

IN RE: PETITIONS FOR SPECIAL EXCEPTION * BEFORE THE
AND VARIANCE.
NW/C Frederick Road & Beechwood * ZONING COMMISSIONER
Avenue
1400 Frederick Road * OF BALTIMORE COUNTY
1st Election District
1st Councilmanic District * Case No. 97-579-XA
Legal Owner: Catonsville Presby-
terian Church *
Lessee: Bell Atlantic Nynex Mobile
Petitioners
* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner on Petitions for Special Exception and Variance, for the property located at 1400 Frederick Road in the Catonsville community of western Baltimore County. The Petitions were filed by the property owner, Catonsville Presbyterian Church, and Contract Lessee, Bell Atlantic Nynex Mobile. Special Exception approval is requested to permit a wireless transmitting and receiving facility pursuant to Sections 1B01.1.C.20 and 502 of the Baltimore County Zoning Regulations (BCZR) in a D.R.2 zone; and to allow the 5 acre minimum lot area requirement for a wireless transmitting and receiving facility to be combined with the Church use. Four variances are requested. They are:

1. A variance from Section 502.7.C.2 of the BCZR to allow a transmitting and receiving facility setback of 84 ft. in lieu of the required 136 ft.
2. A variance from Section 1B01.1.B.1.e of the BCZR to allow a 0 ft. buffer in lieu of the required 50 ft.
3. A variance from Section 1B01.1.2C.1 of the BCZR to permit a modular equipment building as close as 0 ft. to existing Church in lieu of the 50 ft. side yard setback requirement; and
4. A variance from Section 502.7.C.4 of the BCZR to waive the fence requirement.

All of the subject property and the requested relief are more particularly shown on Petitioners' Exhibit No. 1, the plat to accompany the Peti-

ORDER RECEIVED FOR FILING

Date

By

8/18/97
M. Gorkh

tions for Special Exception and Variance.

Appearing at the requisite public hearing held for this case were Maurice Thompson II and Anjana Nagarajan-Butaney, on behalf of Bell Atlantic Nynex Mobile. Also present was Tim Madden, a landscape architect with Morris, Ritchie and Associates. Also appearing in support of the Petition were Antonio Ancona and W. Ailyn Harden. Eugene L. Shaver, a neighbor who resides less than one mile from the subject site, appeared in opposition to the request. The Petitioners were represented by Robert A Hoffman, Esquire.

This is another in a series of cases brought by Bell Atlantic Nynex Mobile and competitor companies related to the installation of wireless transmitting and receiving facilities in Baltimore County. Bell Atlantic Nynex Mobile is engaged in the business of providing wireless communication services to the public, including mobile telephones, fax and data transmission. As is the case with other companies, Bell Atlantic Nynex Mobile is installing a series of wireless transmitting and receiving facilities throughout Baltimore County. These facilities are installed so as to provide a continuous network to the company's customers, so that a mobile user is handed off from one facility to the next. Frequently, the company installs its equipment on its own monopoles or freestanding towers. However, as a preferable option, the company seeks to locate its equipment on existing buildings and other structures. Location on existing structures lessens the company's expense, is more esthetically pleasing and is consistent with the aims and goals of the Baltimore County Zoning Regulations which govern this use.

In this case, the company proposes installing its equipment on the subject property owned by the Catonsville Presbyterian Church. The subject property is approximately 6.25 acres in area, zoned D.R.2. The property is

ORDER RECEIVED FOR FILING

Date

By

8/8/97
M. Gorkh

an irregularly shaped lot, with frontage on Frederick Road and Beechwood Avenue in Catonsville. The site is improved with an existing church building, several smaller outbuildings, and a large parking area. The property is in active use as a place of religious worship for the congregation of the Catonsville Presbyterian Church.

The Petitioner, Bell Atlantic Nynex Mobile proposes installing 9 antennas within the steeple of the church building. As shown on the site plan, the antennas will be located behind an opaque fiber glass window approximately 86 ft. above ground. The antennas will increase Bell Atlantic's coverage and capacity for its communications network in the area. It was indicated that the antennas would nearly be invisible to anyone from the ground, in view of their location behind the opaque fiberglass windows and height. The subject property and proposed location of Bell Atlantic's equipment are all particularly shown on the site plan (Petitioner's Exhibit No.1) and the elevation drawings (Petitioner's Exhibit No.2).

Mr. Hoffman, on behalf of the Petitioner, presented a lengthy proffer regarding the proposed use and compatibility with the surrounding locale. He indicated that the proposal is appropriate, in that the company could use the existing church structure as opposed to erecting a monopole tower in the area. He also explained that a small equipment shed building would be located immediately adjacent to the base of the church building. Due to the construction features of the church building, the equipment will not be visible from adjoining properties or public roadways. Moreover, the facility will be a locked, unmanned facility, but for routine maintenance calls.

Mr. Shaver testified in opposition to the request. He succinctly stated that his opposition is based upon his belief that the proposed use is incompatible with the residential zoning of this property and the residential community which is adjacent thereto. Although there is no doubt

8/18/97
M. Shaver

that this use is commercial in nature, it is permitted by special exception in the residential zone by the BCZR. Thus, there is no inherent incompatibility, for so long as the use does not cause any detriment to the health, safety or general welfare of the community.

