

IN RE: PETITIONS FOR SPECIAL HEARING, * BEFORE THE
 SPECIAL EXCEPTION & VARIANCE - *
 SW/S Gundry's Lane & Viaduct Ave. * ZONING COMMISSIONER
 920'S of the c/l of Woodland Dr. *
 (5161 Gundry's Lane) * OF BALTIMORE COUNTY
 13th Election District *
 1st Councilmanic District * Case No. 97-265-SPHXA

 Baltimore Gas & Electric Co. *
 Petitioner *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as Petitions for Special Hearing, Special Exception and Variance for that property known as 5161 Gundry's Lane, located between Viaduct Avenue, the B & O Railroad, and I-95 in Catonsville. The Petitions were filed by the owner of the property, Baltimore Gas and Electric Company, through their attorney, Robert A. Hoffman, Esquire. The Petitioner seeks special hearing relief to approve an amendment to the special exception granted in prior Case No. 74-114-X to permit the erection of a self-supporting communications tower up to 190 feet in height, and for an unmanned building up to 500 sq.ft. in area to accommodate communications equipment, and a special exception to permit the proposed self-supporting communications tower and unmanned building on the subject property, and an extension for utilization of the special exception for a period of three years from the date of this Order. The Petitioner also requests a variance from Section 502.7.C.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a wireless transmitting and receiving facility to be located as close as 200 feet to a property line in lieu of the required distance of 380 feet. 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.

ORDER RECEIVED FOR FILING
 Date 2/24/97
 By [Signature]

MICROFILM

zoning approval for a wireless transmitting and receiving facility. This Zoning Commissioner has entertained a number of these cases through many of the providers identified above.

The proposed site is yet another locale for which relief is requested. In support of the request, the Petitioner submitted as Petitioner's Exhibit 2A, an overlay which shows the company's existing grid system, including an area near the subject site which is currently without service. A schematic representation of levels of service following the installation of the proposed facility was submitted as Petitioner's Exhibit 2B and indicates that the hole in the network will be filled by the installation of the proposed tower at the subject site.

Testimony and evidence was also offered that the subject property is an appropriate location for the proposed tower. The site is heavily wooded and the tower will not be visible to residential communities. Moreover, the tower is located near I-95, a heavily travelled interstate.

Testimony and evidence was also offered regarding the physical features of the tower and its location on the subject property. The tower will be 190 feet in height and will be equipped with a series of antennae which will provide coverage within a 360 degree range. Additionally, an unmanned building will be constructed at the base of the tower to house equipment accessory to the utilization of the tower. It was also indicated that the tower will be designed so as to handle multiple tenants. This is a particularly appropriate factor, in that the location for the tower is ideal. With no impact on any residential community and its close proximity to I-95, a multi-tenant use of the proposed tower is warranted and appropriate. Lastly, an environmental impact statement was submitted which is persuasive that no significant adverse environmental impact will result

from the installation of the proposed wireless transmitting and receiving facility. This conclusion was supported by the Zoning Plans Advisory Committee comments which raised no objections to the proposal.

Based on the testimony and evidence offered, I am persuaded to grant the relief requested. The special exception should be approved in that there will be no detriment to the health, safety or general welfare of the surrounding locale, irrespective of the zoning of this property as D.R. 3.5. The variance relief requested is also appropriate. Section 502.7.C.2 of the B.C.Z.R. requires that the tower be set back a distance twice its height. In that the proposed tower will be 190 feet in height, the required setback would be 380 feet. The proposed tower will be located 200 feet from the property line. Such a location is entirely appropriate in that it adjoins I-95 and is in a location on the property away from existing uses and that part of the property which is nearest residential communities. In my judgment, the Petitioner has complied with the requirements of Section 307 of the B.C.Z.R. as construed by the case law.

Lastly, special hearing relief will be granted to amend the previously approved special exception granted in prior Case No. 74-114-X on October 31, 1973. The nature of the amendment is to alter the site plan consistent with the Petitioner's proposed plans as set forth herein.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the special hearing, special exception, and variance relief should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 26th day of February, 1997 that the Petition for Special Hearing to approve an amendment to the special exception granted in prior Case No.

RECEIVED
FEB 27 1997
ZONING DEPT
BALTIMORE
COUNTY
MD
26/2/97
JEP

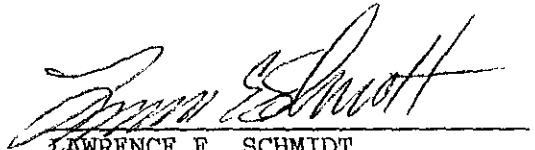
74-114-X to permit the erection of a self-supporting communications tower up to 190 feet in height, and for an unmanned building up to 500 sq.ft. in area to accommodate communications equipment, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Special Exception to permit the proposed self-supporting communications tower of up to 190 feet in height and unmanned building on the subject property, in accordance with Petitioner's Exhibit 1, and an extension for utilization of the special exception for a period of three years from the date of this Order, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 502.7.C.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a wireless transmitting and receiving facility to be located as close as 200 feet to a property line in lieu of the required distance of 380 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

IT IS FURTHER ORDERED that the Petitioners shall have three (3) years from the date of this Order in which to utilize the special exception granted herein.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

February 26, 1997

Robert A. Hoffman, Esquire
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION & VARIANCE
SW/S Gundry's Lane & Viaduct Ave., 920'S of the c/l of Woodland Dr.
(5161 Gundry's Lane)
13th Election District - 1st Councilmanic District
Baltimore Gas & Electric Co. - Petitioner
Case No. 97-265-SPHXA

Dear Mr. Hoffman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing, Special Exception, and Variance have 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, appearing to read "Lawrence E. Schmidt".

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. James P. Bennett and Ms. Clare Miller, BG&E
39 W. Lexington Avenue, Baltimore, Md. 21201

Messrs. Keith Thomas and Darnell Singleton, BG&E
7152 Windsor Boulevard, Baltimore, Md. 21244

Mr. James F. Burkman, BG&E
7609 Energy Parkway, Suite 101, Baltimore, Md. 21201

Messrs. Michael Yglesias and F. Kingsbury, AT&T Wireless Services
8403 Colesville Road, 16th Floor, Silver Spring, Md. 20910

People's Counsel; Case File

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Petition for Special Hearing

97-265-SPHXA

to the Zoning Commissioner of Baltimore County

for the property located at 5161 Gundry's Lane

which is presently zoned D.R. 3.5

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 Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

to amend special exception, case no. 74-114-X (Item No. 52) granted 10/31/73 to allow for the erection of a self-supporting communications tower up to 190 feet in height located in accordance with the attached property plat; also, for an unmanned building up to 500 square feet to accommodate communications equipment.

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

I, or we, agree to pay expenses of above Special Hearing 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.

(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.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner:

Robert A. Hoffman (410)494-6262

(Type or Print Name)

210 Allegheny Ave., Towson, MD 21204

Signature

James P. Bennett

17th Flr., G&E Bldg., (410)234-5607

Address

Baltimore Maryland 21201

City

State

Zipcode

Legal Owner(s):

Baltimore Gas and Electric Company

(Type or Print Name)

By:

Signature

Vice-President

(Type or Print Name)

Signature

7609 Energy Parkway, Suite 101 (410)787-5130

Address

Phone No

Baltimore

Maryland 21226

City

State

Zipcode

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

James F. Burkman

Name

7609 Energy Parkway, Suite 101 (410)787-5130

Address

Phone No

Baltimore, MD 21226

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

DROP-OFF
No REVIEW
12/18/96
KCR



ORDER RECEIVED FOR FILING

Date

By



Petition for Special Exception

97-265-SPHKA

to the Zoning Commissioner of Baltimore County

for the property located at 5161 Gundry's Lane

which is presently zoned D.R. 3.5

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 erection of a self-supporting communications tower up to 190 feet in height, located in accordance with the attached property plat; also, for an unmanned building up to 500 square feet to accommodate communications and equipment. Once granted, it is requested that the special exception remain valid for 3 years following the date from which it was granted.

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.

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.

Contract Purchaser/Lessee:

Legal Owner(s):

(Type or Print Name)

Baltimore Gas and Electric Company
(Type or Print Name)

Signature

By: *MTierna 11-19-96*
Signature Vice-President

Address

(Type or Print Name)

City

State

Zipcode

Signature

Attorney for Petitioner

Robert A. Hoffman
Robert A. Hoffman (410)494-6262

(Type or Print Name)

210 Allegheny Avenue, Towson, MD 21204

Signature

James P. Bennett

17th Flr., G&E Bldg. (410)234-5607

Address

Phone No.

Baltimore

Maryland

21201

City

State

Zipcode

7609 Energy Parkway, Suite 101 (410)787-5130

Address

Phone No.

Baltimore

Maryland

21226

City

State

Zipcode

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

James F. Burkman

Name

7609 Energy Parkway, Suite 101 (410)787-5130

Address

Phone No.

Baltimore, MD 21226

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: _____ DATE _____

ORDER RECEIVED FOR FILING

Date

By

**DROP. OFF
NO REVIEW
12/18/96
UCR**





Petition for Variance

97-265-SPHXA
to the Zoning Commissioner of Baltimore County

for the property located at 5161 Gundry's Lane

which is presently zoned D.R. 3.5.

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 Variance from Section(s)

502.7, C2 to permit a wireless transmitting and receiving structure a setback as close as 200 feet to a property line in lieu of the required 380 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

To be determined at hearing

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

I, or we, agree to pay expenses of above Variance 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:

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner:

Robert A. Hoffmann (410)494-6262

(Type or Print Name)

210 Allegheny Ave., Towson, MD. 21204

Signature

James P. Bennett

17th Flr., G&E Bldg., (410)234-5607

Address 39 W. LEXINGTON ST. Phone No

Baltimore Maryland 21201

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):

Baltimore Gas and Electric Company
(Type or Print Name)

By: J. T. Meria 12-17-96
Signature Vice-President

(Type or Print Name)

Signature

7609 Energy Parkway, Suite 101 (410)787-5130
Address Phone No

Baltimore Maryland 21226
City State Zipcode

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

James F. Burkman
Name

7609 Energy Parkway, Suite 101 (410)787-5130
Address Baltimore, MD 21226 Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates Next Two Months

ALL OTHER

REVIEWED BY: DATE

ORDER RECEIVED FOR FILING

Date

By

Printed with Soybean Ink
on Recycled Paper

DROP-OFF
NO REVIEW
12/18/96
LCR



MICROFILM

265

97-265-SPHXA

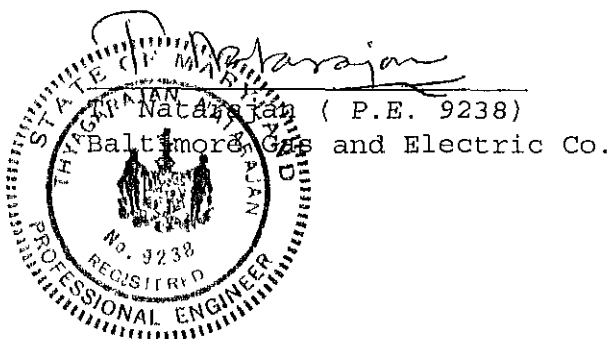
Description of Baltimore Gas and Electric Company parcel of land proposed for Special Exception in the 13th Election District of Baltimore County, Maryland.

