts (W). With all six proposed transmitters operating simultaneously at full power, the entire facility will have an effective radiated power not exceeding 3,000 watts. By comparison, television and radio broadcasting facilities operate at 50,000 to 200,000 watts. When compared to power levels presented by television and radio broadcasting, we find the PCS system is magnitudes of levels less.

Potential Health Effects - There is an extensive body of literature published concerning the biological effects of RF radiation. These effects are dependent upon the electromagnetic frequency, the power (energy level), and the duration of exposure. It has been known for some time that high intensity doses of RF

radiation can be harmful by the effect of heating biological tissue. Tissue damage can result primarily because of the body's inability to dissipate the excessive heat. These "thermal" effects are the same principles that are applied by microwave ovens and diathermy machines used in the therapeutic deep tissue treatment procedures.

a. **Acute (short-term exposures)**

Short-term, high intensity (100-200 mW/cm² [milliwatts per square centimeter]) RF radiation exposures to rabbits have demonstrated eye effects due to thermal effects. Such effects have not been demonstrated at low level (less than 10 mW/cm²) power densities. Alterations in sperm production have been also reported and are related to thermal effects. The eyes and the testicles are inefficient at dissipating heat and thus are more susceptible to temperature related effects. It is important to note that the power densities required to produce thermal effects from short-term exposures are 150,000 to 1,500,000 times the levels which can be expected at the base of the AT&T installation.

b. **Chronic (long-term exposures)**

The evidence of harmful biological effects at field intensities lower than those known to produce significant, measurable heating has been controversial. The literature reports a wide range of non-thermal effects. These effects include behavioral modifications, reproductive, immunological and blood-forming effects, irritability, fatigue, and cardiovascular changes.

Human studies have not demonstrated significant differences between RF radiation exposed and unexposed populations. While various hypotheses have been formed to explain non-thermal effects, there is insufficient information to change currently accepted exposure levels.

Standards and Guidelines:

a. **ANSI/IEEE C95.1 - 1992:**

Standards for RF radiation exposure levels were established by the American National Standards Institute (ANSI) in 1992, and subsequently adopted by the Federal Communications Commission on September 19, 1994.

The maximum permissible exposure power densities were decreased by a factor of five from a 1982 ANSI standard for "uncontrolled" environments. The formula to calculate exposure limits at the frequencies used by the PCS system is:

$$f \text{ [frequency (MHz)]} / 1500$$

The power density exposure limits for frequencies of 1950 to 1965 MHz are 1.30 to 1.31 mW/cm², respectively. The maximum

permissible exposure is weighted over a 30-minute time period verses the six-minute period used in the 1982 ANSI guidelines.

The likely power densities at the base of the PCS system will be more than 1,200 times less than the proposed applicable guidelines.

c. **Other Guidelines**

The National Council on Radiation Protection and Measurements (NCRPM) specifies a fixed level of 1 mW/cm^2 as an acceptable exposure for the general public. The International Radiation Protection Association's (IRPA) guidelines for public exposure also recommend 1 mW/cm^2 .

<u>Summary</u>	<u>Power Density (mW/cm^2)</u>
ANSI/IEEE Maximum Permissible	1.30
NCRPM and IRPA Guidelines	1
Maximum Exposure Level at the base of a PCS Installation	<.01

Power Densities:

a. **PCS Systems**

A recent safety analysis by Bell Laboratories (October 12, 1995), indicates that "in all normally accessible areas in the neighborhood surrounding a typical PCS installation, the maximum levels of RF energy associated with operation of the antennas will be 1,200 times below the exposure limits of the 1992 ANSI/IEEE C95.1 safety guideline." The full report of this study which includes more details of the characteristics of facilities like the proposed and their relationship to the published standards and guidelines is included as Appendix A.

b. **Radio and Television**

Radio and television stations transmit at frequencies between 550 kHz and 800 MHz. These stations transmit using radiated power in the tens of thousands watts. When compared to the 3,000 watts, or less, from the PCS antenna, one can readily see that PCS systems do not significantly contribute to the public's overall environmental exposures to RF radiation.

Environmental measurements of RF radiation by the Environmental Protection Agency and the FCC typically find levels well below exposure guidelines. In cases where levels have exceeded guidelines,

there were unusual circumstances that placed the public too close to the antenna.

IV. DISCUSSION OF UNAVOIDABLE ADVERSE EFFECTS

Based on the above observations, the unavoidable adverse effects can be reduced to one item: the visibility of the antennas. This facility will consist of three pole mounted panel antennas attached to the existing pent house, as well as three skid mounted antennas and two equipment cabinets and platform, both installed on the main building roof. The addition of the facility will not significantly detract from the building's existing appearance.

V. ALTERNATIVES TO THE PROPOSED ACTION

Should approval for the proposed project be denied, it would be necessary to seek an alternative site within 0.25 to 0.5 miles of the present location. A tower of at least 90 feet in height and the associated equipment cabinets would have to be constructed. Approval of the proposed plan would eliminate the need for a potentially freestanding monopole or tower facility.

VI. ASSESSMENT OF LONG-TERM EFFECTS

The long-term effects are limited to the presence of the proposed structures. No environmental degradation will result from placing this facility on top of the existing structure.

VII. COMMITMENT OF RESOURCES

The proposed project does not require any unusual materials or resources. Approval of the project will negate the need for an additional nearby station thereby conserving the land, materials, and energy required to construct it.

VIII. CONCLUSIONS

The proposed project will cause little or no impact to the environment and, in effect, result in a benefit to the public by providing improved Personal Communication Systems service in Baltimore County.

Appendix A



**Safety Analysis of the Electromagnetic Environment in the
Vicinity of a Personal Communication Services (PCS) Base Station**

Radiation Protection and Product Safety Department
AT&T Bell Laboratories
Murray Hill, New Jersey 07974-0636

Summary

This report is a safety analysis of the radiofrequency (RF) electromagnetic environment in the vicinity of a typical AT&T Wireless Services PCS radio base station. The analysis utilizes engineering data provided by AT&T Wireless, together with well-established analytical techniques for calculating the RF electromagnetic fields associated with PCS antennas. Worst-case assumptions were used to ensure safe-side estimates, i.e., the actual values will be significantly lower than the corresponding analytical values. The analysis indicates that the maximum level of RF energy to which the public may be exposed is below all applicable health and safety limits.