Based upon the testimony and evidence presented, I am persuaded to grant the Petition for Special Exception. The proposal is entirely consistent with the spirit and intent of the regulations. Rather than erecting a monopole within a residential neighborhood, the Petitioner has undertaken the appropriate approach of installing its equipment on an existing structure. This is far more esthetically pleasing and will not cause detriment to the surrounding locale. To the contrary, the use will be nearly invisible from adjacent properties or roadways. I find that the Petitioner has satisfied the standards set forth in Sections 502.1 and 502.7 of the BCZR, and that the Petition for Special Exception should be granted.

Variance relief is also sought. Most of the variances relate to setbacks for the existing church building. As noted above, the equipment will be installed on the church building, itself, thus the setbacks are measured accordingly. The uniqueness of the property is found in its unusual shape and configuration, as well as the existence and location of the existing improvements thereon. I am also satisfied that the Petitioner will suffer practical difficulty if the relief which is requested is denied. Moreover, as set forth above, there will be no detrimental impact to the surrounding locale. In my judgment, the Petitioner has presented facts sufficient to meet the test for variance relief as set forth in Section 307 of the BCZR.

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

RECEIVED FOR FILING
8/18/97
M. G. G. G. G.
Date
By

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 19th day of August 1997 that a Petition for Special Exception for approval of a wireless transmitting and receiving facility, pursuant to Sections 1B01.1.C.20 and 502 of the Baltimore County Zoning Regulations (BCZR), in an D.R.2 zone; and to allow the 5 acre minimum lot area requirement for a wireless transmitting and receiving facility to be combined with the Church use, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 502.7.C.2 of the BCZR to allow a transmitting and receiving facility setback of 84 ft. in lieu of the required 136 ft., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 1B01.1.B.1.e of the BCZR to allow a 0 ft. buffer in lieu of the required 50 ft., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 1B01.1.2C.1 of the BCZR to permit a modular equipment building as close as 0 ft. to existing Church in lieu of the 50 ft. side yard setback requirement, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 502.7.C.4 of the BCZR to waive the fence requirement, be and is hereby GRANTED, subject, however, to the following restriction:

1. The Petitioners are hereby made aware that proceeding at this time is at its 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 Petitioners would be required to return, and be responsible for returning, said property to its original condition.


LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

LES:mmm

ORDER RECEIVED FOR PLANNING
8/19/97
Date
By M. Shoop



Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

August 18, 1997

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

RE: Petitions for Special Exception and Variance
Case No. 97-579-XA
Bell Atlantic Nynex Mobile/Catonsville Presbyterian Church
Location: 1400 Frederick Road

Dear Mr. Hoffman:

Enclosed please find the decision rendered in the above captioned case. The Petitions for Special Exception and Variance have been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
att.

c: Messrs. Maurice Thompson II & Anjana Nagarajan-Butaney
Bell Atlantic Nynex Mobile
9000 Junction Drive, Annapolis Junction, Md. 20701
Mr. Antonio Ancona, 947 Tidewater Grove Court, Annapolis, Md. 21401
Mr. W. Ailyn Harden, 102 Taplow Road, Baltimore, Md. 21212
Mr. Eugene L. Shaver, 116 S. Hilltop Road, Baltimore, Md. 21228



RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
PETITION FOR VARIANCE *
1400 Frederick Road, NWC Frederick Road * ZONING COMMISSIONER
and Beechwood Avenue, 1st Election *
District, 1st Councilmanic * OF BALTIMORE COUNTY

Legal Owner(s): Catonsville Presb. Church * CASE NO. 97-579-XA
Contract Purchaser: Bell Atlantic NYNEX Mobile *
Petitioners *

* * * * *

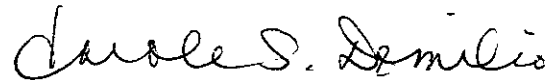
ENTRY OF APPEARANCE

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

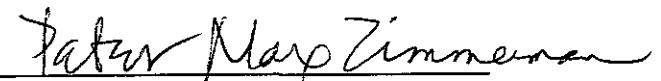
400 Washington Avenue

Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 5th day of August, 1997, a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esq., Venable, Baetjer and Howard, 210 Allegheny Avenue, Towson, MD 21204, attorney for Petitioners.



PETER MAX ZIMMERMAN



Petition for Special Exception to the Zoning Commissioner of Baltimore County

for the property located at 1400 Frederick Road

which is presently zoned DR2

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 part of hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

for a wireless transmitting and receiving facility pursuant to Section 1B01.1.C.20 and 502 of the Baltimore County Zoning Regulations and to allow the 5 acre minimum lot area requirement for a wireless transmitting and receiving facility (Section 502.7.C.3) to be combined with a church use.

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 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:

Bell Atlantic NYNEX Mobile

(Type or Print Name)

By: Maurice Thompson, II
Signature Maurice Thompson, II, Real Estate Consultant

9000 Junction Drive

Address

Annapolis Junction

City

MD

State

20701

Zipcode

Attorney for Petitioner:

Robert A. Hoffman
Venable, Baetjer and Howard, LLP

(Type or Print Name)

Signature

210 Allegheny Ave.

Address

(410) 494-6200

Phone No

Towson

City

MD

State

21204

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):

Catonsville Presbyterian Church

(Type or Print Name)

By: Robert Adams
Robert Adams, President, Board of Trustees

By: Robert Reisse
Robert Reisse, Secretary, Board of Trustees

Signature

1400 Frederick Road

Address

410-747-6180

Phone No.