Beginning for the same at a point in or near the center of Viaduct Avenue, located 1700' more or less north of Railroad Avenue in the town of Relay, thence running S. 86°00'48" W.-249.00', N. 85°29'12" W.-200.00', N. 63°29'12" W.-360.00', and S. 88°00'48" W.-28.99' to the easternmost right-of-way line of Interstate Route 95, thence binding on said right-of-way line the eight following courses and distances: S. 27°16'11" W.-26.95', S. 26°48'41" W.-250.01', S. 26°07'27" W.-150.03', S. 30°19'22" W.-150.21', S. 30°20'11" W.-168.24', S. 29°34'28" W.-75.17', S. 58°37'08" W.-126.44' and S. 28°43'19" W.-92.69 to the northeasternmost right-of-way line of the Baltimore and Ohio Railroad, thence binding on said railroad right-of-way the three following lines: southeasterly by a line curving to the right having a radius of 952.02' for a distance of 341.99', the chord of said arc bearing S. 46°16'28" E.-340.15', thence S. 35°59'00" E.-663.00', thence southeasterly by a line curving to the left having a radius of 540.14' for a distance of 258.13', the chord of said arc bearing S. 49°40'27" E.-255.68', thence leaving said railroad and running N. 13°10'25" E.-159.35', N. 8°06'25" E.-47.57', N. 20°53'35" W.-85.94', N. 61°36'25" E.-183.93', S. 49°44'17" E.-16.18', S. 48°29'17" E.-12.31', S. 67°34'17" E.-50.26', S. 81°28'30" E.-43.67', N. 83°57'25" E.-16.50', N. 74°42'25" E.-31.33', N. 71°57'25" E.-49.67', N. 51°42'25" E.-309.50' and N. 4°12'25" E.-90.00' to a point in or near the center of said Viaduct Avenue, thence running in or near the center of said Viaduct Avenue the four following courses and distances: N. 16°46'35" W.-191.37', N. 19°59'42" W.-160.00', N. 9°59'42" W.-114.00', N. 1°03'28" E.-570.27' to the place of beginning.

Containing 35.23 acres of land more or less.

The above description is based on the Deed, dated September 15, 1972 and recorded among the Land Records of Baltimore County in Liber O.T.G. #5301 folio 696, from Lewis Perkins Gundry and Winifred M. Gundry to Bankers Trust Company, Trustee and Baltimore Gas and Electric Company, which was prepared from a survey by H.H.B.D. Engineers Incorporated, Lutherville, Maryland.

The above described parcel of land is shown on Plat no. 218-619-D attached hereto and made a part hereof.



[illegible]

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 1116, 19 97.

THE JEFFERSONIAN,
D. H. Williams
LEGAL AD. - TOWSON

ADVANCE E. SCHMIDT,
County Commissioner for
Baltimore County
NOTES: (1) Hearings and
Accessions for
Handicapped, accommodations
Special, 867-3853.
Phone Call 867-3853.
(2) For information concern-
ing the File and/or Hearing,
Phone Call 867-3851.

1/20/16 Jan. 16

0112430

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____

Format for Sign Printing, Black Letters on White Background:

ITEM 265

ZONING NOTICE

Case No.: 97-265-SPHXA

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: _____

DATE AND TIME: _____

REQUEST: SPECIAL HEARING TO AMEND SPECIAL
EXCEPTION CASE # 74-114-X TO ALLOW
A COMMUNICATIONS TOWER 190 FEET,
ALSO AN UNMANNED BUILDING UP TO
500 SQUARE FEET.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

028516

No.

BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE - REVENUE DIVISION

ITEM #265

MISCELLANEOUS CASH RECEIPT

DROP-OFF --- NO REVIEW

DATE 12/19/96

ACCOUNT

001-6150

AMOUNT \$

650.00 (WCR)

RECEIVED

FROM:

Balto Gas & Electric Co

#070 - MAXIMUM FEE - \$650.00

SPECIAL EXCEPTION, SPECIAL HEARING, VARIANCE

5161 Gundry's Lane

FOR:

\$650.00

00000000000000000000

BA 00000000000000000000

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER

Request for Zoning: Varia Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____

Format for Sign Printing, Black Letters on White Background:

ITEM 265

ZONING NOTICE

Case No.: 97-265-SPHXA

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: _____

DATE AND TIME: _____

REQUEST: SPECIAL EXCEPTION FOR A
SELF-SUPPORTING COMMUNICATIONS TOWER UP
TO 190 FEET; AN UNMANNED BUILDING UP TO
500 SQUARE FEET; AND THAT THE SPECIAL
EXCEPTION REMAIN VALID FOR 3 YEARS.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____

Format for Sign Printing, Black Letters on White Background:

ITEM 265

ZONING NOTICE

Case No.: 97-265-SPHXA

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD.

PLACE: _____

DATE AND TIME: _____

REQUEST: VARIANCE TO PERMIT A WIRELESS
TRANSMITTING AND RECEIVING STRUCTURE
A SETBACK AS CLOSE AS 200 FEET TO A
PROPERTY LINE IN LIEU OF THE
REQUIRED 380 FEET.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

TO: PUTUXENT PUBLISHING COMPANY
January 16, 1997 Issue - Jeffersonian

Please forward billing to:

Robert A. Hoffman, Esq.
210 Allegheny Avenue
Towson, MD 21204
494-6262

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: 97-265-SPHX (Item 265)

5161 Gundry's Lane

W/S Viaduct Avenue, approximately 920' S of c/l Woodland Drive; also SE/S I-95 and NE/S B&O Railroad
13th Election District - 1st Councilmanic

Legal Owner(s): Baltimore Gas and Electric Company

Special Hearing to amend special exception case #74-114-X to allow a communications tower 190 feet; also an unmanned building up to 500 square feet.

Special Exception for a self-supporting communications tower up to 190 feet, an unmanned building up to 500 square feet, and that the special exception remain valid for 3 years.

Variance to permit a wireless transmitting and receiving structure a setback as close as 200 feet to a property line in lieu of the required 380 feet.

HEARING: FRIDAY, FEBRUARY 7, 1997 at 11:30 a.m. in Room 106, County Office Building.

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.



Baltimore County
Department of Permits and
Development Management

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

January 10, 1997

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: 97-265-SPHXA (Item 265)

5161 Gundry's Lane

W/S Viaduct Avenue, approximately 920' S of c/l Woodland Drive; also SE/S I-95 and NE/S B&O Railroad
13th Election District - 1st Councilmanic

Legal Owner(s): Baltimore Gas and Electric Company

Special Hearing to amend special exception case #74-114-X to allow a communications tower 190 feet; also an unmanned building up to 500 square feet.

Special Exception for a self-supporting communications tower up to 190 feet, an unmanned building up to 500 square feet, and that the special exception remain valid for 3 years.

Variance to permit a wireless transmitting and receiving structure a setback as close as 200 feet to a property line in lieu of the required 380 feet.

HEARING: FRIDAY, FEBRUARY 7, 1997 at 11:30 a.m. in Room 106, County Office Building.


Arnold Jablon
Director

cc: James F. Burkman/Baltimore Gas & Electric
James P. Bennett, Esq./Baltimore Gas & Electric
Robert A. Hoffman, Esq.

NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY JANUARY 23, 1997.
(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.

MICROFILMED





Baltimore County
Department of Permits and
Development Management

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

January 31, 1997

Robert A. Hoffman, Esquire
210 Allegheny Avenue
Towson, MD 21204

RE: Item No.: 265
Case No.: 97-265-SPHXA
Petitioner: BG&E Company

Dear Mr. Hoffman:

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 December 18, 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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.", written over a circular stamp.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

MICROFILMED



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development Management

DATE: January 6, 1997

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: 5161 Gundry's Lane

INFORMATION:

Item Number: 265
Petitioner: Baltimore Gas and Electric Company
Property Size: _____
Zoning: DR 3.5
Requested Action: _____
Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

The site plan should be amended to indicate a limit of disturbance.

Prepared by: Jeffrey W. Long

Division Chief: Gary L. Kern
AFK/WJL:vjc



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

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

RE: Baltimore County 12-31-96
Item No. 265 (WCR)

Dear Ms. Eubanks:

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 Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for

Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

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

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Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

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

TO: PDM

DATE: 12/31/96

FROM: R. Bruce Seeley.
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: Dec 30, 96

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

Item #'s:

258

259

260

261

263

265

266

268

RBS:sp

BRUCE2/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

Date: January 3, 1997

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

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

SUBJECT: Zoning Advisory Committee Meeting
for January 6, 1997
Item Nos. 258, 259, 261, 262,
263, 265, 267, 268

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

RWB:jrb

cc: File

ZONE44

MICROFILMED

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 01/08/97

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 DEC. 30, 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: 258, 259, 261, 262, 263, 265, 266, 267, 268 AND 269.

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File





Baltimore County
Department of Permits and
Development Management

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

December 19, 1996

Robert A. Hoffman, Esquire
210 Allegheny Avenue
Towson, MD 21204

RE: Drop-Off Petition (Item #265)
5161 Gundry's Lane
13th Election District

Dear Mr. Hoffman:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. Once a detailed review has been completed by the staff, those comments will be forwarded to you (hopefully before the hearing).

As Baltimore County is no longer responsible for posting properties, I have enclosed the proper forms pertaining to this. There is a form indicating the posting standards required by Baltimore County, as well as a list of vendors serving the Baltimore County area. The sign must contain the wording indicated on the "Zoning Notice" form and the certificate of posting must be completed by the poster and returned to Gwendolyn Stephens.

If you have any questions regarding the sign posting, please do not hesitate to contact Gwendolyn Stephens at 887-3391.

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." with a stylized "scj" monogram at the end.

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:scj

Enclosures

c: James P. Bennett, Esquire





Baltimore County
Department of Permits and
Development Management

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

January 21, 1997

Robert A. Hoffman
210 Allegheny Avenue
Towson, MD 21204

RE: Drop-Off Petition Review (Item #265)
5161 Gundry's Lane
13th Election District

Dear Mr. Hoffman:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The following comments are advisory and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$100.00 revision fee.

1. Need typed or printed name of person signing for legal owner.

If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "mjk", written over a horizontal line.

Mitchell J. Kellman
Planner II, Zoning Review

MJKj

Enclosure (receipt)

c: Zoning Commissioner
James P. Bennett, Esquire





Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

March 10, 1997

Robert A. Hoffman, Esquire
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION & VARIANCE
SW/S Gundry's Lane & Viaduct Ave., 920'S of the c/l of Woodland Dr.
(5161 Gundry's Lane)
13th Election District - 1st Councilmanic District
Baltimore Gas & Electric Co. - Petitioner
Case No. 97-265-SPHXA

Dear Mr. Hoffman:

In response to your letter dated March 5, 1997 concerning the above-captioned matter, enclosed please find a copy of that letter, the original of which I have signed and placed in the case file. The letter is, to a certain extent, overkill in that I clearly indicate on Page 3 of the Opinion that it is appropriate for the tower to house multiple tenants. I apologize for any confusion in the nomenclature I employed in describing the proposed structure. It is what it is, as shown on the site plan.

Notwithstanding the representations made at the hearing regarding the design of the structure, it seems appropriate that assurance be given that the tower can safely accommodate additional antennae. Thus, if additional tenants are obtained, a statement from a structural engineer indicating that the tower can safely handle additional equipment should be submitted for inclusion in the case file. The additional equipment would thereafter be permitted, without a public hearing.