Specifically, in all normally accessible areas in the neighborhood surrounding a typical PCS installation, the maximum levels of RF energy associated with operation of the antennas will be 1,200 times below the exposure limits of the 1992 ANSI/IEEE C95.1 safety guideline.

Prepared for
AT&T Wireless Services
15 E. Midland Avenue
Paramus, New Jersey 07652

October 12, 1995

1. Introduction

This report was prepared in response to a request from AT&T Wireless Services for a safety analysis of the radiofrequency (RF) electromagnetic environment in the vicinity of a typical personal communication services (PCS) base station, and an opinion regarding the concern for public health associated with long-term exposure in the environment surrounding such an installation.

2. Technical Data

PCS base station antennas transmit at frequencies between 1930 and 1965 million hertz (MHz). Like antennas used for cellular radio, PCS antennas might be mounted on a lattice tower, monopole-type structure or on a building rooftop.

Based on information provided by AT&T Wireless Services, the radiated power per transmitter (channel) for a PCS base station would be less than 10 watts, and the radiated power per sector would be less than 240 watts (assuming the maximum number of transmitters are installed and operate simultaneously). This is an extremely low power system when compared with other familiar radio systems, such as AM, FM and television broadcast, which operate upwards of 50,000 watts. Figure 1 is a diagram of the electromagnetic spectrum which also lists common uses of RF energy. Table 1 below lists engineering specifications for a PCS base station.

Table 1
Engineering Specifications for a Typical PCS Radio System

Site Specifications	
antenna centerline height above grade	98 ft
number of transmit antennas per sector	1
number of receive antennas per sector	2
number of transmitters (channels) per sector	24
antenna manufacturer	DAPA
model number	58000
gain	17.15 dBi
downtilt	0°
maximum ERP† per channel	120 watts
maximum radiated power per channel	4 watts
maximum radiated power per sector‡	96 watts

† ERP - *Effective Radiated Power*. ERP is a measure of how well an antenna concentrates RF energy; it is not the power radiated from the antenna. To illustrate the difference, compare the brightness of an ordinary 100 watt light bulb with that from a 100 watt spot-light. Even though both are 100 watts, the spot-light appears brighter because it concentrates the light in one direction. In this direction, the spot light *effectively* appears to be emitting more than 100 watts. In other directions, there is almost no light emitted by the spot-light and it *effectively* appears to be much less than 100 watts.

‡ Assumes the maximum number of transmitters per sector, 24, are operating continuously.

3. Environmental Levels of RF Energy

The antenna pattern from a PCS antenna is such that the energy is propagated in a relatively narrow beam (in the vertical plane) which is directed toward the horizon. The reason for this is to provide uniform coverage. Hence, levels of RF energy directly under the antennas will not be remarkably different from the levels at points more distant.

For a PCS base station, the maximum potential exposure level associated with operation of the antennas can be readily calculated at any point in a plane at any height above grade. Based on the information provided by AT&T Wireless, and assuming that the maximum number of radio channels operates continuously, the power density at any point in a horizontal plane 6 ft above grade will be less than 1.0 millionth of a watt per centimeter squared ($1.0 \mu\text{W}/\text{cm}^2$), and also will be less than $1.3 \mu\text{W}/\text{cm}^2$ at any point in a corresponding plane 16 ft above grade. The latter is representative of the maximum power density immediately outside of the second floor of nearby residences (assuming level terrain).

The above levels are theoretical maxima that could occur and are not typical values. The calculations include the effect of field reinforcement from in-phase reflections, and the assumption was made that the maximum number of transmitters operates simultaneously and at maximum output power. Although the above values are obtained analytically, experience has shown that the technique used is extremely conservative. That is, the measured power density levels have always been found to be smaller than the corresponding calculated levels¹. Furthermore, levels inside nearby homes and buildings will be lower than those immediately outside because of the high attenuation of common building materials at these frequencies and, hence, will not be significantly different from normal ambient levels.

4. Comparison with Standards

Table 2 below shows the calculated maximal RF power density levels in the vicinity of a base station. Table 3 shows the pertinent federal, state and consensus exposure limits for human exposure to RF energy. The various exposure limits range from $1,000 \mu\text{W}/\text{cm}^2$ (public exposure) to $10,000 \mu\text{W}/\text{cm}^2$ (occupational exposure), while the corresponding calculated maximum power density levels in the environment surrounding a PCS installation from operation of the antennas would be less than $1.0 \mu\text{W}/\text{cm}^2$ (at 6 ft above grade) and $1.3 \mu\text{W}/\text{cm}^2$ (at 16 ft above grade). The power density in the main beam of the antenna will be less than $10 \mu\text{W}/\text{cm}^2$ at any distance greater than 200 ft from the antennas.

Table 2
Calculated Maximal RF Power Density Levels
for a Typical PCS Base Station

Location	Power Density ($\mu\text{W}/\text{cm}^2$)
6 ft above grade	< 1.0
16 ft above grade	< 1.3
In the main beam, 200 ft from the antennas	< 10.0

1. Petersen, R.C., and Testagrossa, P.A., Radiofrequency Fields Associated with Cellular Radio Cell-Site Antennas. *Bioelectromagnetics*, Vol. 13, No. 6 (1992).

Table 3
Summary of State, Federal and Consensus Guidelines
for Exposure to Radiofrequency Energy at Frequencies
Used for PCS

Organization/Government Agency	Exposure Population	Exposure Limit ($\mu\text{W}/\text{cm}^2$)
Occupational Safety & Health Administration (OSHA - 29 CFR 1910.97)	Occupational	10,000
American National Standards Institute (ANSI C95.1 - 1982)	Occupational Public	5,000 5,000
Institute of Electrical and Electronic Engineers * (ANSI/IEEE C95.1 - 1992)	Occupational Public	6,000 1,200
National Council on Radiation Protection & Measurements (NCRP Report 86 - 1986)	Occupational Public	5,000 1,000
U.S. Federal Communications Commission (requires PCS licensees to comply with ANSI C95.1 - 1992)	Occupational Public	6,000 1,200
New Jersey Administrative Code (NJAC 7:28-42)	Public	5,000
Massachusetts Department of Health (105 CMR 122)	Public	1,000
New York State Department of Health (follows NCRP Report 86)	Public	1,000

* Latest revision of ANSI C95.1 - 1982.