Catonsville

City

MD

State

21228

Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Robert A. Hoffman
Venable, Baetjer and Howard, LLP
Name

210 Allegheny Ave, Towson, MD 21204

Address

(410) 494-6200

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing the following dates

Next Two Months

ALL

OTHER

REVIEWED BY: R.T.

DATE

6-23-97

Zoning Administration
& Development Management

#579



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1400 Frederick Road

which is presently zoned DR2

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 part of hereof, hereby petition for a Variance from Section(s)

SEE Attached

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardships 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 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:

Bell Atlantic NYNEX Mobile

(Type or Print Name)

Signature

By: Maurice Thompson, II, Real Estate Consultant
9000 Junction Drive

Address

Annapolis Junction

MD

20701

City

State

Zipcode

Attorney for Petitioner:

Robert A. Hoffman

Venable, Baetjer and Howard, LLP

(Type or Print Name)

Signature

210 Allegheny Ave.

Address

(410) 494-6200

Phone No

Towson

MD

21204

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):

Catonsville Presbyterian Church.

(Type or Print Name)

By:

Robert Adams, President, Board of Trustees

By:

Robert Reisse, Secretary, Board of Trustees

Signature

1400 Frederick Road

Address

410-747-6180

Phone No.

Catonsville

City

MD

State

21228

Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Robert A. Hoffman

Venable, Baetjer and Howard, LLP

Name

210 Allegheny Ave, Towson, MD 21204

Address

(410) 494-6200

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing the following dates

Next Two Months

ALL

OTHER

REVIEWED BY: *R. Adams*

DATE

6-23-97

ITEM # 579



Variance Requests

- A variance from Section 502.7.C.2. to allow a transmitting and receiving facility setback of 84 ft. in lieu of the 136 ft. required.
- A variance from Section 1B01.1.B.1.e to allow a zero ft. buffer in lieu of the 50 ft. buffer required.
- A variance from Section 1B01.1.2.C.1.a to permit a modular equipment building as close as zero ft. to existing church in lieu of the 50 ft. ~~site~~ yard setback requirement.

TO1DOCS1/BAW01/0044907.01

579

Variance Requests

- A variance from Section 502.7.C.2. to allow a transmitting and receiving facility setback of 84 ft. in lieu of the 136 ft. required.
- A variance from Section 1B01.1.B.1.e to allow a zero ft. buffer in lieu of the 50 ft. buffer required.
- A variance from Section 1B01.1.2.C.1.a to permit a modular equipment building as close as zero ft. to existing church in lieu of the 50 ft. side yard setback requirement.
- A variance from Section 502.7.C.4 to waive the fence requirement.

TO1DOCS1/BAW01/0044907.01

DROP-OFF REVISION
NO REVIEW
6/30/97 KCR

DESCRIPTION
6.25 AC. PARCEL
1400 FREDERICK ROAD, ROUTE 144
ELECTION DISTRICT 1
BALTIMORE COUNTY, MD

This description is for special exception and variances in a DR 2 zone.

BEGINNING at a point in the northerly line of Frederick Road, at the distance of 167.4 feet westerly from an iron pipe set to mark the northwesterly corner of Beechwood Avenue and the Frederick Road; thence running along the Frederick Road, south eighty-degrees nine minutes west 202.8 feet to the seventh Mile Stone; thence continuing along the Frederick Road,

- 1) South 80 degrees 59 minutes west 90 feet to a point; thence the following fourteen courses and distances;
- 1) North 28 degrees 27 minutes West 428.30 feet;
- 2) North 28 degrees 04 minutes 30 seconds West 235.00 feet;
- 3) North 64 degrees 13 minutes East 90.90 feet;
- 4) North 27 degrees 26 minutes West 59.32 feet;
- 5) North 72 degrees 48 minutes 30 seconds East 15.25 feet;
- 6) North 26 degrees 21 minutes West 177.41 feet;
- 7) North 75 degrees 44 minutes East 80.00 feet;
- 8) South 26 degrees 20 minutes East 173.41 feet;
- 9) North 72 degrees 48 minutes 30 seconds East;
- 10) South 27 degrees East 69.44 feet;
- 11) South 70 degrees 58 minutes West 151.46 feet;
- 12) South 27 degrees 00 minutes East 250.00 feet;
- 13) North 70 degrees 58 minutes East 302.92 feet;
- 14) South 27 degrees 00 minutes East 380.00 feet to the point of beginning.

Containing 6.25 acres of land, (272,250 square feet, more or less)

Being Lot # 171, Map 0101, Grid # 0007 as recorded in Baltimore County Plat Book Parcel # 0171, Folio #413, containing 6.25 acres. Also known as 1400 Frederick Road, Route 144, Catonsville, MD, 21228 and located in the 1st Election District.



#579

CERTIFICATE OF PUBLICATION

TOWSON, MD., 7/17, 1997

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 7/17, 1997.

THE JEFFERSONIAN,

A. Henrickson

LEGAL AD. - TOWSON

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, Md.

is hereby notified on the property located there as follows:

Case: #97-579-X
1410 Frederick Road
Towson, Maryland, and
Boschwood Avenue
Towson, Maryland

Legal Description:
Calverville Presbyterian

Church

Contract Purchaser:
Bell Atlantic NYNEX Mobil

Special Exception: for a wireless transmitting and receiving facility and to allow the 5 acre minimum lot area requirement for a wireless transmitting and receiving facility to be combined with a church use. Variance: to allow transmitting and receiving facility setback of 84 feet in lieu of the 136 feet required; to allow a zero foot buffer in lieu of the 50 foot buffer required; to permit a modular equipment building as close as zero feet to existing church in lieu of the 50 foot side yard setback requirement; to waive the fence requirement.