If you have any questions concerning this matter, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Lawrence E. Schmidt".

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: People's Counsel
Case File

MICROFILMED



RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
PETITION FOR SPECIAL EXCEPTION	*	ZONING COMMISSIONER
PETITION FOR VARIANCE	*	
5161 Gundry's Lane, W/S Viaduct Avenue,	*	OF BALTIMORE COUNTY
appx. 920' S of c/l Woodland Drive; also	*	
SE/S I-95 and NE/S B&O Railroad	*	CASE NO. 97-265-SPHXA
13th Election District, 1st Councilmanic	*	
Baltimore Gas and Electric Company	*	
Petitioner	*	
* * * * *		

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 3rd day of February, 1997, a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esq., 210 Allegheny Avenue, Towson, MD 21204, and James P. Bennett, 17th Floor, G&E Building, Baltimore, MD 21201, attorneys for Petitioner.

Peter Max Zimmerman
 PETER MAX ZIMMERMAN

210 Allegheny Avenue
Post Office Box 5517
Towson, Maryland 21285-5517
(410) 494-6200, Fax (410) 821-0147

OFFICES IN
MARYLAND
WASHINGTON, D.C.
VIRGINIA

265

VENABLE
ATTORNEYS AT LAW

Writer's Direct Number:
410-494-6201

December 17, 1996

Hand Delivery

Mr. Carl Richards
Department of Permits
and Development Management
County Courts Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Property Owner/Petitioner: Baltimore Gas & Electric Company
Location: 5161 Gundry's Lane
Petition for Special Exception, Special Hearing and Variance

Dear Mr. Richards:

I am hereby drop filing the enclosed Petition for Special Exception, Special Hearing and Variance with regard to the above captioned property. The petitioner proposes to use the site as a wireless transmitting and receiving facility. Mitch Kellman has met with the engineer and is familiar with this project and the requested zoning relief. Pursuant to Zoning Enforcement, this property is not in violation of any zoning laws. Enclosed are the following documents:

1. Petition for Special Exception (3)
2. Petition for Variance (3)
3. Petition for Special Hearing (3)
4. Zoning description (3)
5. 200' scale zoning map (1)
6. Site Plans (12)
7. Two checks totaling \$650.00.

OK
wa
12/18/96

Mr. Carl Richards
December 17, 1996
Page 2

If you have any questions, please give me a call.

Sincerely,


Barbara W. Ormord
Legal Assistant

bw

cc: Robert A. Hoffman, Esquire

TO1DOCS1/BAW01/0035697.01

210 Allegheny Avenue
Post Office Box 5517
Towson, Maryland 21285-5517
(410) 494-6200, Fax (410) 821-0147

VENABLE
ATTORNEYS AT LAW

OFFICES IN

MARYLAND
WASHINGTON, D.C.
VIRGINIA

Robert A. Hoffman
(410) 494-6262

March 5, 1997

Via Hand Delivery

Lawrence E. Schmidt
Zoning Commissioner for Baltimore County
Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204

Re: Case No. 97-265-SPHXA
Petitioner: Baltimore Gas and Electric Company
Property Location: Grundy's Lane and Viaduct Avenue
Our File Number: 07973:120228

Dear Larry:

As you will recall at the hearing on the above-captioned matter, there was a great deal of discussion regarding the location of antennas for other carriers on the self-supporting communications tower and equipment either on or next to the tower. It is my recollection that you were in agreement at the hearing that additional carriers could utilize the structure and adjacent land without the need for a special hearing.

Additionally, the structure is referred to in your Order as both a "monopole" and a "self-supporting communications tower". As you may recall from my proffer, and as indicated on the petition and site plan, the structure is a self-supporting lattice structure.

Could you please acknowledge below that: (i) additional carriers may utilize the tower and place equipment on site without a further special hearing and (ii) that the structure is a lattice tower, not a monopole. If you agree, could you also place this letter in the permanent zoning file.

Lawrence E. Schmidt
March 5, 1997
Page 2

If you have any questions, please give me a call. Thank you.

Very truly yours,



Robert A. Hoffman

RAH:dk

cc: James P. Bennett, Esquire
Mr. James Burkhart



Lawrence E. Schmidt

Date: _____

3/7/97

RESUME**PETER C. BERGMANN, P.G.****EDUCATION:**

Master of Science, Geology, 1982,
Florida State University

Bachelor of Science, Geology, 1980,
Southampton College

PROFESSIONAL REGISTRATION:

Registered Professional Geologist, Delaware #620
Registered Professional Geologist, Indiana #1152

PROFESSIONAL ORGANIZATIONS:

Society of Wetland Scientists

EXPERIENCE:

1988 to
Present

Vice President, Director of Environmental Services for Geo-Technology Associates, Inc. Responsibilities include the supervision and management of personnel providing full service environmental and geologic consulting. Services provided include Phase I and II environmental site assessments; geologic investigations; hydrogeologic studies; tidal and non-tidal wetland delineations; environmental impact statements; Maryland DNR, Water Quality and U.S. Army Corps of Engineers 404 permit application assistance; stream restoration and shoreline preservation design; wetland mitigation design; and expert testimony.

1987 to
1988

Environmental Geologist/Project Manager for Greenspring Environmental Design and Contracting, Inc. Involved in a wide range of environmental issues with clients at the State, County, and local government levels, as well as with private developers and property owners. Served as Project Manager for a

MICROFILMED

Baltimore County Stream Restoration Feasibility Study designed to restore trout habitat in seven streams throughout the County. Additionally, served as Principle Investigator/Project Manager preparing environmental impact statements for Amoco Oil Company and Baltimore County. Completed geologic/hydrogeologic studies for groundwater appropriation permits.

1983
to 1986

Instructor of Geomorphology/Geology at the University of Maryland, Department of Geography and Laboratory for Coastal Research.

ADDITIONAL EXPERIENCE:

Coastal Zone Environmental Consultant for Coastal and Environmental Consultants, Inc., 1983.

Sea Grant Trainee for Sea Grant College, H.W. Patterson Hall, University of Maryland, 1983.

Research Technician for Florida Geological Survey, Tallahassee, Florida, 1981.

Geologic Investigation, Rock Formation Mapping, Big Bend National Park, Big Bend, Texas, 1980.

CONTINUING EDUCATION:

Erosion and Sediment Control Training Program, Maryland Department of Natural Resources, Baltimore, Maryland, April 1987.

Wetlands Identification and Classification, Maryland Department of Natural Resources Tidewater Administration, Coastal Resources Division, Annapolis, Maryland, June 1987.

PUBLICATIONS:

Bergmann, P.C., and S.P. Leatherman, 1984, Classification of Backbarrier Bays With Reference to Sea Level Rise, Tech. Report to EPA/ICF Inc., Washington D.C., 28pp.

Bergmann, P.C., 1984, Historical and Projected Shoreline Changes: A State of the Art Analysis, AAG Programs and Abstracts, Annual Meeting of the AAG, Washington D.C., April 1984.

Bergmann, P.C., 1983, Comparison of Sieving, Settling and Microscope Determination of Sand Grain Size, Abstracts with Programs, Southeastern Section, Geological Society of America, Vol. 15, No. 2, p.93.

Bergmann, P.C., 1983, Sieving, Settling and Microscope Determination of Grain Size, Nearshore Sedimentology, Proceeding of the Sixth Symposium on Coastal Sedimentology, Tallahassee, Florida, March 1983.

PRESENTATIONS:

"The Environmental Landscape: Wetland Mitigation and Reforestation", National Landscape Association Management Clinic, Louisville, Kentucky, January 1992.

"Recent Geologic History of the South River Estuary, Maryland", 14th Annual Assateague Shore and Shelf Conference, Assateague Island National Seashore, April 1987, Invited Speaker.

"Historical and Projected Shoreline Changes: A State of the Art Analysis", American Association of Geographers, Annual Meeting, Washington, D.C., March 1985.

"Comparison of Sieving, Settling and Microscope Determinations of Sand Grain Size", Geological Society of America, Southeastern Section Meeting, Tallahassee, Florida, March 1983.

HONORS:

National Science Foundation Dissertation Research Award. Grant for Research entitled: Recent Geologic/Geomorphic History of the South River Estuary, Maryland, March 1986.

Maryland Sea Grant Traineeship, Maryland Sea Grant College, University of Maryland, College Park, Maryland 20742, May 1983.

**Department of Permits and
Development Management**

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



Baltimore County

*James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director*

October 25, 2004

Matthew C. Steiner
11459 Cronhill Dr., Ste. A
Owings Mills, MD 21117

Dear Mr. Steiner:

Re: Spirit & Intent Letter, BG&E Facility at Gundry Lane and Viaduct Ave.,
13th Election District, Zoning Case 97-265-SPHXA

Please be advised that, after careful review of your revised site plan, the Department of Permits and Development Management, Zoning Review Section, has determined the following.

The included site plan information is not adequate. The provided information does not indicate the resultant setbacks for the replacement building after the proposed construction. This office cannot confirm that the Zoning Commissioner's order will be maintained. The minimum setback to a property line for the wireless transmitting and receiving facility is 200'. Any plan submitted for review and approval must show all setbacks. Additionally, actual dimensions for the replacement structure must be shown.

I trust that 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,

A handwritten signature in black ink, appearing to read "Lloyd T. Moxley", with a stylized flourish at the end.

Lloyd T. Moxley
Planner II
Zoning Review

LTM



**Department of Permits and
Development Management**

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



Baltimore County

*James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director*

December 1, 2004

Thomas L. Barr
11459 Cronhill Dr., Ste. A
Owings Mills, MD 21117

Dear Mr. Barr:

Re: Spirit & Intent Letter, BG&E Facility at Gundry Lane and Viaduct Ave.,
13th Election District, Zoning Case 97-265-SPHXA

Please be advised that, after careful review of your revised site plan, the Department of Permits and Development Management, Zoning Review Section, has determined the following.

Provided that the height of the existing tower is not increased, the proposed equipment shelter does not exceed 500 square feet and that no part of the wireless transmitting and receiving facility is less than 200 feet from the nearest property line the proposal is considered to be **within** the "spirit and intent" of the above referenced zoning case. A copy of this letter must accompany all plans submitted to Baltimore County for permit approval.

I trust that 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,

A handwritten signature in black ink, appearing to read "Lloyd T. Moxley", with a long horizontal flourish extending to the right.