5. Discussion of Health Standards

Recently, press coverage has suggested an association between health effects and exposure to magnetic fields from electric-power distribution lines, and from the use of hand-held cellular telephones. This press coverage has heightened concern among some members of the public about the possibility that health effects may be associated with any exposure to electromagnetic energy. Many people feel uneasy about new or unfamiliar technology and often want absolute proof that something is safe. Such absolute guarantees are not possible since it is virtually impossible to prove that something does *not* exist. However, sound judgments can be made as to the safety of a physical agent based on the weight of the pertinent scientific evidence. This is exactly how safety guidelines are developed.

The overwhelming weight of scientific evidence unequivocally indicates that biological effects associated with exposure to RF energy are threshold effects, i.e., unless the exposure level is sufficiently high the effect will not occur regardless of exposure duration. (Unlike ionizing radiation, e.g., X-rays and nuclear radiation, repeated exposures to low level RF radiation, or nonionizing radiation, are not cumulative.) Thus, it is relatively straightforward to derive safety limits. By adding safety factors to the threshold level at which the most sensitive effect occurs, conservative exposure guidelines have been developed to ensure safety.

At present, there are more than 10,000 reports in the scientific literature which address the subject of RF bioeffects. These reports, most of which describe the results of epidemiological studies and animal studies, have been critically reviewed by leading researchers in the field and all new studies are continuously being reviewed by various groups and organizations whose interest is developing health standards. These include the U.S. Environmental Protection Agency, the National Institute for Occupational Safety and Health, the National Council on Radiation Protection and Measurements, the

standards committees sponsored by the Institute of Electrical and Electronics Engineers, the International Radiation Protection Association under the sponsorship of the World Health Organization, and the National Radiological Protection Board of the UK. All of these groups have recently either reaffirmed existing health standards, developed and adopted new health standards, or proposed health standards for exposure to RF energy.

For example, in 1986, the National Council on Radiation Protection and Measurements (NCRP) published recommended limits for occupational and public exposure². These recommendations were based on the results of an extensive critical review of the scientific literature by a committee of the leading researchers in the field of bioelectromagnetics. The literature selected included many controversial studies reporting effects at low levels. The results of all studies were weighed, analyzed and a consensus obtained establishing a conservative threshold upon which safety guidelines should be based. This threshold corresponds to the level at which the most sensitive, reproducible effects were reported in the scientific literature. Safety factors were incorporated to ensure that the resulting guidelines would be at least ten to fifty times lower than the established threshold, even under worst-case exposure conditions. The NCRP recommended that continuous occupational exposure to PCS radio frequencies should not exceed approximately 5,000 $\mu\text{W}/\text{cm}^2$, and continuous exposure of the public should not exceed 1,000 $\mu\text{W}/\text{cm}^2$.

In July of 1986, the Environmental Protection Agency published a notice in the *Federal Register*, calling for public comment on recommended federal guidance for exposure of the public³ to RF energy. As of 1987 the EPA abandoned its efforts and failed to adopt official federal RF exposure guidelines. However, in 1993 the EPA, in commenting on the Federal Communications Commission's (FCC) Notice of Proposed Rule Making⁴, recommended adoption of the 1986 NCRP limits.

Further, the maximum permissible exposure limits proposed by the Institute of Electrical and Electronics Engineers Standards Coordinating Committee SCC-28 (formerly ANSI Committee C95), were approved by the IEEE Standards Board on September 26, 1991⁵, and approved by ANSI on November 18, 1992. This 1992 ANSI/IEEE C95.1 guideline resulted from an extensive critical review of the scientific literature and recommend a limit of 6,000 $\mu\text{W}/\text{cm}^2$ for continuous occupational exposure and 1,200 $\mu\text{W}/\text{cm}^2$ for continuous exposure of the public to PCS radio frequencies. (Although there are no federal safety limits, *per se*, in order to fulfill its obligations under the National Environmental Policy Act, the FCC requires that PCS licensees comply with the limits of the 1992 ANSI/IEEE C95.1 safety guideline⁶.)

More recently, the World Health Organization's International Commission on Non-Ionizing Radiation Protection⁷ and the National Radiological Protection Board in the United Kingdom⁸ independently developed and published guidelines similar to those of ANSI/IEEE. Finally, what was formerly the USSR, which traditionally had the lowest exposure guides, twice has revised upward its limits for public exposure. Thus, there is a converging consensus of the world's scientific community as to what constitutes safe levels of exposure.

2. *Biological Effects and Exposure Criteria for Radio Frequency Electromagnetic Fields*, NCRP Report No. 36, National Council on Radiation Protection and Measurements, Bethesda, MD, (1986).

3. *Federal Register*, Vol. 51, No. 146, Wednesday, July 30, 1986.

4. Notice of Proposed Rule Making, *In the Matter of Guidelines for Evaluating the Environmental Effects of Radiofrequency Radiation*, August 13, 1993, ET Docket No. 93-62.

5. *IEEE Standard for Safety Levels with Respect to Human Exposure to Radio Frequency Electromagnetic Fields, 3 kHz to 300 GHz*, ANSI/IEEE C95.1-1992, Institute of Electrical and Electronics Engineers, Piscataway, NJ.

6. *Code of Federal Regulations*, 47 CFR 24.52, 1994.

7. *Electromagnetic Fields (300 Hz to 300 GHz)*, Environmental Health Criteria, 137, World Health Organization, Geneva, Switzerland (1993).

8. *Board Statement on Restrictions on Human Exposure to Static and Time Varying Electromagnetic Fields and Radiation*, Documents of the NRPB, Vol. 4, No. 5, National Radiological Protection Board, Chilton, United Kingdom (1993).

With respect to the proposed PCS radio antennas, be assured that *actual* exposure levels in the vicinity of a typical base station will be below any health standard used anywhere in the world and literally thousands of times below any level reported to be associated with any verifiable functional change in humans or laboratory animals. This holds true even when all transmitters operate simultaneously and continuously. Power density levels of this magnitude are not even a subject of speculation with regard to an association with adverse health effects.

6. For Further Information

Anyone interested can obtain additional information about the environmental impact of land mobile services, including PCS, from:

Dr. Robert Cleveland, Jr.
Federal Communications Commission
Office of Engineering and Technology
Room 7002
1919 M Street NW
Washington, DC 20554
(202) 653-8169

7. Conclusion

A safety analysis has been performed with respect to potential public exposure to RF energy in the environment surrounding a typical PCS base station. The analysis utilized engineering data provided by AT&T Wireless Services together with well-established analytical techniques for estimating the environmental levels of RF energy associated with PCS antennas. Worst-case assumptions were used to ensure safe-side estimates, i.e., the actual values will be significantly lower than the corresponding analytical values. The analysis indicates that the maximum level of RF energy to which the public may be exposed will meet all applicable health and safety limits.