HEARING: Monday, August 11, 1997 at 9:00 a.m., Room 487 Courts Bldg., 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are handicapped accessible for special accommodations. Please Call (410) 887-3353.
(2) For information concerning the File and/or Hearing, Please Call (410) 887-3391.

7/24/97 July 17 C158839

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

579
No.

038167

DATE 6-23-97

ACCOUNT

12-001-6150

020-VAR-\$ 250.00

050-SPX-\$ 300

AMOUNT

\$ 550.00

RECEIVED
FROM:

VENABLE BAETJER & HOWARD, LLP

FOR:

SPECIAL EXCEPTION & VOTER
1420 Frederick Rd.

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S VALIDATION

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

035887

DATE 6/30/97

ACCOUNT

001-6150

AMOUNT \$ 100.00 (WCR)

RECEIVED
FROM:

Venable, Baetjer & Howard

FOR:

#110 - REVISIONS (Petition & Site Plan)
Bell Atlantic NYNEX Mobile

ITEM #579

Drop-Off — No Review

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S VALIDATION

PAID RECEIPT

PROCESS ACTUAL TIME
6/23/1997 6/23/1997 10:29:20

REG MS03 CASHIER UNIT VLN DRAWER 3

MISCELLANEOUS CASH RECEIPT

Receipt # 006523

CR NO. 038167

\$550.00 CHECK: 112

Baltimore County, Maryland

PAID RECEIPT

PROCESS ACTUAL TIME
6/30/1997 6/30/1997 14:31:34

REG MS05 CASHIER BTRY BXT DRAWER 5

MISCELLANEOUS CASH RECEIPT

Receipt # 012315

CR NO. 035887

100.00 CHECK

Baltimore County, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

069262

PAID RECEIPT

DATE 7/29/99 ACCOUNT 001-6150

AMOUNT \$ 40.00 (MJK)

RECEIVED
FROM: Venable, Baetjer & Howard

FOR: #99-1981
Catonsville Presbyterian Church
1400 Frederick Road

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PROCESS ACTUAL TIME
8/02/1999 8/02/1999 16:27:44
REG WS01 CASHIER JRIC JMR DRAWER 1
DEPT 5 528 ZONING VERIFICATION
Receipt # 111677 OFLN
CR NO. 069262
19990802WS01011690001JMR 40.00
40.00 CK .00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

RE: Case No.: 41-579-XA

Petitioner/Developer: BELL ATL. NYNEX, ETAL
90 ROBERT HOFFMAN, ESQ

Date of Hearing/Closing: 8/11/97
@ 9:00 AM
RM-407-CCB

Baltimore County Department of
 Permits and Development Management
 County Office Building, Room 111
 111 West Chesapeake Avenue
 Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
 were posted conspicuously on the property located at # 1400 FREDERICK RD.

The sign(s) were posted on 7/18/97
 (Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 7/28/97
 (Signature of Sign Poster and Date)

Patrick M. O'Keefe
 (Printed Name)

523 Penny Lane

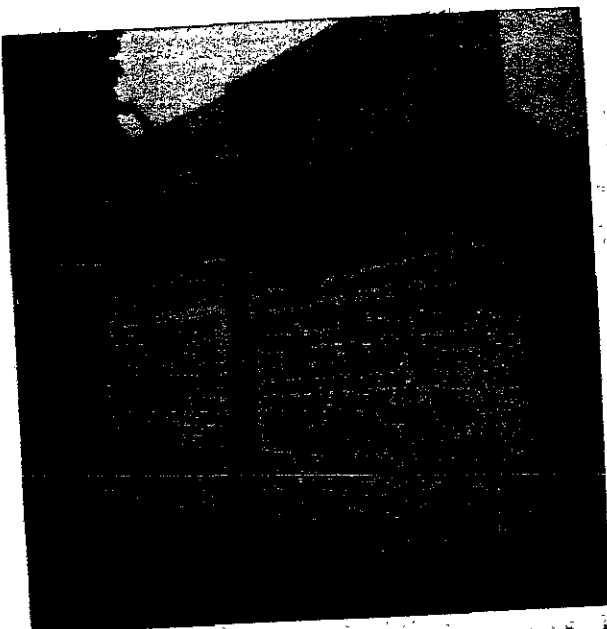
(Address)

Hunt Valley, MD 21030

(City, State, Zip Code)

(410) 666-5366

Pager (410) 646-8354
 (Telephone Number)



CATONSVILLE PRESB. CHURCH
 @ FREDERICK RD (2)
 NYNEX
 P- 7/18/97

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:

ZONING NOTICE

Case No.: 97-579 SPXA

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

PLACE: *

DATE AND TIME: *

REQUEST: SPECIAL EXCEPTION TO USED THE DESCRIBE PROPERTY FOR
A WIRELESS TRANSMITTING & RECEIVING & TO ALLOW THE 5 AC. MINI
LOT AREA REQUIREMENT FOR A WIRELESS TRANSMITTING &
RECEIVING TO BE COMBINE WITH A CHURCH,
VARIANCE TO ALLOW A TRANSMITTING & RECEIVING FACILITY
SETBACK OF 84 FT. IN LIEU OF THE 136 FT REQD., TO ALLOW A
ZERO FT. BUFFER IN LIEU OF THE REQD. 50 FT. BUFFER &
A MODULAR EQUIPMENT BLDG. AS CLOSE AS ZERO FT. TO
EXISTING CHURCH IN LIEU OF THE 50 FT. SIDE YARD SETBACK.