Lloyd T. Moxley
Planner II
Zoning Review

LTM

Visit the County's Website at www.baltimorecountyonline.info



PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME
Rob Hoffman
James P. Bennett
MICHAEL YGLESIAS
PETER BERGMANN
Keith Thomas
WALT REITER (BGE)
CLARE MILLER
Jim Burkman
F. Kingsbury
Darnell Singleton

ADDRESS
210 Allegheny Ave 21204
BGE Lexington & Fayette ^{Co. Maryland} 21203
ATT Wireless, 8403 Colesville Rd, Silver Spring MD
GTA, 1390 Main Street Ber Air 2104
BGE 7152 Windsor Blvd. Balt MD 21244
Real Property Cons - 5730 Exercent Rd
BGE 39 W. Lexington 21201
BGE 7609 ENING PKY SUITE 101
BALTIMORE MD 21206
ATT 8403 Colesville Rd Silver Spring MD 20910
7152 Windsor Blvd Balt. MD 21244



Michael Yglesias
RF Engineer

AT&T Wireless Services, Inc.
8403 Colesville Road, 16th Floor
Silver Spring, MD 20910
OFFICE 301 578-1107
FAX 301 578-1114
MOBILE 410 570 3383
PAGER 888 288-9873
PIN 1500114791
EMAIL mike.yglesias@attws.com



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ENVIRONMENTAL IMPACT STATEMENT

BALTIMORE GAS & ELECTRIC COMPANY VIADUCT SUBSTATION TOWER SITE

Baltimore County, Maryland

Located at:

5161 Gundry's Lane
Relay, Maryland

JANUARY 1997

Prepared For:

BALTIMORE GAS & ELECTRIC COMPANY
7152 Windsor Boulevard
Baltimore, Maryland 21226

Attn: Mr. Keith E. Thomas

Prepared By:

GEO-TECHNOLOGY ASSOCIATES, INC.
Geotechnical & Environmental Consultants
139 North Main Street
Bel Air, Maryland 21014
(410) 879-9446

GTA #97014.E

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EXISTING ENVIRONMENTAL FEATURES	4
DISCUSSION OF PROBABLE IMPACTS	6
ALTERNATIVES TO THE PROPOSED CONSTRUCTION	6
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APPENDIX A - SITE LOCATION MAP

APPENDIX B - SITE PHOTOGRAPHS

APPENDIX C - SITE PLAN

APPENDIX D - AT&T BELL LABORATORIES REPORT

ENVIRONMENTAL IMPACT STATEMENT

BALTIMORE GAS & ELECTRIC COMPANY PROPOSED VIADUCT SUBSTATION TOWER SITE

JANUARY 1997

I. INTRODUCTION

The purpose of this report is to provide the County Board of Appeals for Baltimore County the necessary documentation of potential environmental impacts resultant from construction of a telecommunications tower at the Baltimore Gas & Electric Company (BGE) Viaduct Outdoor Electrical Substation (Viaduct Substation), located at 5161 Gundry's Lane, in western Baltimore County, Maryland. This report discloses the environmental consequences or enhancement of the proposed construction, and includes the following information:

- ▶ A description of the proposed action including information and technical data adequate to permit a careful assessment of environmental impact.
- ▶ A discussion of the probable impact on the environment, including any impact on ecological systems and any direct or indirect consequence that may result from the action.
- ▶ Any adverse environmental effects that cannot be avoided.
- ▶ Alternatives to the proposed action that might avoid some or all of the adverse environmental effects, including analysis of cost and environmental impact of these alternatives.
- ▶ An assessment of the cumulative, long-term effects of the proposed action including its relationship to short-term use of the environment versus the environment's long-term productivity.
- ▶ Any irreversible or irretrievable commitment of resources that might result from the action or which would curtail beneficial use of the environment.

II. PROJECT DESCRIPTION AND INTRODUCTION

Baltimore Gas & Electric Company has maintained and operated the Viaduct Substation on the 5261 Gundry's Lane property since approximately 1973. The property is located approximately 4,000 feet to the northwest of the Washington Boulevard (U.S. Route 1) and Metropolitan Boulevard (Route 195) interchange, near Relay, Maryland. The subject property is identified on Baltimore County Tax Map 108, as parcel 228, and encompasses approximately 35 acres. A location map for the site is attached to this report as Appendix A.

BGE is proposing to build a 180-foot-high telecommunications tower on the subject property for the purpose of leasing space for the installation of antennae for personnel communication service (PCS) companies. In addition, an equipment building, which will be no larger than 500 square feet, will be constructed adjacent to the tower to house electrical equipment associated with the PCS systems. At present, the proposed tower location is part of an open grassed area that surrounds the Viaduct Substation. Photographs of the existing facility are included within Appendix B.

Due to the location of this site in relation to existing PCS networks, the site elevations, and nature of existing site uses, the BGE Viaduct Substation is a desired location and is suitable for the proposed construction.

According to plans and information for the site provided to GTA by BGE, the proposed antenna support structure will be a 180-foot-high, three-legged, guyed, steel lattice mast, with a base spread of approximately 33 feet. Telecommunication antennae mounted on the tower will add an additional 10 feet to the structure, to a total of 190 feet. The modular equipment storage building will be serviced by electric and telephone utilities and will not require gas, water, or sanitary services, as it will be unmanned. Site visits will be for routine maintenance and inspections, with the exception being for emergency repairs.

The site will be accessed via the existing gravel and dirt drive to the property. No road network of paved roads or impervious surfaces will be constructed on the property for the proposed tower construction or subsequent operation.

III. EXISTING ENVIRONMENTAL FEATURES

The proposed communications antenna site is located in western Baltimore County, in an area typically associated with, and zoned for, residential land uses. The Viaduct Substation property is surrounded by residential land uses to the south and east, by Interstate 95 (I-95) to west, and by wooded land and residential properties to the north.

According to the Geologic Map of Baltimore County (1976), prepared by the Maryland Geologic Survey, the area is situated in the Piedmont Physiographic Province, which is characterized by strongly folded and faulted metamorphic rock and the residual soils derived from in-situ decomposition of the parent bedrock. Specifically, the site is underlain by the residual soils of the James Run Formation. Soils identified on the site have been mapped by the United States Department of Agriculture, Soil Conservation Service (SCS) Soil Survey of Baltimore County, as the Brandywine gravelly loams (ByE and ByD2) and the Manor and Brandywine very stony loams (MhE). These soil types are described as a deep, somewhat excessively drained to excessively drained, gently sloping to very steep soils found on uplands of the Piedmont Plateau.

Topographically, the overall BGE property can be described as gently to moderately sloping to the east. According to the United States Geological Survey (USGS) Topographic Quadrangle for the site and vicinity (Relay, MD.), elevations range from a maximum elevation of approximately 220 feet above Mean Sea Level (MSL) to a low of approximately 180 feet above MSL.

A reconnaissance of the site was performed by GTA personnel for the purpose of observing existing site conditions and assessing surrounding habitats. This site investigation occurred on January 27, 1997.

The overall Viaduct Substation site has been developed with the substation equipment and support building, which were enclosed in a eight-foot-high chain-linked fence. Based on the plans provided to GTA, the existing enclosed area is approximately 270 feet by 250 feet. The only other improvements observed on the property were the towers supporting the electrical lines leading to and from the Substation. The remainder of the overall site consists of wooded and open grassed areas. The perimeter of the BGE property consists of a densely wooded area. As such, the Viaduct Substation is not visible from adjoining properties or nearby roads. A chain-linked fence is located along the western property boundary, where it overlooks I-95.

At the time of GTA's January 27, 1997 site reconnaissance, the portion of site in which the proposed antennae support structure will be located was vegetated with a grass type ground cover. No trees or shrubs were found in the immediate vicinity of the proposed structures.

GTA personnel reviewed the area around the Substation and in the vicinity of the proposed antenna support structure for the presence of potential jurisdictional wetlands. Environmental parameters including the presence/absence of hydric soils, hydrophytic vegetation and near surface hydrology were evaluated in accordance with the criteria set forth in the 1987 Corps of Engineers Wetland Delineation Manual, Technical Report Y-87-1 (U.S. Army Corps of Engineers, Waterway Experiment Station, 1987). GTA personnel did not observe any potential jurisdictional wetlands in the areas reviewed.

While it is likely that the wooded areas located on the perimeter of the BGE property provide suitable habitat for a variety of species, none were observed during our site reconnaissance. The location of the site being adjacent to I-95 and the railroad tracks, may however limit the overall suitability of local wildlife habitat. More suitable, undisturbed wooded habitat is available in regions to the west, within the Patapsco Valley State Park.

As indicated, the site lies near the Patapsco River and the Patapsco Valley State Park. Within the immediate vicinity of the site however, no flowing watercourses or areas defined as "Waters of the United States" were observed, and the site is separated from potential habitat within the Park by I-95 and the rail lines of the Conrail Railroad.

No areas on-site or in the immediate surrounding areas were observed to contain known rare, threatened, or endangered species. GTA personnel did not observe any areas of significant or unique habitat within the special exception area.

IV. DISCUSSION OF PROBABLE IMPACTS

Construction of the antenna structure and placement of the 500-square-foot modular equipment storage building will result in a temporary impact to the immediate area during construction. Based on the proposed location of the installation, only a minor amount of grading is anticipated. Excavations for footings and the foundation for the equipment building, and the foundation system for the tower will also result in minor disturbance to the site. The only impervious surfaces which will be created on the site with the proposed activity will be the approximate 500 square feet of roof-top space on the equipment shelter. This represents approximately 0.03 % of the overall 35-acre site, and as such, no storm water management facilities are required.

The operation of this telecommunications tower will not require the use, storage, or treatment of any hazardous material as defined in the Comprehensive Environmental Response Compensation and Liability Act (CERCLA) of 1980, or regulated materials such as petroleum compounds. As such, there are no concerns for the contamination of soils and/or groundwater associated with the construction of this facility.

GTA has reviewed a document entitled Safety Analysis of the Electromagnetic Environment in the Vicinity of a Personal Communications Services (PCS) Base Station (AT&T Bell Laboratories, 1995), which is a safety analysis of the Radiofrequency (RF) electromagnetic environment associated with PCS antennae facilities. This document summarizes that "the maximum level of RF energy to which the public may be exposed is below all applicable health and safety limits." This report further

indicates that "in all normally accessible areas in the neighborhood surrounding a typical PCS installation, the maximum levels of RF energy associated with the operation of the antennas will be 1,200 times below the exposure limits of the 1992 American National Standards Institute/Institute of Electrical and Electronic Engineers (ANSI/IEEE) C95.1 safety guideline." A copy of this referenced report is attached as Appendix D.

It is our understanding that the proposed facility will not generate any audible noise on a routine operating basis.

It is not anticipated that the proposed tower will have significant impact on the environment. As previously indicated, the existing Substation is not within the viewshed of the surrounding communities, or the nearby roads. Based on our field observations, the existing Substation electrical transmission lines and towers which are nearest the property boundary blend in visually with the wooded areas, and as such, do not appear to create an adverse visual impact. Several of the tops of the existing towers are visible from I-95. It is likely that the top of the proposed tower will also be visible from the Interstate. Given the nature of the existing views from I-95 in the region, this will not add a significant adverse visual impact.

V. ALTERNATIVES TO THE PROPOSED ACTION

It does not appear that construction of the proposed antenna support structure will result in a measurable adverse environmental impact. An alternate site may be in an area more visible to the surrounding communities, and may result in impacts to the natural environment, neither of which are anticipated at the Viaduct Substation site.

VI. ASSESSMENT OF LONG-TERM EFFECTS

The long-term effects of the proposed tower installation appear to be limited to the presence of the facility itself. No apparent adverse environmental impact will occur from placing this facility adjacent to the existing Substation, in an existing open field.