Specifically, in all normally accessible areas surrounding a typical PCS installation, the maximum levels of RF energy associated with operation of the antennas will be 1,200 times below the public exposure limits of the 1992 ANSI/IEEE C95.1 safety guideline.

Enclosures

Figure 1 - Electromagnetic Spectrum

IN RE: PETITION FOR SPECIAL EXCEPTION BEFORE THE
W/S Dundalk Avenue, 100' S of the DEPUTY ZONING COMMISSIONER
c/l of Center Place (40 S. Dundalk Avenue)
12th Election District OF BALTIMORE COUNTY
7th Councilmanic District Case No. 96-446-X
Dundalk Professional Center, Inc. - Owners;
AT & T Wireless Services - Contract Purchaser/Lessee

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Exception for that property known as 40 South Dundalk Avenue, located in the vicinity of Center Place in Dundalk. The Petition was filed by the owner of the property, Dundalk Professional Center, Inc., by Deborah S. Torre, and the Contract Purchaser/Lessee, AT & T Wireless Services, by Frances Kingsbury, through their attorney, Paul A. Dorf, Esquire. The Petitioners seek approval to establish a rooftop wireless communications radio link (base station) and an electronic control cabinet atop the existing building on the subject property. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Leonard Rottman, Esquire, and Khua Khuu, Radio Frequency Engineer with AT & T Wireless Services, Contract Purchaser/Lessee, and Joseph C. Kokosinski, a representative with D. Garvey Corporation. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of .54 acres, more or less, zoned R.O., and is improved with an office building housing the Dundalk Professional Center. The Petitioners have entered into an agreement to allow AT & T Wireless Services to erect

a wireless transmitting and receiving facility and related equipment atop the subject building for the purpose of completing their digital wireless communications network in this area. The Petitioners submitted as Petitioner's Exhibit 1, a site plan of the property, depicting the subject building and the proposed equipment. Furthermore, an Environmental Impact Statement prepared by Daft-McCune-Walker, Inc., was submitted and accepted into evidence as Petitioner's Exhibit 2.

It is clear that the B.C.Z.R. permits the use proposed in an R.O. zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

- 2 -

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special exception should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 21 day of June, 1996 that the Petition for Special Exception to establish a rooftop wireless communications radio link (base station) and an electronic control cabinet atop the existing building on the subject property, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED.

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 6/21/96
By 182

- 3 -

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

June 21, 1996

Paul A. Dorf, Esquire
600 Mercantile Bank & Trust Building
Baltimore, Maryland 21201

RE: PETITION FOR SPECIAL EXCEPTION
W/S Dundalk Avenue, 100' S of the c/l of Center Place
(40 S. Dundalk Avenue)
12th Election District - 7th Councilmanic District
Dundalk Professional Center, Inc., Owners;
AT & T Wireless Services, Contract Purchaser/Lessee - Petitioners
Case No. 96-446-X

Dear Mr. Dorf:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been granted in accordance with the attached order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Ms. Deborah S. Torre, Dundalk Professional Center, Inc.
6610 Holabird Road, Baltimore, Md. 21224

Mr. Frances Kingsbury, AT & T Wireless Services
8403 Colesville Road, 10th Floor, Silver Spring, Md. 20910

People's Counsel

File

Petition for Special Exception to the Zoning Commissioner of Baltimore County

for the property located at 40 S. Dundalk Avenue, Baltimore, MD
which is presently zoned R-O

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner of the property, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

The establishment of a rooftop wireless communications radio link (base station) which includes 6 panel antennas (which are approximately 58 inches tall, 6-8 inches wide and 3 inches thick) and an electronic control cabinet.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Corrected Purchaser/Lessee
AT&T Wireless Services
Signature Frances Kingsbury
8403 Colesville Road, 10th Floor
Silver Spring MD 20910

Legal Owner
Dundalk Professional Center, Incorporated
Signature Deborah S. Torre
6610 Holabird Road (410) 633-2262
Baltimore MD 21224

Attorney for Petitioner
Paul A. Dorf, Esquire
Signature Paul A. Dorf
600 Mercantile Bank & Trust Bldgs.
Baltimore MD 21201

Signature Frances Kingsbury
8403 Colesville Rd (301) 608-5360
Silver Spring, MD 20910

ESTIMATED LENGTH OF HEARING
the following date: Next Two Months
ALL OTHER
REVIEWED BY: 21 DATE: 5-9-96

444

LIBER 538 96-446-X

DUNDALK PROFESSIONAL CENTER, INC.
CERTIFICATE OF CONVEYANCE

OF REAL PROPERTY BY ARTICLES OF TRANSFER

Pursuant to Article 23, Section 56(g) (2) of the Annotated Code of Maryland (1966 Replacement Volume), Title "Corporations," subtitle "Consolidation, Merger and Other Transfer of Property": We hereby certify that the herein described property is being conveyed by Articles of Transfer TO FRANK SCARFIELD

REAL PROPERTY AFFECTED: (Show separately for each parcel deed reference and brief description preferably as shown on recent tax bill.)

BEGINNING for the same on the westerly side of Dundalk Avenue at a point located South 20 degrees 22 minutes East 65.63 feet from the northeasterly corner of Lot No. 33 Block 2 as shown on a Plat entitled "Plat No. 3A of Dundalk" dated November, 1926 and filed among the Land Records of Baltimore County in Plat Book WFO No. 8, folio 95, etc. said point being also the end of the first or South 20 degrees 22 minutes East 65.63 foot line of a Deed from The Dundalk Company to the Dundalk Real Estate Corporation, dated March 14, 1941 and recorded among the Land Records of Baltimore County in Liber C M 3 Jr. No. 1134, folio 92, thence along said westerly side of Dundalk Avenue South 20 degrees 22 minutes East 175.15 feet to the end of the first or North 20 degrees 22 minutes West 70 foot line of a Deed from the Dundalk Company to Sampson D. McKinney dated October 1, 1939 and recorded among the Land Records of Baltimore County in Liber C M 3 Jr. No. 1076, folio 464, thence along the second line of said Deed from the Dundalk Company to Sampson D. McKinney, South 69 degrees 38 minutes West 135 feet to the easterly line of the alley west of Dundalk Avenue thence North 20 degrees 22 minutes West along the easterly line of said alley 125.5 feet to the end of the second line of said Deed from The Dundalk Company to the Dundalk Real Estate Corporation, thence reversely along said second line of said Deed from The Dundalk Company to the Dundalk Real Estate Corporation, North 69 degrees 38 minutes East 135 feet to the place of beginning. BEING a portion of Lot No. 33, Block 2 - Ordinary East Office Address for Frank Scarfield

6610 Holabird Avenue, Baltimore, Maryland 21224

As Witness to the act of the State Department of Assessments and Taxation at Baltimore, this 21 day of June 1996 I have set my hand and caused the seal of said Department to be hereto affixed.