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: PUTTENT PUBLISHING COMPANY
July 17, 1997 Issue - Jeffersonian

Please forward billing to:

Barbara Ormond
Venable, Baetjer and Howard, LLP
210 Allegheny Avenue
Towson, MD 21204
410-494-6200

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 in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 97-579-XA
1400 Frederick Road
NWC Frederick Road and Beechwood Avenue
1st Election District - 1st Councilmanic
Legal Owner(s): Catonsville Presbyterian Church
Contract Purchaser: Bell Atlantic NYNEX Mobile

Special Exception for a wireless transmitting and receiving facility and to allow the 5 acre minimum lot area requirement for a wireless transmitting and receiving facility to be combined with a church use. Variance to allow transmitting and receiving facility setback of 84 feet in lieu of the 136 feet required; to allow a zero foot buffer in lieu of the 50 foot buffer required; to permit a modular equipment building as close as zero feet to existing church in lieu of the 50 foot side yard setback requirement; to waive the fence requirement.

HEARING: MONDAY, AUGUST 11, 1997 at 9:00 a.m., Room 407 Courts Building, 401 Bosley Avenue.

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

July 14, 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 in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 97-579-XA
1400 Frederick Road
NWC Frederick Road and Beechwood Avenue
1st Election District - 1st Councilmanic
Legal Owner(s): Catonsville Presbyterian Church
Contract Purchaser: Bell Atlantic WYNEX Mobile

Special Exception for a wireless transmitting and receiving facility and to allow the 5 acre ~~minimum~~ lot area requirement for a wireless transmitting and receiving facility to be combined with a church use. Variance to allow transmitting and receiving facility setback of 84 feet in lieu of the 136 feet required; to allow a zero foot buffer in lieu of the 50 foot buffer required; to permit a modular equipment building as close as zero feet to existing church in lieu of the 50 foot side yard setback requirement; to waive the fence requirement.

HEARING: MONDAY, AUGUST 11, 1997 at 9:00 a.m., Room 407 Courts Building, 401 Bosley Avenue.

A handwritten signature in black ink, appearing to read "Arnold Jablon". The signature is fluid and cursive, with a large, sweeping "J" and "B".

Arnold Jablon
Director

cc: Catonsville Presbyterian Church
Bell Atlantic WYNEX Mobile
Robert A. Hoffman, Esq.

- NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY JULY 27, 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.





Baltimore County
Department of Permits and
Development Management

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

August 6, 1997

Robert A. Hoffman, Esquire
Venable, Baetjer and Howard, LLP
210 Allegheny Avenue
Towson, MD 21204

RE: Item No.: 579
Case No.: 97-579-XA
Petitioner: Robert Adams

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 June 23, 1997.

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 (410-887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)





Code

Enforcement

Baltimore County
Department of Permits & Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3351

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: July 14, 1997

TO: Larry E. Schmidt
Zoning Commissioner

FROM: James H. Thompson - HR
Code Enforcement Supervisor

SUBJECT: ITEM NO.: 578
PETITIONER: Janet L. Hughes

VIOLATION CASE NO.: C-97-1385

LOCATION OF VIOLATION: 1917 Putty Hill Road
4th Election District

DEFENDANTS: Janet L. Hughes

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s):

NAME

ADDRESS

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Code Enforcement Supervisor, so that the appropriate action may be taken relative to the violation case.

JHT/DJP/hek



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 7.15.92
Item No. 579 RT

Dear Ms. Eubanks:

We have reviewed the referenced item and we have no objection to approval, as a field inspection reveals the existing entrance(s) onto MD/US 144 are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA 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,

P. J. Gredlein
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

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

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

INTEROFFICE CORRESPONDENCE

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

DATE: July 21, 1997

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

SUBJECT: Zoning Advisory Committee Meeting
 for July 21, 1997

Received revised petitions and
plats on 6/30/97 for the following
items:

#559 - 309 International Circle

#579 - 1400 Frederick Road

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

RWB:HJO:jrb

cc: File

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

17 1997
(410) 887-4500

July 10, 1997

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 July 14, 1997

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.

5. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

579, 581, 582, 583, 584, 585, 586, 588, and 589

REVIEWER: LT. ROBERT F. SAUERWALD
Fire Marshal Office, PHONE 857-4261, MS-1102F
cc: File



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 8, 1997

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

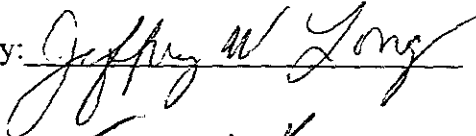
SUBJECT: Zoning Advisory Petitions

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

Item Nos. 579, 581, 582, 583, 584, 586, 588, and 589

If there should be any questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at (401) 887-3495.