VII. CONCLUSIONS

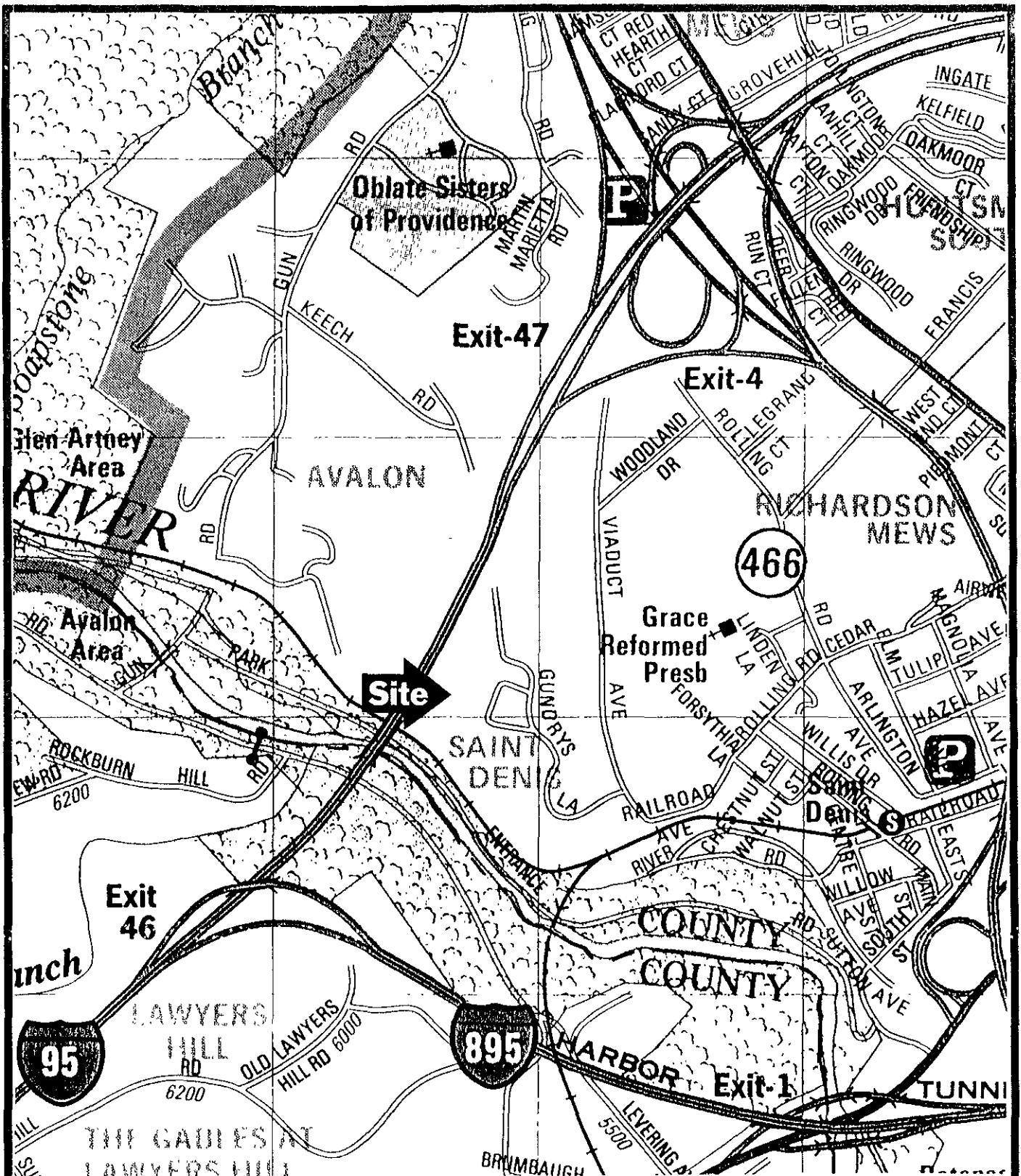
An analysis of existing environmental features and conditions, and the probable impacts due to construction of the proposed telecommunications facility tower has been prepared. This analysis has not revealed any significant adverse environmental impacts which will result from the construction of this facility.

The construction of the 180-foot-high communications tower and modular building will require minor impacts to an area that has been previously cleared and graded for construction of the existing Viaduct Substation. The area proposed for the installation is currently a grassed field and can be accessed by an existing unimproved road. Minor disturbance will be necessary for construction of foundations for the tower and building, but no paved roads or significant areas of impervious surfaces will be added to the site.

No wildlife habitat will be lost as a result of this proposed construction. Site investigations by GTA personnel did not reveal any significant or unique habitat, potential jurisdictional wetlands or Waters of the United States, highly erodible soils, or any known rare, threatened, or endangered species on the proposed tower site, which would be impacted by the proposed construction.

Based on available information, the proposed operation of PCS network electronics at the site will not result in adverse human health conditions.

Thus in the final analysis, the construction of the proposed radio communications tower site will not result in a measurable direct or indirect adverse environmental impact, nor will it result in a measurable adverse impact to the environments short- or long-term productivity.



GTA

GEO-TECHNOLOGY ASSOCIATES, INC.

GEOTECHNICAL AND ENVIRONMENTAL CONSULTANTS

139 N. Main Street, Suite 100
 Bel Air, Maryland 21014
 (410) 879-9446 - (410) 836-9123
 Fax: (410) 893-3437

LOCATION MAP

BGE VIADUCT SUBSTATION

BALTIMORE COUNTY, MARYLAND

SCALE

1" = 1000'

DATE

JANUARY 1997

DRAWN BY

ADC.

DESIGN BY

ADC.

REVIEW BY

GTA

JOB NO

97014

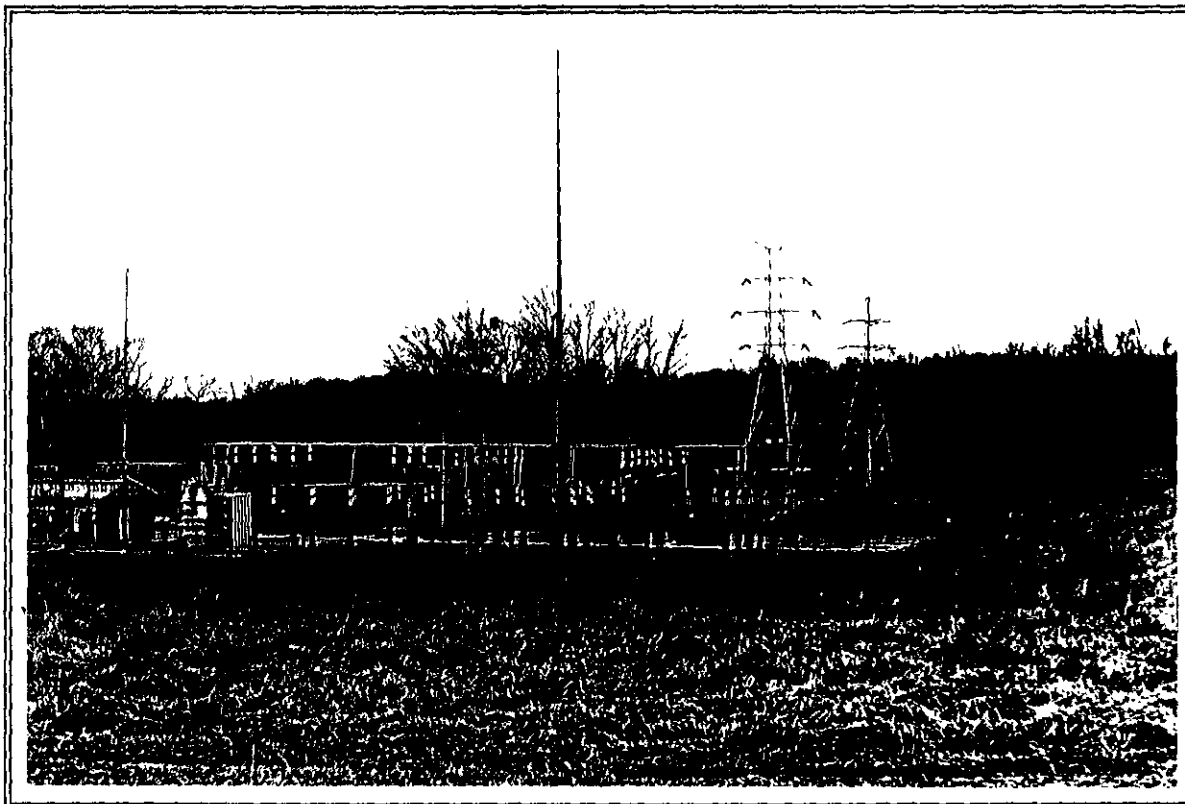
BGE VIADUCT SUBSTATION TOWER SITE

DATE PHOTOGRAPHED: January 27, 1997

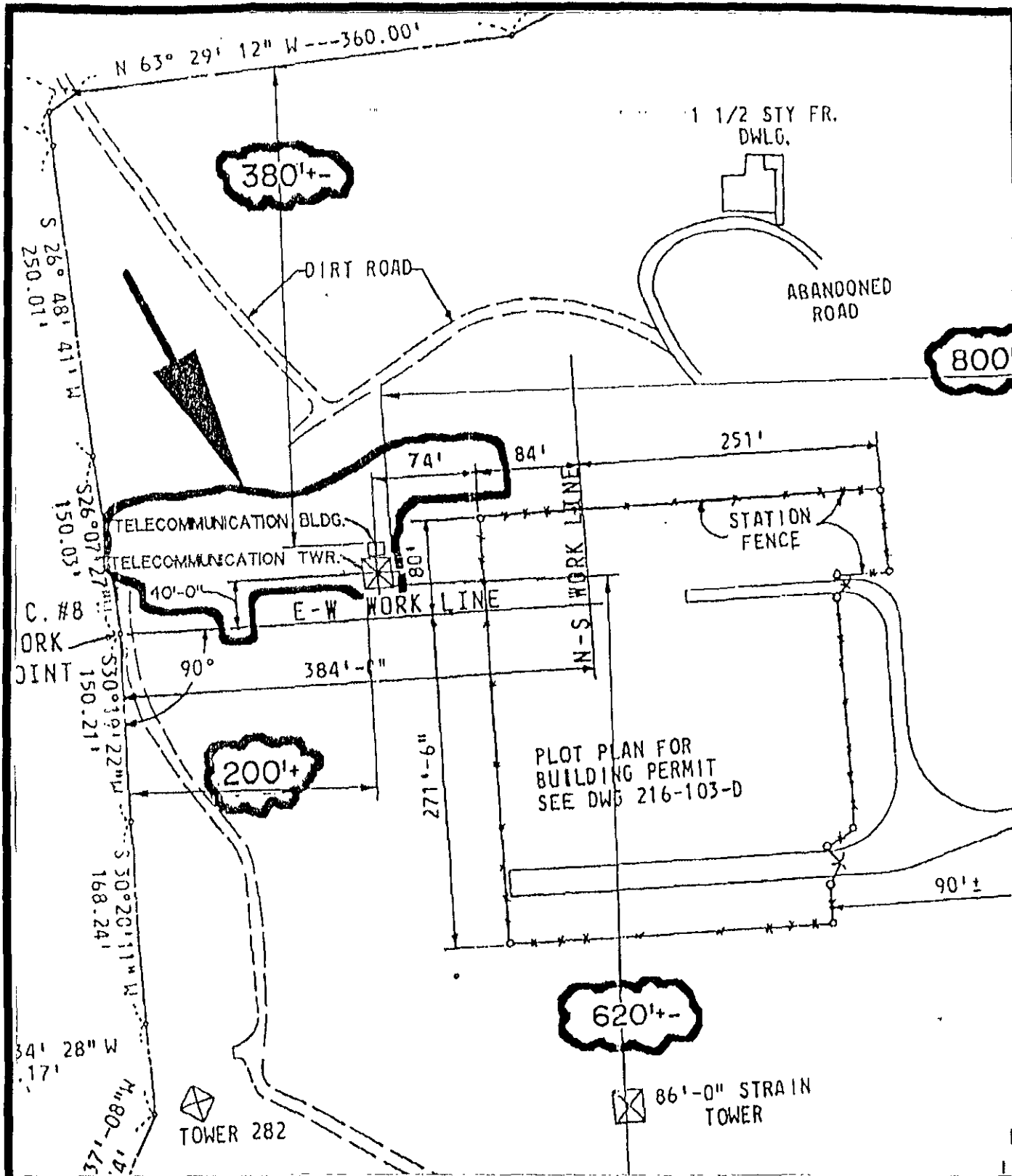
GTA JOB NUMBER: 97014.E



PHOTOGRAPH 1: EXISTING VIADUCT SUBSTATION AND GRAVEL ACCESS DRIVE.