Supervisor-Chief Division
444

Deed Reference Liber O T G No. 4886, folio 351 dated June 14, 1968

Rec'd for record AUG 2 1973 at 12:29

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 18th Date of Posting 6/21/96
Posted for: Special Exception
Petitioner: W/S Dundalk Avenue, 100' S of the c/l of Center Place
Location of property: 40 S. Dundalk Avenue
Location of Sign: Public hearing on the property, 6610 Holabird Road, Baltimore, Md. 21224
Remarks:
Posted by: Timothy M. Kotroco Date of return: 6/21/96
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., May 24, 1996
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on May 23, 1996

THE JEFFERSONIAN,
A. Henrickson
LEGAL AD. - TOWSON

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, in accordance with the Zoning and Subdivision Laws of Baltimore County, will hold a public hearing on the proposed Special Exception to the Zoning Regulations of Baltimore County, to use the herein described property for the establishment of a rooftop wireless communications radio link (base station) and an electronic control cabinet atop the existing building on the subject property, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED.
Hearing: Tuesday, June 18, 1996 at 2:00 pm in Room 112, 600 Courthouse, Baltimore, Maryland 21201
LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County
Headquartered: Assessments and Taxation, 6610 Holabird Road, Baltimore, Maryland 21224
Phone: (410) 633-2262
For information concerning the filing of a Petition for Special Exception, call (410) 633-2262

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 018865
76-446-X
DATE May 2 1996 ACCOUNT B-001-015-000
AMOUNT \$ 335.00
RECEIVED FROM Suburban Baltimore
CASH PAID BY ITEM # 444
FOR CHG. Fee - 335 TSEB by: JRF
4335
VALIDATION OR SIGNATURE OF CASHIER
96-446



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 444 Petitioner: Arnold Jablon, Director
Location: 444 S. Dondak Avenue, 100' +/- S of c/l Center Place

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Arnold Jablon, Director
ADDRESS: 111 West Chesapeake Avenue, Towson, MD 21204
PHONE NUMBER: 410-326-5100

TO: PERMITTING PUBLISHING COMPANY
May 17, 1996 Issues - Jeffersonian

Please forward billing to:

S. Leonard Rotman
Mercantile Safe Deposit & Trust Bldg, Suite 600
2 Hopkins Plaza
Baltimore, MD 21202
535-5155

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 at

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-446-X (Item 444)
40 S. Dondak Avenue
40 S. Dondak Avenue, 100' +/- S of c/l Center Place
12th Election District - 7th Councilmanic
Legal Owner(s): Dondak Professional Center, Inc.
Contract Purchaser/Lessee: AT&T Wireless Services

Special Exception for the establishment of a rooftop wireless communications radio link (base station) which includes 6 panel antennas (which are approximately 54 inches tall, 6 - 8 inches wide and 3 inches thick) and an electronic control cabinet.

HEARING: TUESDAY, JUNE 18, 1996 at 2:00 p.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

May 17, 1996

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 at

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-446-X (Item 444)
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40 S. Dondak Avenue, 100' +/- S of c/l Center Place
12th Election District - 7th Councilmanic
Legal Owner(s): Dondak Professional Center, Inc.
Contract Purchaser/Lessee: AT&T Wireless Services

Special Exception for the establishment of a rooftop wireless communications radio link (base station) which includes 6 panel antennas (which are approximately 54 inches tall, 6 - 8 inches wide and 3 inches thick) and an electronic control cabinet.

HEARING: TUESDAY, JUNE 18, 1996 at 2:00 p.m. in Room 118, Old Courthouse.

Arnold Jablon
Director

cc: Dondak Professional Center
AT&T Wireless Services/Francois Kinsch
Paul A. Dorf, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

June 12, 1996

Paul A. Dorf, Esquire
600 Mercantile Bank & Trust Bldgs.
Baltimore, MD 21201

RE: Item No.: 444
Case No.: 96-446-X
Petitioner: Deborah S. Torre

Dear Mr. Dorf:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on May 9, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/ze
Attachment(s)

Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: PDM DATE: 6-3-96
FROM: R. Bruce Seeley
Permits and Development Review
DEPRM
SUBJECT: Zoning Advisory Committee
Meeting Date: MAY 30, 1996

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee items:

Item #'s: 437
438
441
442
444
447

RBS:sp

BRUCE2/DEPRM/TXTS8P

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management DATE: May 16, 1996
FROM: Pat Keller, Director
Office of Planning
SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item No. 417, 442, 443, 444, 445, 447, and 448

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by: Jeffrey M. Long
Division Chief: Darryl L. Keras

PK/JL

ITEM442/PZONE/TXTUWL



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 444 (JRF)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Smull at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government
Fire Department

700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 06/20/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1102

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF MAY 20, 1996

Item No.: SEE BELOW Zoning Agenda:

Sentiment:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time.
AN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 437, 438, 440, 441, 442, 443, 444, 445, 447 AND 448.

REVIEWER: LT. ROBERT P. SAUERHALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Printed with Soybean Ink
on Recycled Paper

TO: Arnold Jablon, Director
Department of Permits &
Development Management

DATE: May 28, 1996

FROM: Robert W. Bowling, P.E., Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for May 28, 1996
Item Nos. 437, 440, 442, 444, 445,
446, 448 & 449

cc: File

#437 --- JJS

1. No review information on bottom of petition form.

#439 --- RT

According to pink sheet, petition was taken in by RT – Where is it???

#440 --- MJK

1. No original signature for legal owner.
2. No original signature for attorney.

#444 --- JRF

1. No printed name or title for person signing for legal owner.
2. Need authorization of person signing for legal owner.
3. No printed name or title of person signing for contract purchaser.
4. No telephone number for attorney.