Prepared by:



Division Chief:



AFK/JL

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

TO: PDM

DATE:

7/14/97

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

SUBJECT: Zoning Advisory Committee

Meeting Date:

7/14/97

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

Item #'s:

591

559

579

002

005

006

007

004

RBS:sp

BRUCE2/DEPRM/TXTSBP



Baltimore County
Department of Permits and
Development Management

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

July 30, 1997

Robert A. Hoffman, Esquire
Venable, Baetjer and Howard
210 Allegheny Avenue
Towson, MD 21285-5517

97-579

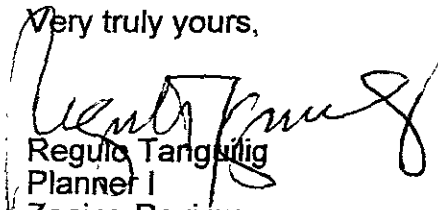
RE: Drop-Off Revision Review (Item #579)
Bell Atlantic NYNEX Mobile
1st Election District

Dear Mr. Hoffman:

At the request of the attorney/petitioner, the above referenced revisions were accepted for filing without a final filing review by the staff. The revisions were accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed no unaddressed zoning issues and/or incomplete information. 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.

If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Very truly yours,


Regula Tanguilig
Planner I
Zoning Review

RT:scj

Enclosure (receipt)

c: Zoning Commissioner



VENABLE, BAETJER AND HOWARD, LLP
Including professional corporations

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

VENABLE
ATTORNEYS AT LAW

OFFICES IN

MARYLAND
WASHINGTON, D.C.
VIRGINIA

Writer's Direct Number:
(410) 494-6201

June 27, 1997

579

Via Hand Delivery

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

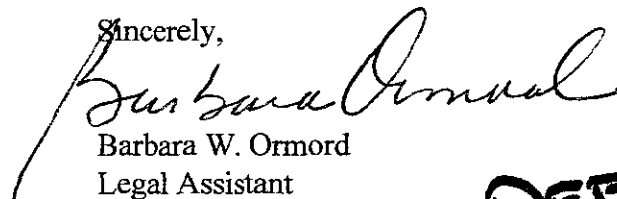
Re: Zoning Item No.: 579
Petition for Special Exception and Variance
Petitioner: Bell Atlantic NYNEX Mobile

Dear Mr. Richards:

Enclosed please find twelve revised site plans and three variance requests to replace the second page of the Variance Petitions previously filed. The petitions have been revised to reflect the request for variance from Section 502.7.C.4 to waive the fence requirement. Also enclosed is our check in the amount \$100.00 for the revision fee.

If you have any questions, please do not hesitate to give us a call.

Sincerely,


Barbara W. Ormord
Legal Assistant

BWO:cak
Enclosures
cc: Robert A. Hoffman, Esquire

TO1DOCS1/BAW01/0047011.01

**DROP-OFF
REVISIONS
NO REVIEW
6/30/97 ucr**



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

August 6, 1999

Ms. Timmy F. Ruppertsberger
Venable, Baetjer and Howard, LLP
210 Allegheny Avenue
Post Office Box 5517
Towson, MD 21204

Dear Ms. Ruppertsberger:

RE: Special Exception Case No. 97-579-XA, Catonsville Presbyterian Church,
1400 Frederick Road, 1st Election District

Thank you for your letter of July 26, 1999 to Arnold Jablon, Director of Permits and Development Management. This correspondence has been referred to me for reply.

You requested an interpretation as to whether the referenced special exception, which is about to expire, is now required because of the amended zoning regulations regarding wireless transmitting and receiving facilities and/or telecommunications towers. You also asked that, if the special exception is not required, could the granted variances still be utilized. Your last desire was to administratively extend the special exception for an additional two years, should that the Zoning Office decide that the special exception is still required.

Please be advised that upon reviewing said zoning case and Section 426 of the Baltimore County Zoning Regulations (BCZR), it is apparent that the special exception is not required as the intent of the new regulations was to encourage the placement of antennas on existing towers, buildings, and structures so that a new tower would not be needed. Antennas shall be permitted by right without regard to setbacks provided they are located on a tower, building, or other structure legally existing prior to the installation of the antenna(s). The amended regulations focus on towers to meet setbacks and area requirements; not antennas on existing structures. Because there is no change to the wireless communications use, the granted variances which are still required may be utilized (as variances do not expire).

Please also be aware that a special exception which has not been utilized and is about to expire may not be extended administratively. Special exceptions must be extended by a public hearing pursuant to Section 500.7 of the BCZR. Since the special exception is not needed and the variances may be utilized, the facility is permitted without another public hearing, provided there is no change to the site plan granted with the hearing.

Come visit the County's Website at www.co.ba.md.us



Ms. Timmy F. Ruppertsberger
August 6, 1999
Page 2

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,

A handwritten signature in black ink, appearing to read "M. Kellman", with a stylized flourish at the end.

Mitchell J. Kellman
Planner II
Zoning Review

MJK:ggs

VENABLE, BAETJER AND HOWARD, LLP
Including professional corporations

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

VENABLE
ATTORNEYS AT LAW

1/2/99
of
WCR
To: Mitch
sec me
7/28/99 wa
OFFICES IN
MARYLAND
WASHINGTON, D.C.
VIRGINIA
\$ Parker
Timmy F. Ruppertsberger
(410) 494-6353

July 26, 1999

HAND-DELIVERED

Mr. Arnold Jablon, Director
Department of Permits and Development Management
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Catonsville Presbyterian Church
1400 Frederick Road
Catonsville, Maryland

Dear Mr. Jablon:

By Order dated August 19, 1997 (Case No. 97-579-XA) (copy attached), the Zoning Commissioner for Baltimore County granted a special exception to permit Bell Atlantic Nynex Mobile (now Bell Atlantic Mobile), as lessee, to install a wireless transmitting and receiving facility, consisting of 9 antennas, approximately 86 feet above ground, within the steeple of Catonsville Presbyterian Church located at 1400 Frederick Road, Catonsville, Maryland. The approximately 6.2 acres of land owned by the Church is zoned D.R.2. The Order also granted several variances as set forth in the attached copy.