PHOTOGRAPH 2: VIEW OF SUBSTATION FROM PROPOSED TOWER LOCATION.



CAD ONE, INC. 301-595-1120 086458



GEO-TECHNOLOGY ASSOCIATES, INC.

GEOTECHNICAL AND ENVIRONMENTAL CONSULTANTS

139 N. Main Street, Suite 100
 Bel Air, Maryland 21014
 (410) 879-9446 - (410) 836-9123
 Fax: (410) 893-3437

SITE PLAN

BGE VIADUCT TOWER SITE

BALTIMORE COUNTY, MARYLAND

SCALE:

NTS

DATE:

JAN. '97

DRAWN BY:

BGE

DESIGN BY:

BGE

REVIEW BY:

GTA

JOB NO.

97014.E



**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. 86, 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.

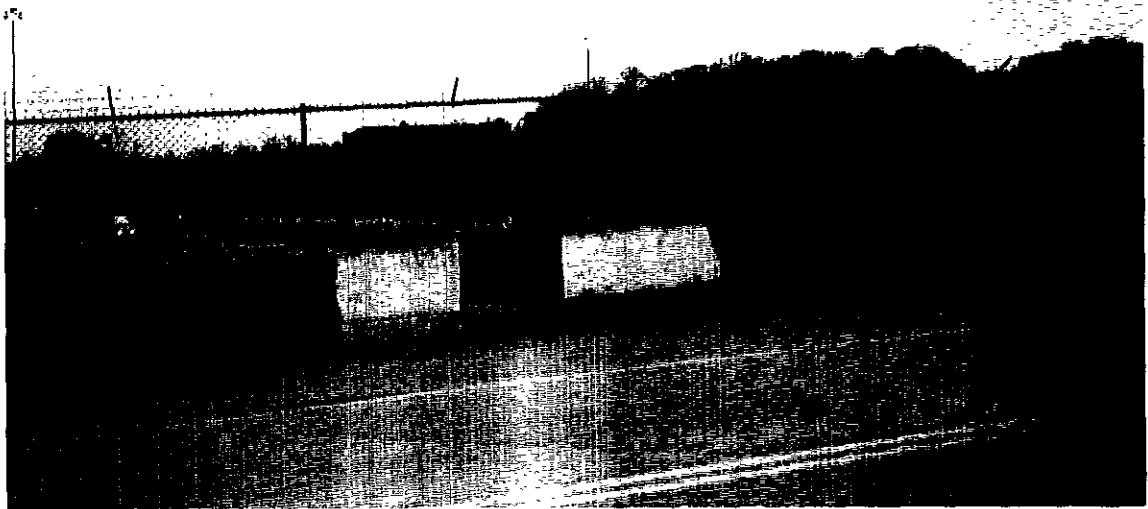
Enclosures

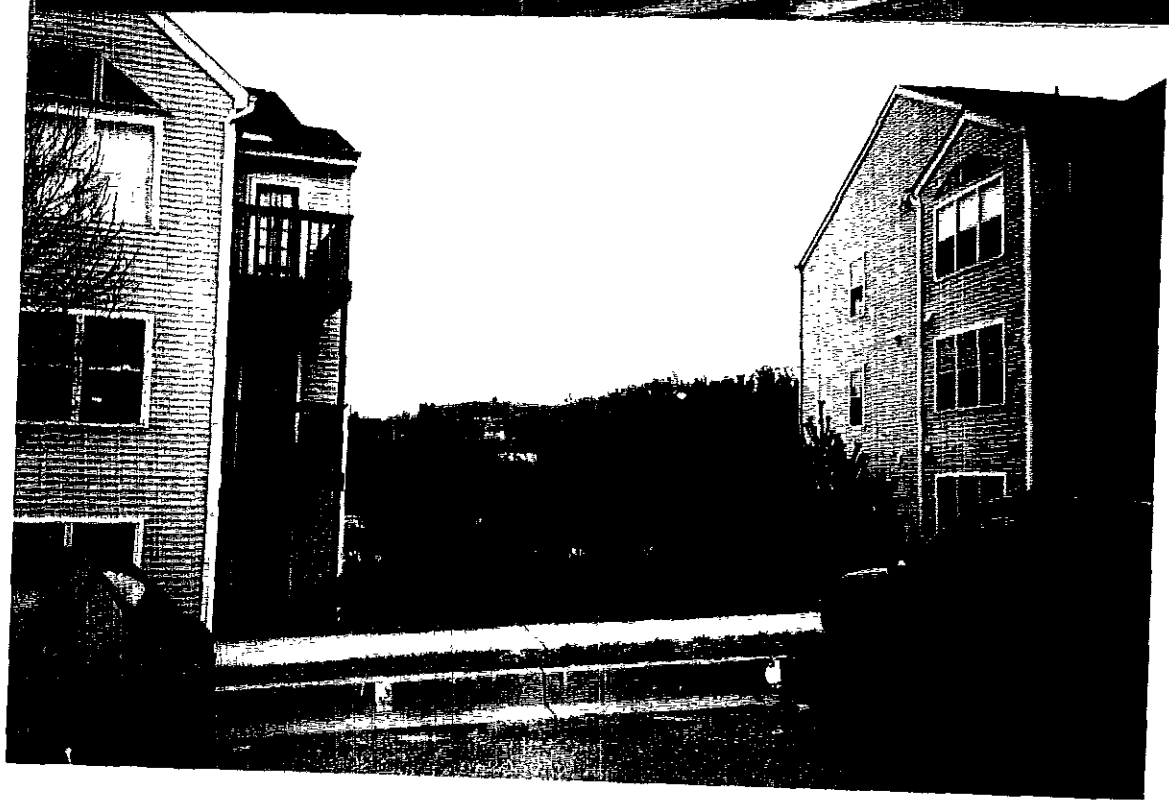
Figure 1 - Electromagnetic Spectrum

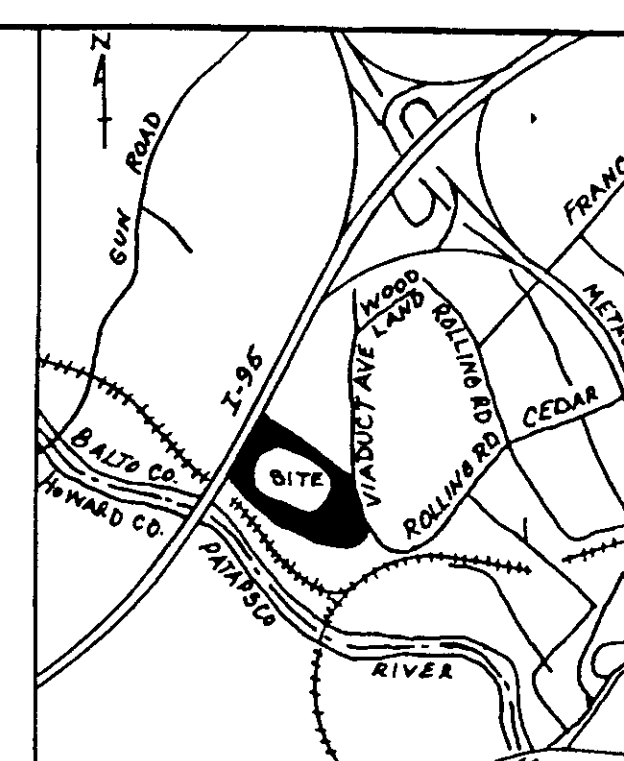
photographs
of property

Case 97-265-
SPHXA

REC'D - CIVIL

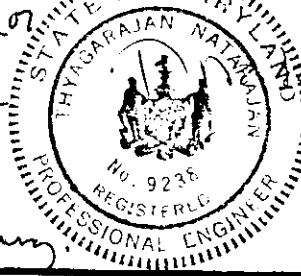






11. an 8' high fence will be placed around the tower and any telecommunications building or equipment

3.5 12. telecommunications equipment may be located next to the tower in protective metal boxes, or foundations (b) in addition to the telecommunications equipment building