#446 --- JLL

1. Petition says zoning is "D.R.-5.5"; folder says zoning is "D.R.-3.5"
- which is correct zoning?

RE: PETITION FOR SPECIAL EXCEPTION	*	BEFORE THE
40 S. Dundalk Avenue, W/S Dundalk Ave.,	*	
100'/- S of c/l Center Place, 12th	*	ZONING COMMISSIONER
Election District, 7th Councilmanic	*	
	*	OF BALTIMORE COUNTY
Legal Owner: Dundalk Professional Center, Inc.		
Contract Purchaser/Lessee: ART Wireless	*	CASE NO. 96-446-X
Services	*	
Petitioners	*	

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of June, 1996, a copy of the foregoing Entry of Appearance was mailed to Paul A. Dorf, Esquire, 600 Mercantile Bank & Trust Bldg., Baltimore, MD 21201, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

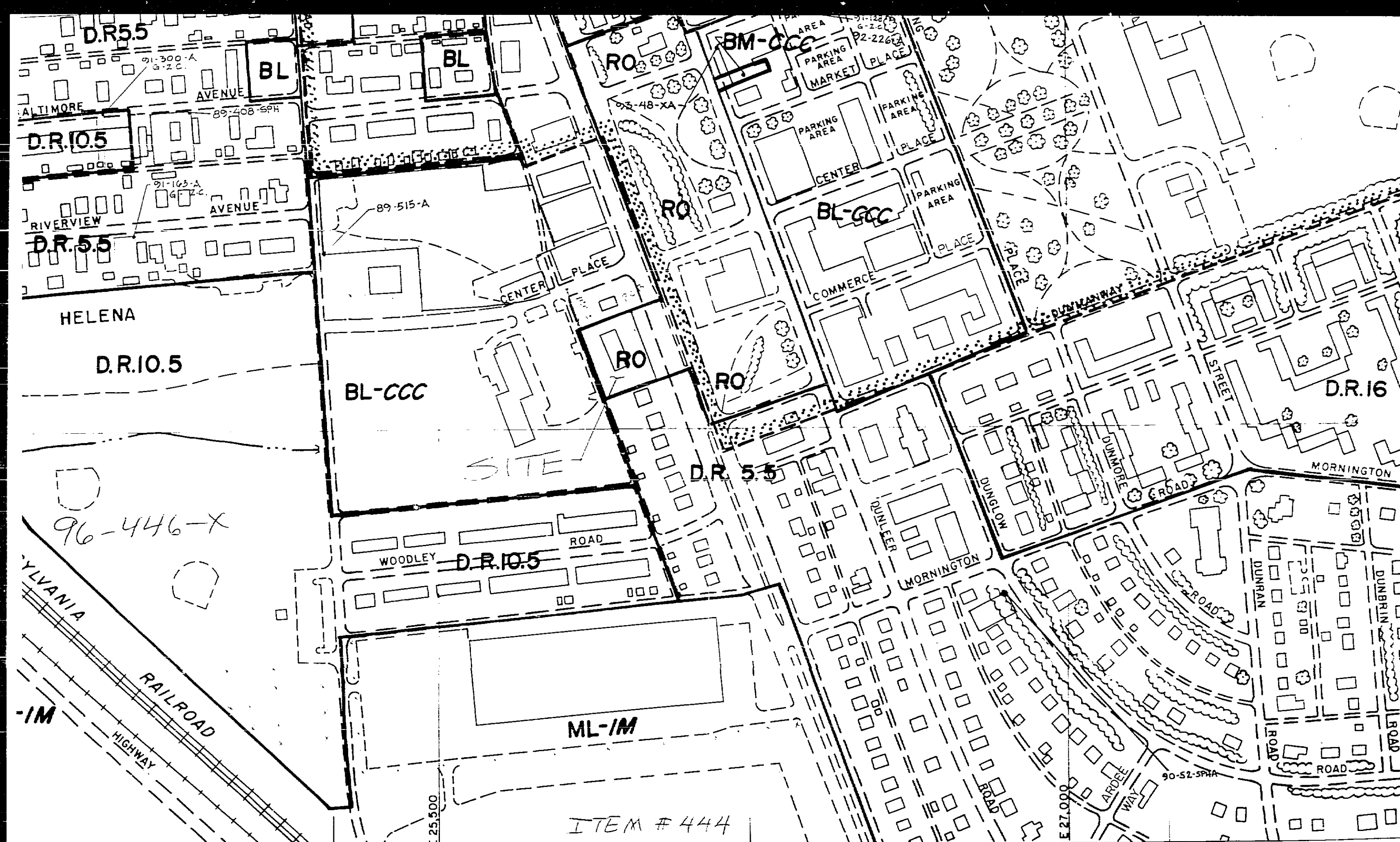
NAME	ADDRESS
Edmond Rothman	Le. Chara. Bk Bk
Mr. E. Roth	Ch. Bk. Pl. 11
	Bk. Bk. 11
W. J. J. J.	Ch. Bk. Pl. 11
W. J. J. J.	2455 Cedarville Rd
	Ch. Bk. Pl. 11
	2455
Joseph C. Chokowski	1445 1st St. Ch. Bk. Pl. 11
D. Chokowski	Ch. Bk. Pl. 11
	Ch. Bk. Pl. 11