Pursuant to Section 502.3 of the Baltimore County Zoning Regulations, "a special exception which has not been utilized within a period of two years from the date of the final order granting same, or such longer period not exceeding five years as may have been specified therein, shall thereafter be void". The Zoning Commissioner, at any time prior to the expiration of a special exception, may "grant one or more extensions ... provided that a maximum time for utilization of the special exception is not extended for a period of more than five years from the date of the final order granting the same". Under Section 502, BAM's special exception for this site will expire on August 17, 1999. Section 307 of the Baltimore County Zoning Regulations titled "Variances" does not contain any expiration date for a variance.

Subsequent to issuance of the Order, the Baltimore County Council adopted Bill No. 730-98 (which now appears as Section 426 of the Baltimore County Zoning Regulations) governing wireless telecommunications facilities. Section 426.5.D permits

99.1181

Mr. Arnold Jablon
July 26, 1999
Page 2

as of right in D.R. zones, antenna under 15 feet in height and 3 feet in diameter. The antenna proposed to be located in the church steeple meet this criteria.

Bell Atlantic Mobile respectfully requests your confirmation that, assuming the antenna to be installed complies with Section 426.5.D, such antenna is now permitted as of right under Section 426, and an extension of the special exception granted in the Order is not required. Please further confirm that the variances granted in the Order do not expire and remain in force. Variance #1 would appear to now be moot.

In the alternative, please accept this letter as a request to extend the special exception for an additional two years.

If you have any questions, please feel free to call me at the above number.

Yours truly,


Timmy F. Ruppberger

TFR/e
Enclosure
cc: Mr. Kent Lutz

Petitioners

PLEASE PRINT CLEARLY

~~CITIZEN~~ SIGN-IN SHEET

NAME

ADDRESS

ANTONIO ANCONA

Tim Madden MRA

Anjana Nagarajan-Butaney

MAURICE THOMPSON, II

W. AILYN HARDEN

947 TIDEWATER GROVE CT. ANNAP. MD 21401

110 West Rd. Towson, Md. 21204

9000 Junc. Dr, Annapolis Junc MD

ANNAPOLIS JUNCTION, MD 20701
9000 JUNCTION DR., 20701

102 TABLOW ROAD. BALTO, MD 21212



PLEASE PRINT CLEARLY

CITIZEN SIGN-IN SHEET

NAME

EUGENE L. SHAVER

ADDRESS

1165, HILLTOP RD, 21228



Jules Cohen, P.E.
Consulting Engineer

**ENGINEERING STATEMENT
RADIO-FREQUENCY EXPOSURE ANALYSIS
BELL ATLANTIC NYNEX MOBILE
CATONSVILLE, MARYLAND, CELL SITE**

Pursuant to a request from Bell Atlantic NYNEX Mobile ("Bell"), an analysis has been made of the radio-frequency (RF) exposure in the vicinity of the proposed cell site in the steeple of the church at 1400 Frederick Road, Catonsville, Maryland. This engineering statement describes the results of the analysis and the methodology employed.

Cellular radio installations, such as that proposed by Bell, are environmentally benign. They comply with the environmental rules of the Federal Communications Commission (FCC) and do not constitute a health hazard. They are not a potential source of interference to broadcast station reception or to electrical or electronic devices. They are neither a noise source nor a generator of traffic, nor do they emit noxious fumes.

In brief, the analysis shows that the maximum RF exposure level within the church would be less than 0.01 percent of the maximum permissible exposure (MPE) established by the FCC for uncontrolled (general population) environments. One hundred feet away, at the closest business to the proposed cell site, the RF exposure would be less than 0.07 percent of the MPE, more than 1,400 times below the MPE at six feet above ground, and 0.074 percent of the MPE, more than 1,300 times below the MPE at sixteen feet above ground.

Bell proposes the installation of nine antennas within the church steeple. Of the nine antennas, only three antennas are for transmission. The remaining antennas are receive only and make no contribution to the expected exposure level. One transmitting antenna and three receiving antennas are directed on each of three bearings separated by 120 degrees in

RECEIVED
3A

Jules Cohen, P.E.
Consulting Engineer

RF Exposure Analysis
Bell Atlantic NYNEX Mobile
Catonsville, Maryland Site

Page 2

azimuth. Because of the horizontal directivity of the antennas and their orientations, signal strength in any direction is received almost entirely from only a single antenna.

Bell will transmit on a maximum of 16 channels, in the frequency band 880 to 900 MHZ, from each of the proposed transmitting antennas. Input power to each transmitting antenna will be approximately 0.8 watt per channel, or a total of 12.8 watts if all channels are in simultaneous use. (Although simultaneous use of all channels is not usual, that is the assumption made throughout the study to assure a determination of the maximum exposure possible.) Each transmitting antenna concentrates the power in a single main beam. That concentration results in producing 20 times (13 dBd) as much "effective radiated power" as would be experienced using a simple antenna with the descriptive name "dipole." By concentrating power directed toward the service area intended to be served, the antenna substantially reduces power delivered to nearby areas in directions at substantial departure from the main beam angle. The antennas to be employed are Swedcom Corporation Model ALP 8013-N Log-Periodic Reflector with six degrees of downward tilt.