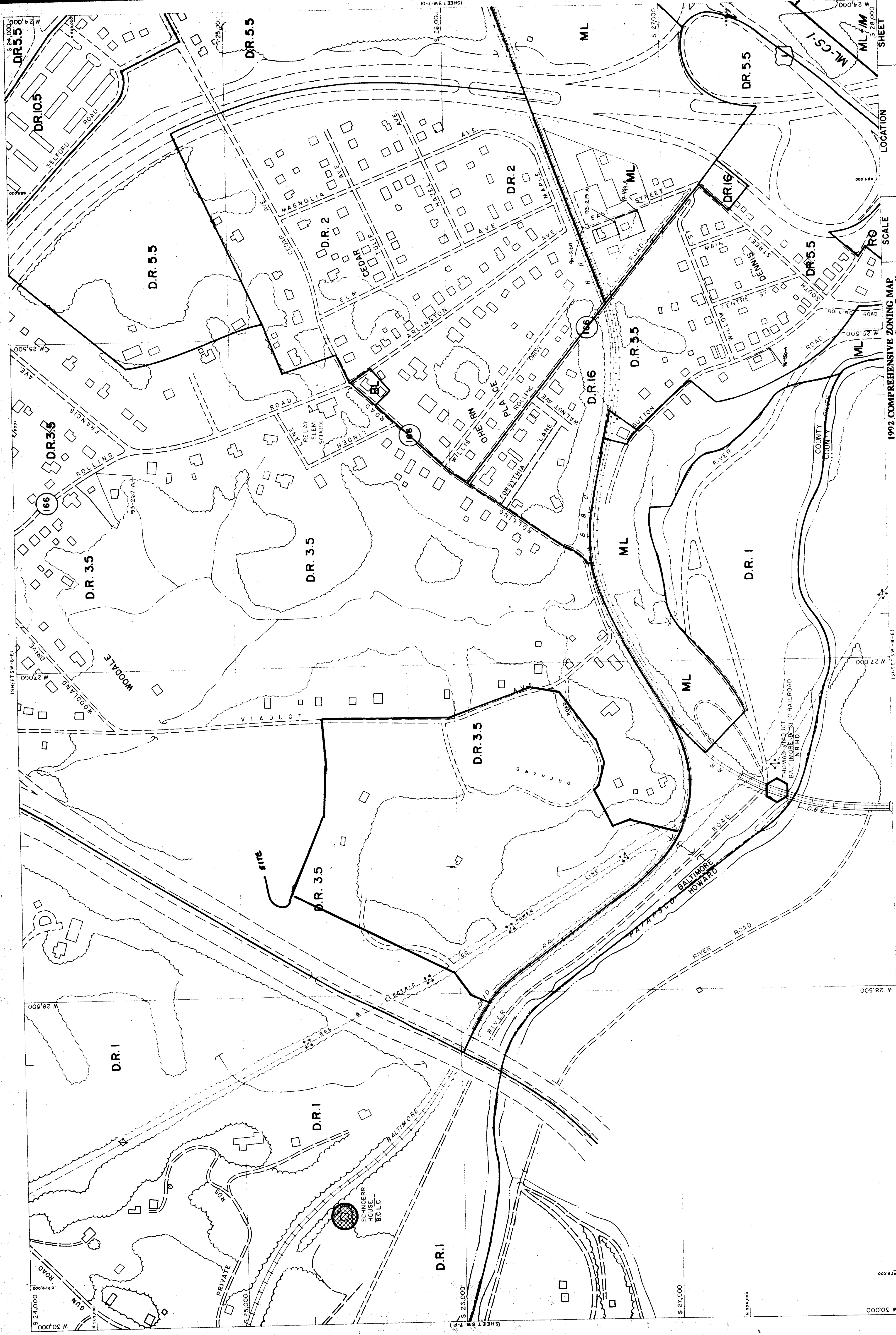


JOB ORDER	REV.	DATE	DESCRIPTION	APPROVAL	ENGINEERING	PLOT PLAN FOR SPECIAL HEARING & SPECIAL EXCEPT & VARIANCE
9603.21AK		12-12-96	COMMUNICATION TOWER & EQUIPMENT BUILDING.		CIVIL _____ MECH. _____ ELEC. _____ CHIEF ENG. _____ MANAGER _____	
					DESIGN & DRAFTING DESIGNED <u>MAL</u> DRAWN <u>MAL</u> CHECKED <u>RTMc</u> APPROVED <u>RTMc</u>	VIADUCT AVENUE BALTIMORE GAS AND ELECTRIC SYSTEM ENGINEERING
						REPROD. FROM DWG. DATED SCALE 1"=100'-0" DWG. 21R-61C



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±	RELAY	S.W. 7-E
DATE OF PHOTOGRAPHY JANUARY 1986	MICROFILMED	



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992

DATE OF
PHOTOGRAPHY
JANUARY
1986

LOCATION
RELAY

SHEET
S.W.
7-E

SCALE
1" = 200'

William D. Howard
Chairman, County Council

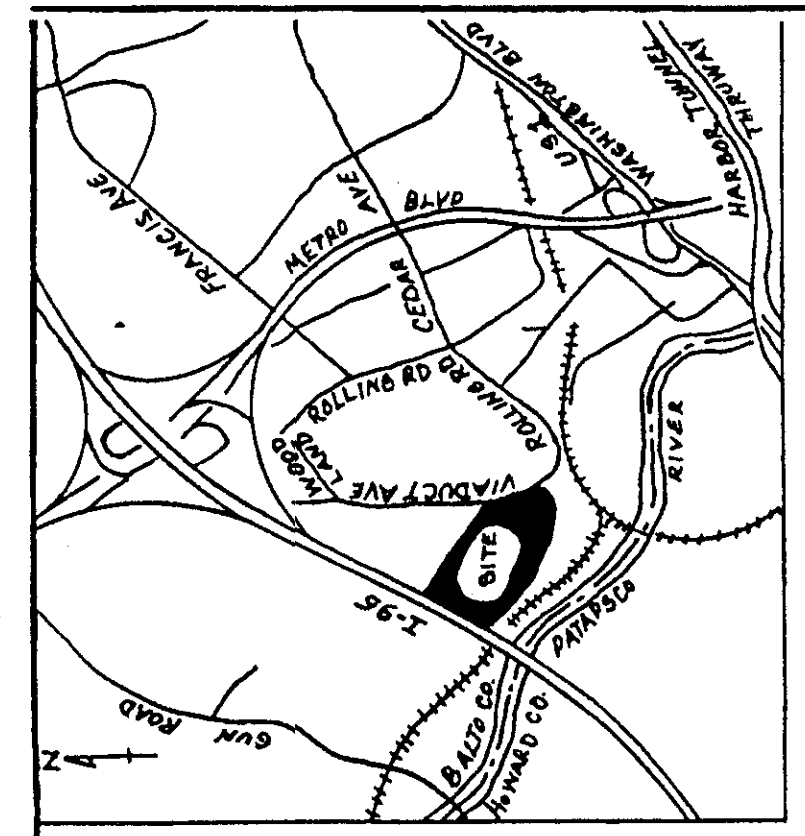
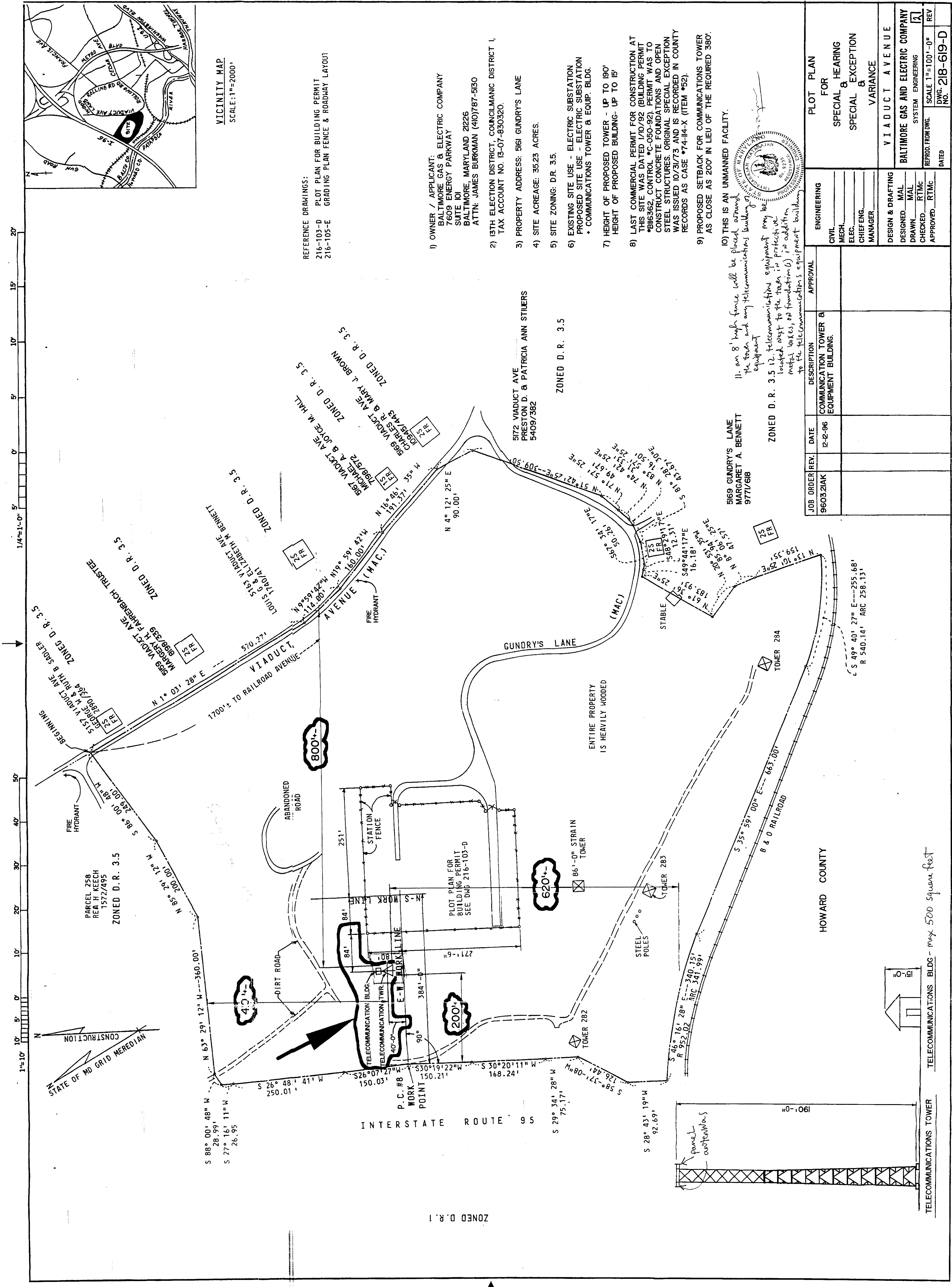
D-NE C-NW

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

MICROFILMED

265

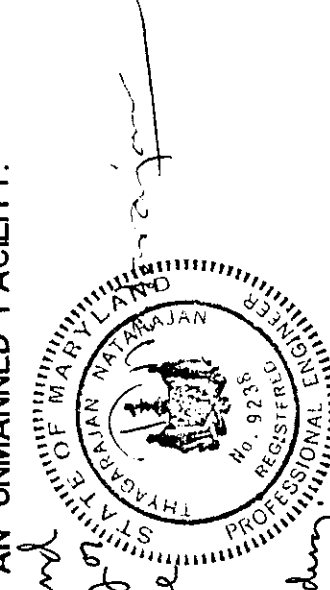
97-265-SPHXA



VICINITY MAP
SCALE: 1"=2000'

REFERENCE DRAWINGS:
216-103-D PLOT PLAN FOR BUILDING PERMIT
216-105-E GRADING PLAN FENCE & ROUGH LAYOUT

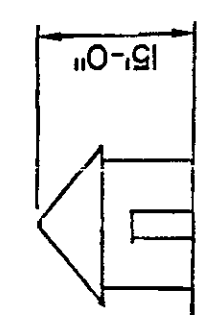
- 1) OWNER / APPLICANT:
BALTIMORE GAS & ELECTRIC COMPANY
6000 EIGHTH PARKWAY
SUITE 101
BALTIMORE, MARYLAND 21226
ATTN: JAMES BURKMAN (410)787-9300
TAX ACCOUNT NO. 15-07-830320.
- 2) 15TH ELECTION DISTRICT, CONGRESSIONAL DISTRICT 1,
TAX ACCOUNT NO. 15-07-830320.
- 3) PROPERTY ADDRESS: 561 GUNDY'S LANE
- 4) SITE ACREAGE: 35.23 ACRES.
- 5) SITE ZONING: DR. 3.5
- 6) EXISTING SITE USE - ELECTRIC SUBSTATION
PROPOSED SITE USE - ELECTRIC SUBSTATION
+ COMMUNICATIONS TOWER & EQUIP. BLDG.
- 7) HEIGHT OF PROPOSED TOWER - UP TO 180'
HEIGHT OF PROPOSED BUILDING - UP TO 15'
- 8) LAST COMMERCIAL PERMIT FOR CONSTRUCTION AT THIS SITE WAS DATED 1/10/92 (BUILDING PERMIT #86362, CONTROL #C-050-92). PERMIT WAS TO CONSTRUCT AND OCCUPY A COMMERCIAL BUILDING AND STEEL STRUCTURES, ORIGINAL SPECIAL EXCEPTION WAS ISSUED 10/31/73 AND IS RECORDED IN COUNTY RECORDS AS CASE #74-14-X (ITEM #52).
- 9) PROPOSED SETBACK FOR COMMUNICATIONS TOWER AS CLOSE AS 200' N. LIEU OF THE REQUIRED 350'.
- 10) THIS IS AN UNMANNED FACILITY.