ADELBERG
RUDOW
DORF
HENDLER
& SAMETH, LLC

S. LEONARD ROTTMAN
ATTORNEY AT LAW

600 MERCANTILE BANK & TRUST BUILDING
2 HOPKINS PLAZA
BALTIMORE, MARYLAND 21201

410-530-5195
FAX 410-530-5834



~~1988 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 13, 1988~~

BALTIMORE COUNTY

~~OFFICE OF PLANNING AND ZONING~~

..., Maryland

May 1995

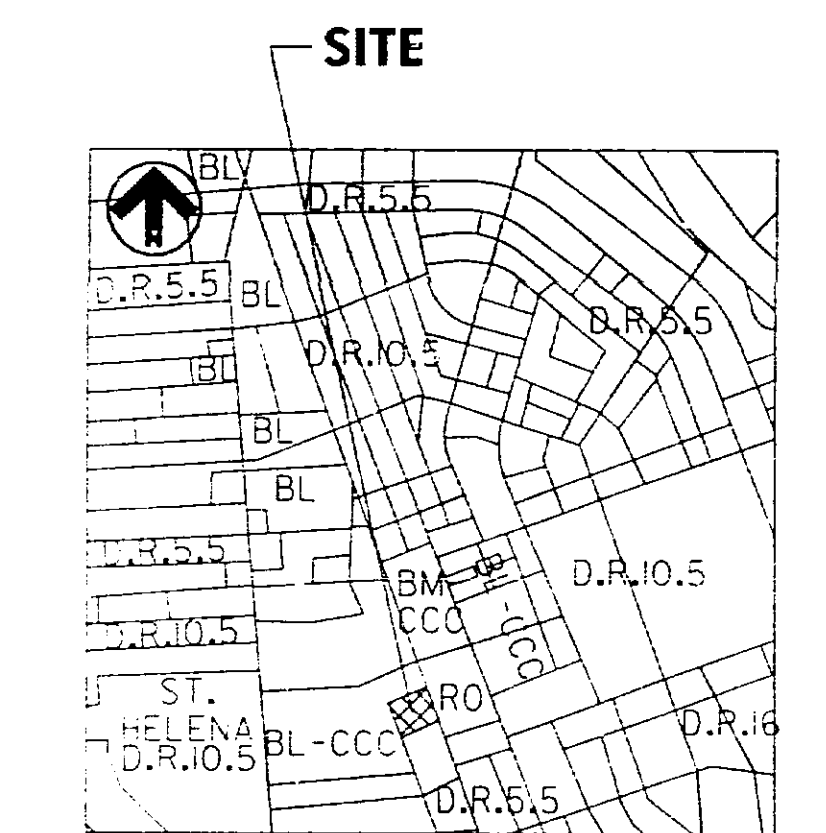
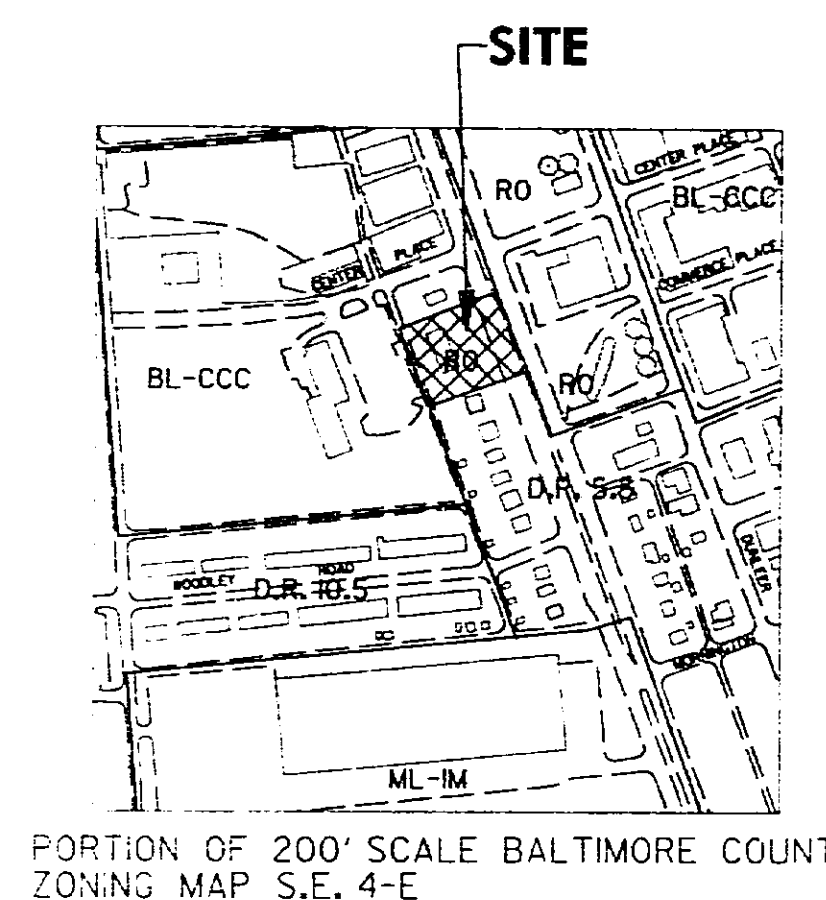
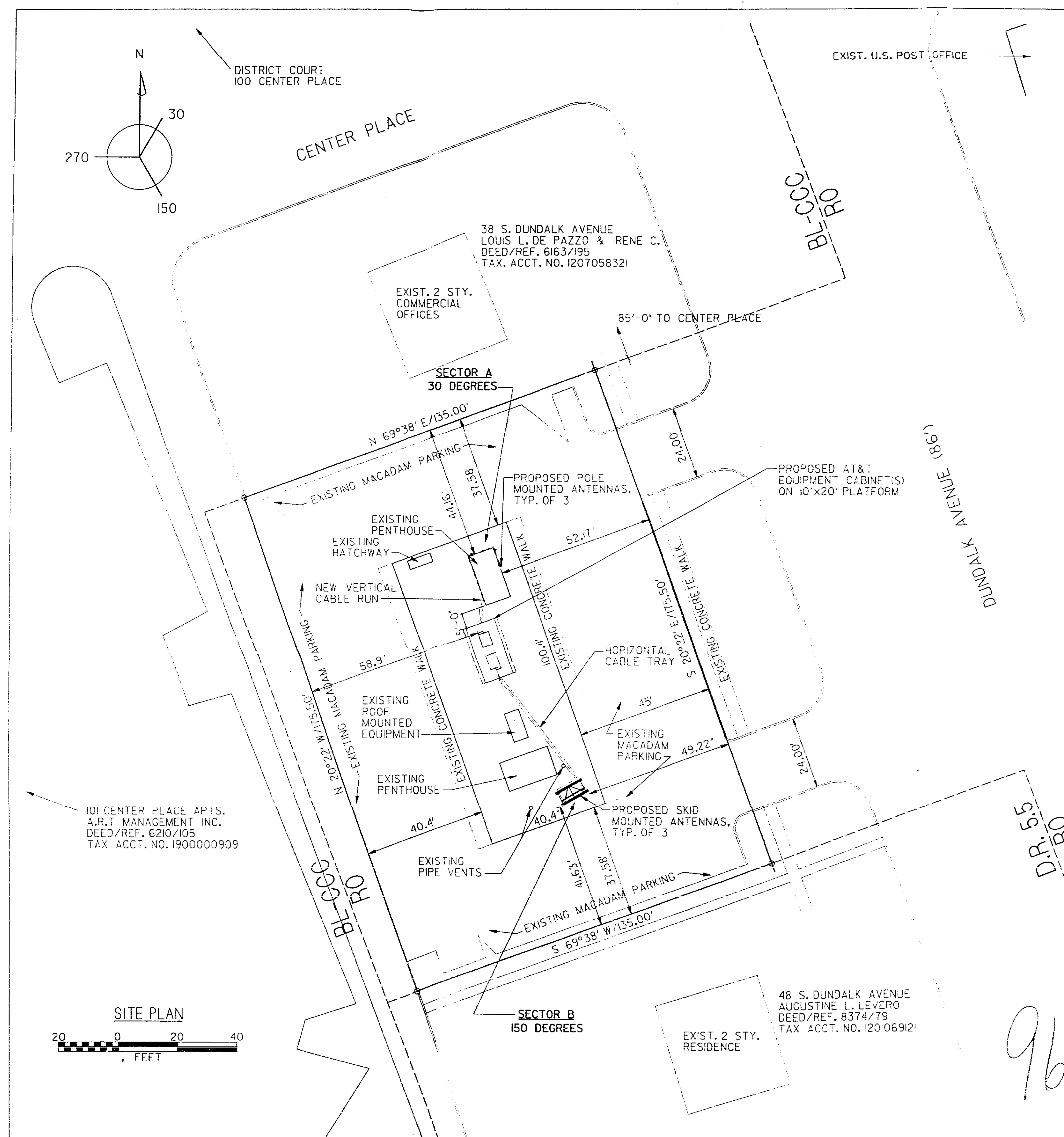