Exposure levels were calculated by methods prescribed by the FCC in a technical bulletin produced by the Office of Engineering and Technology. On August 1, 1996, the FCC adopted a change in its rules governing maximum permissible RF exposure. The new rules specify two levels of exposure: (1) occupational/controlled and (2) general population/uncontrolled environments. The second category permits the exposure at most frequencies, including those used for the wireless communications services, to be only one-fifth of the levels permissible for the first category. At cellular frequencies for the general population/uncontrolled environment, the MPE for continuous exposure is 0.58 milliwatts (thousandths of a watt) per square centimeter (mW/cm^2) averaged over any period of 30 minutes.

Jules Cohen, P.E.
Consulting Engineer

RF Exposure Analysis
 Bell Atlantic NYNEX Mobile
 Catonsville, Maryland Site

Page 3

In addition to calculations of RF exposure within the church and at the closest business, calculations were made also at heights of six feet above ground and 16 feet above ground at distances from 50 to 2,000 feet. The results of those calculations are shown in the following tabulation.

Distance (feet)	At 6 Feet Above Ground			At 16 Feet Above Ground		
	Pwr. Density (mW/cm ²)	% of FCC MPE	Times Below MPE	Pwr. Density (mW/cm ²)	% of FCC MPE	Times Below MPE
50	0.000180	0.0310	3,223	0.000236	0.0407	2,458
100	0.000090	0.0156	6,410	0.000099	0.0170	5,875
200	0.000367	0.0633	1,579	0.000377	0.0651	1,537
300	0.000639	0.1102	908	0.000647	0.1116	896
400	0.000517	0.0892	1,122	0.000521	0.0898	1,114
500	0.000358	0.0617	1,621	0.000343	0.0592	1,689
700	0.000184	0.0317	3,151	0.000184	0.0318	3,144
1000	0.000088	0.0153	6,555	0.000091	0.0156	6,397
1500	0.000037	0.0063	15,764	0.000040	0.0070	14,370
2000	0.000018	0.0032	31,413	0.000022	0.0037	26,735

Power density does not drop off consistently with the inverse square loss because of the effect of the vertical plane directivity. Since the power of the direct ray from the antenna toward the point of interest varies with the angle below horizontal, increased power radiated can overcome the loss due to greater distance.

Jules Cohen, P.E.
Consulting Engineer

RF Exposure Analysis
Bell Atlantic NYNEX Mobile
Catonsville, Maryland Site

Page 4

In making the foregoing calculations, not only was the base station assumed to be operating at its maximum power, but the further assumption was made that a reflecting surface was causing the exposure to be increased because the reflected signal was arriving in phase with the direct ray. The reflected signal could just as well arrive out of phase and act to reduce the exposure. In addition, the assumption was made that the point of exposure had an absolutely clear path to the transmitting antenna with no intervening trees, hills, buildings or walls.

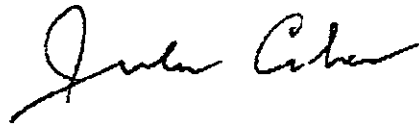
The standard adopted by the FCC follows the maximum exposure limits set by the National Council on Radiation Protection and Measurements (NCRP), with some features taken from Standard C95.1/1992 of the American National Standards Institute/Institute of Electrical and Electronics Engineers. The NCRP is an independent expert group chartered by Congress. The permissible exposures set, even for the occupational/controlled environment, are not at the threshold where biological harm may result. They are based on the scientific literature, including a data base of in excess of 10,000 papers, reporting experimental results. Studies show that the most sensitive indicator of a biological effect is behavioral. When animals are trained to do a particular task, their performance of that task is modified when exposure is equal to a level approximately ten times greater than the maximum exposures permitted for the occupational/controlled environment and fifty times greater than the exposures permitted for the general population/uncontrolled environment. Behavior modification is not necessarily harmful and disappears when the field is reduced, but the assumption is made that prolonged exposure in excess of the level causing behavioral modification might be harmful.

Jules Cohen, P.E.
Consulting Engineer

RF Exposure Analysis
Bell Atlantic NYNEX Mobile
Catonsville, Maryland Site

Page 5

Continuous exposure at the level cited above is well within the maximum permitted by the FCC standard. That standard is premised on avoidance of RF exposure that may have an adverse biological effect.



Jules Cohen, P.E.

August 7, 1997

ENVIRONMENTAL IMPACT STATEMENT

For a proposed
**BELL ATLANTIC NYNEX MOBILE
ANTENNAS AND EQUIPMENT SHELTER**

LOCATION:

CATONSVILLE PRESBYTERIAN CHURCH
1400 FREDERICK ROAD, ROUTE 144
BALTIMORE COUNTY, MARYLAND 21228

Prepared for:

Bell Atlantic NYNEX Mobile
9000 Junction Drive
Annapolis Junction, Maryland 20701

Prepared by:

TECHSTAR Communications, Inc.
4330 East West Highway
Suite 1000
Bethesda, Maryland 20814

May 1997

PREPARED BY
EXHIBIT 3 B

#579