11. an 8' high fence will be placed around the tower and any telecommunications building equipment.

ZONED D. R. 3.5 12. telecommunications equipment may be located away from the tower in a protected area (metal boxes, no foundation), in addition to the telecommunications equipment building.

JOB ORDER REV		DATE	DESCRIPTION	APPROVAL
9603.21AK		12-2-96	COMMUNICATION TOWER & EQUIPMENT BUILDING.	
ENGINEERING		PLOT PLAN FOR SPECIAL & HEARING SPECIAL & EXCEPTION VARIANCE		
CIVIL				
MECH.				
ELEC.				
CHIEF ENGINEER				
MANAGER				
DESIGN & DRAFTING		VIADUCT AVENUE		
DESIGNED - MAL				
DRAWN - RTMC				
CHECKED - RTMC				
APPROVED - RTMC				
		BALTIMORE GAS AND ELECTRIC COMPANY		
		SYSTEM ENGINEERING		
		SCALE 1"=100'-0"		
		REV. 1		
		DATE		
		NO. 218-619-D		



TELECOMMUNICATIONS BLDG - max 500 square feet

TELECOMMUNICATIONS TOWER

PA No 3

UNRECORDED

WASH/BALT-PCS

Best Server

CellCAD 11 v2.4

M.B61ENeig

3600	Ceylanwood	AI 13-39	15-19N	10N/76-45	31N	45m
3601	GRN130	AI 13-39	15-19N	10N/76-45	31N	45m
3602	GRN150	AI 13-39	15-19N	10N/76-45	31N	45m
3603	GRN170	AI 13-39	15-19N	10N/76-45	31N	45m
3604	GRN190	AI 13-39	15-19N	10N/76-45	31N	45m
3605	GRN210	AI 13-39	15-19N	10N/76-45	31N	45m
3606	GRN230	AI 13-39	15-19N	10N/76-45	31N	45m
3607	GRN250	AI 13-39	15-19N	10N/76-45	31N	45m
3608	GRN270	AI 13-39	15-19N	10N/76-45	31N	45m
3609	GRN290	AI 13-39	15-19N	10N/76-45	31N	45m
3610	GRN310	AI 13-39	15-19N	10N/76-45	31N	45m
3611	GRN330	AI 13-39	15-19N	10N/76-45	31N	45m
3612	GRN350	AI 13-39	15-19N	10N/76-45	31N	45m
3613	GRN370	AI 13-39	15-19N	10N/76-45	31N	45m
3614	GRN390	AI 13-39	15-19N	10N/76-45	31N	45m
3615	GRN410	AI 13-39	15-19N	10N/76-45	31N	45m
3616	GRN430	AI 13-39	15-19N	10N/76-45	31N	45m
3617	GRN450	AI 13-39	15-19N	10N/76-45	31N	45m
3618	GRN470	AI 13-39	15-19N	10N/76-45	31N	45m
3619	GRN490	AI 13-39	15-19N	10N/76-45	31N	45m
3620	GRN510	AI 13-39	15-19N	10N/76-45	31N	45m
3621	GRN530	AI 13-39	15-19N	10N/76-45	31N	45m
3622	GRN550	AI 13-39	15-19N	10N/76-45	31N	45m
3623	GRN570	AI 13-39	15-19N	10N/76-45	31N	45m
3624	GRN590	AI 13-39	15-19N	10N/76-45	31N	45m
3625	GRN610	AI 13-39	15-19N	10N/76-45	31N	45m
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3627	GRN650	AI 13-39	15-19N	10N/76-45	31N	45m
3628	GRN670	AI 13-39	15-19N	10N/76-45	31N	45m
3629	GRN690	AI 13-39	15-19N	10N/76-45	31N	45m
3630	GRN710	AI 13-39	15-19N	10N/76-45	31N	45m
3631	GRN730	AI 13-39	15-19N	10N/76-45	31N	45m
3632	GRN750	AI 13-39	15-19N	10N/76-45	31N	45m
3633	GRN770	AI 13-39	15-19N	10N/76-45	31N	45m
3634	GRN790	AI 13-39	15-19N	10N/76-45	31N	45m
3635	GRN810	AI 13-39	15-19N	10N/76-45	31N	45m
3636	GRN830	AI 13-39	15-19N	10N/76-45	31N	45m
3637	GRN850	AI 13-39	15-19N	10N/76-45	31N	45m
3638	GRN870	AI 13-39	15-19N	10N/76-45	31N	45m
3639	GRN890	AI 13-39	15-19N	10N/76-45	31N	45m
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3646	GRN1030	AI 13-39	15-19N	10N/76-45	31N	45m
3647	GRN1050	AI 13-39	15-19N			

THRESHOLDS
($\geq$ dBm)

OVERLAYS

State Highways
County Boundaries
Shorelines and Rivers
Tertiary Highways

Kilometers

Age group	Number of people
0-14	150
15-24	180
25-34	190
35-44	170
45-54	160
55-64	140
65-74	120
75-84	100
85+	80

SCALE: 1:24 000

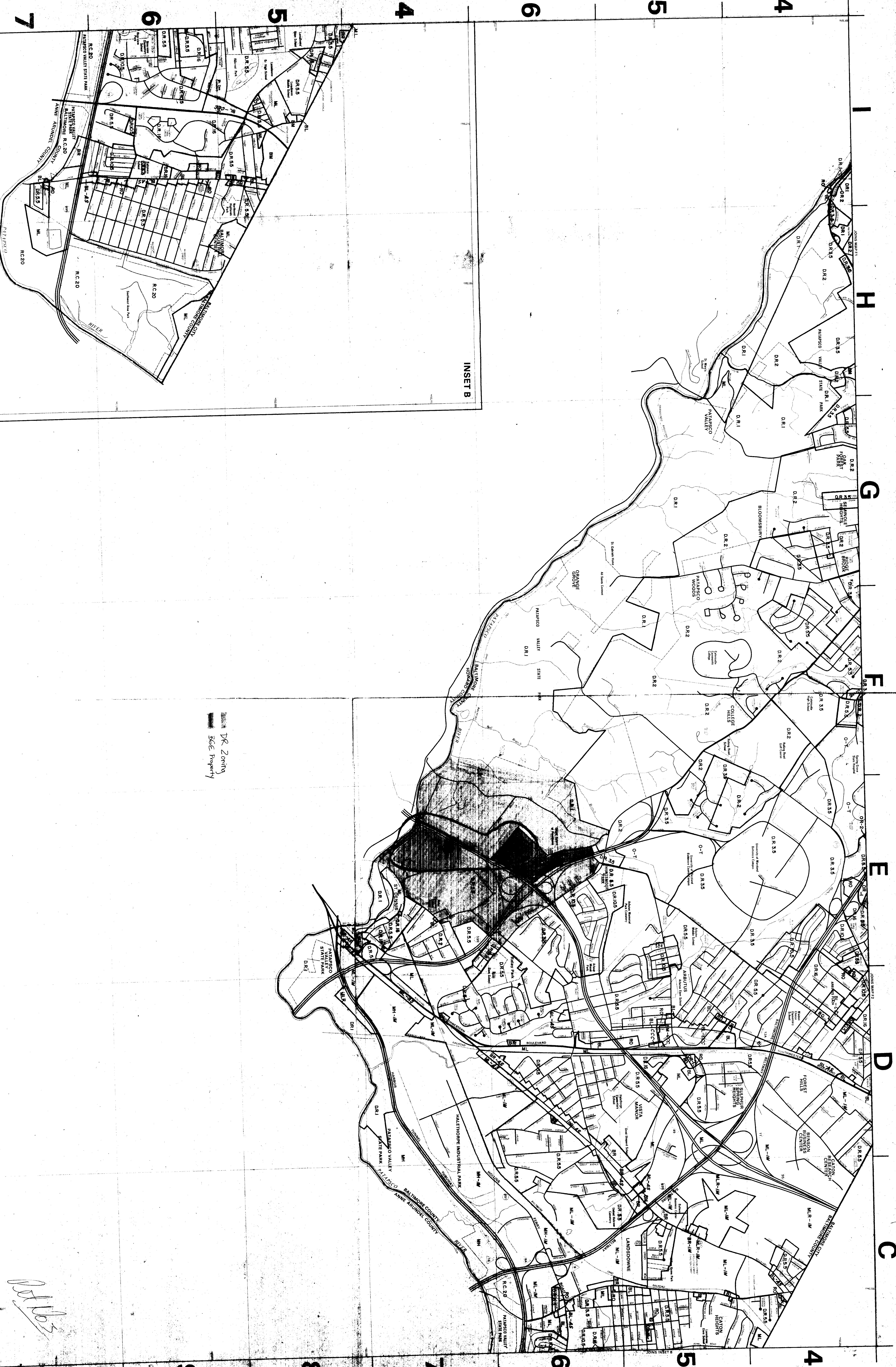
02/04/97 13:35

Feb 213

M.B61EW/O

SCALE: 1:24,000
01/30/97 10:24

$P_{21} = 2A$



INSET B

DR Zoning
See Property

A

G

F

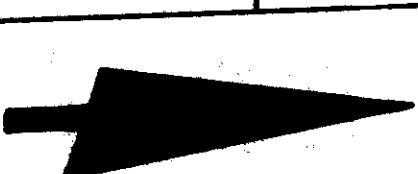
E

D

C

G-1

Scale: 1"=1000'

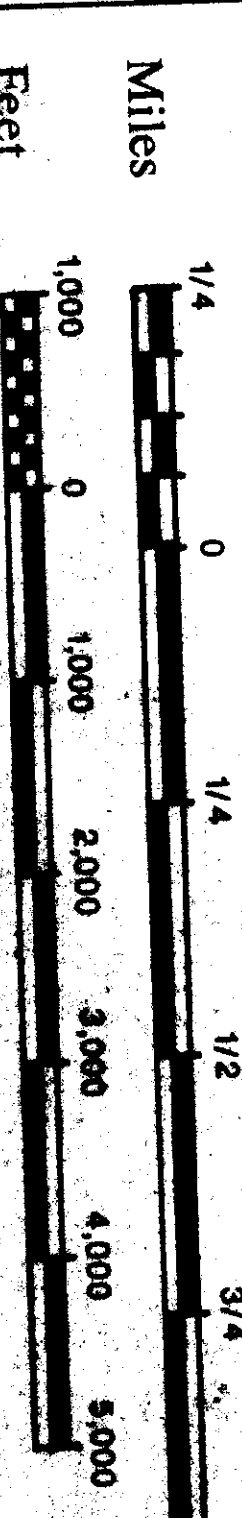


Revisions

Checked for the Office of Planning and Zoning by
Drawing & Title from Baltimore County's January
1988, 1"=200' planimetric map sheet, 20101
UP-DRAWN 15 December 1988
County Name: Baltimore County

A1	A2
B1	B2
C1	C2
D1	D2
E1	E2
F1	F2
G1	G2

Map Index



Baltimore County, Maryland