Prepared for:
AT&T Wireless Services, Inc. (AT&T)
8403 Colesville Road
10th Floor
Silver Spring, MD 20910

DMIA

Prepared by:
Daft•McCune•Walker, Inc.
200 East Pennsylvania Avenue
Towson, Maryland 21286
(410) 296-3333
Fax 296 4705
dmw@dmw.com

PETITIONER'S
EXHIBIT 2



NOTES:

- Current owner and street address:
Dundalk Professional Center, Inc.
6610 Holabird Avenue
Baltimore, MD 21224
- Contract lessee/
Petitioner: AT&T Wireless Services, Inc.
8403 Colesville Road, 10th Floor
Silver Spring, MD 20910
- Site area: .54 acres
- Existing use: Office Building
- Street Address: Dundalk Professional Center
40 S. Dundalk Avenue
Baltimore, MD 21222
- Site data: Tax map 103, grid 21, parcel 502
Deed Reference No. 5382/238
Tax Account No. 1204077770
Zoning: R0
Election District: 12
- The proposed wireless transmitting and receiving facility will consist of (3) 51-3/16' high x 5-1/2' wide pole mounted panel antennas attached to the existing penthouse, (3) 51-3/16' x 5-1/2' wide skid mounted antennas located at the main building roof, and (2) equipment cabinets (if future) measuring 5'-0" wide x 6'-11-1/2" high x 3'-6" deep, installed on a new platform on the main building roof.
- Setbacks:
Non-residential principal structure in a D.R.16 zone pursuant to Paragraph 1801.2.C.1.a

	Required to wireless Trans. & rec. facility	Provided to wireless Trans. & rec. facility
Front:	30'	49.22' +/-
Side (north):	25'	44.16' +/-
Side (south):	25'	41.63' +/-
Rear:	30'	58.9' +/-

Existing maximum height of building = 78' +/-
Proposed maximum height = 82.5' +/-
- No new or additional water or sanitary utilities are required for the proposed wireless transmitting and receiving facility.
- Environmental protection agency standards and guidelines relating to radiation emissions shall be met at all times.
- This site was the subject of Zoning Reclassification, Case Number 71-235, which requested a variance from Section 413.1a to allow signs of 40 square feet instead of the allowable 1 square foot. On March 22, 1971, the Zoning Commissioner granted the request.

This site was also the subject of a petition to reclassify the property from R-6 to R-A (Case Number 67-185) because of an error in the original Land Use Map of the 12th Election District of Baltimore County, change in neighborhood since adoption of the 12th District Land Map. On March 30, 1967 the Zoning Commissioner granted this request.
- There are no signs proposed for this facility.
- No lights are proposed for the wireless transmitting and receiving facility.
- Previous Commercial Permits:
B-14173 - Sign Permit
E-148252 - Electrical Permit
- Amenity open space: N/A
- Parking: Existing Spaces: 49 +/-
Proposed New Spaces: 0

The proposed wireless transmitting and receiving facilities will not block or affect any existing parking spaces.
- When the use is terminated, the structure shall be removed.
- An environmental impact statement, as defined in Section 101 of the Baltimore County Zoning Ordinance shall be submitted to the Zoning Commissioner.
- The information and boundary location shown hereon is taken from a site plan, as obtained from Zoning Office of Baltimore County and is assumed to be accurate.

REQUESTED ZONING ACTION

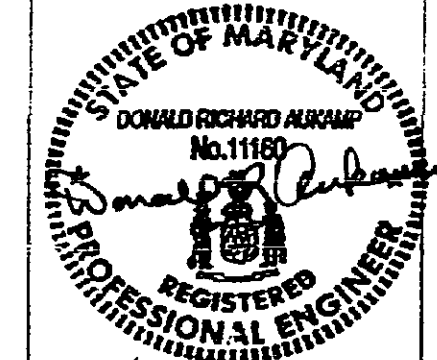
Special Exception pursuant to Baltimore County Zoning Regulations (BCZR) Paragraph 1801.2.C.20 to permit a wireless transmitting and receiving facility in D.R.16 zone.

(Pursuant to Paragraph 502.7.D, the site is exempt from subparagraphs 502.7C.1, 2, 3, 4 and 5 of the BCZR.)

ENGR/ARCH	DRAWING INTENT IS TO INDICATE GENERAL ARRANGEMENT, DESIGN AND INTENT OF WORK AND IS PARTLY DIAGRAMMATIC	REVISIONS			
		NO.	DESCRIPTION	BY	DATE
DESIGN BY			ZONING SUBMITAL		04/12/93
DRAWN BY					
CHECK BY					
DATE					04/12/93



Engineers, Architects and Planners



AT&T WIRELESS SERVICE
PROPOSED EQUIPMENT LOCATION
SITE NUMBER: B015.2
SITE NAME: DUNDALK PROFESSIONAL CENTER
SITE ADDRESS: 40 S. DUNDALK AVENUE
BALTIMORE, MD. 21222

PETITIONER'S
SITE PLAN EXHIBIT 1

DRAWING NO.	1
SHEET NO.	1 OF 2
PROJECT NO.	71936