

9/11/08

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE COUNTY
4406 Piney Grove Road; N/S of Piney Grove		
Road, 1,343' W c/line Longnecker Road	*	BOARD OF APPEALS
4 th Election & 3 rd Councilmanic Districts		
Legal Owner(s): George & Barbara Gelston	*	FOR
Petitioner(s)		
	*	BALTIMORE COUNTY
	*	08-249-SPH

* * * * *

ORDER

Upon withdrawal by Petitioners of their Petition for approval of a certified dental technician as "other professional persons" permitted as an accessory use by right or by special exception under BCZR 1.A01.2B9.d. and BCZR 1.A01.2C.16, respectively, in the R.C. 2 zone, and upon dismissal of the appeal by the Office of People's Counsel of the Deputy Zoning Commissioner's Order dated June 16, 2008 on a Motion for Reconsideration approving a certified dental technician as a home occupation permitted by right under BCZR 1.A01.2B9.c., the County Board of Appeals on this 11th day of September, 2008, **ORDERS** as follows:

1. The Petition for Special Hearing "to determine . . . whether a certified dental technician constitutes a use by a "other professional person" permitted as of right in an RC-2 zone, pursuant to BCZR 1A01.2.B.9.d." or by special exception under BCZR 1.A01.2C.16, having been withdrawn by Petitioner under this Motion, is hereby dismissed so that the Order of the Deputy Zoning Commissioner dated April 9, 2008 is null and void, except for the restrictions which are set forth below.
2. People's Counsel for Baltimore County's appeal of the Order on Motion for Reconsideration dated June 16, 2008 in which a "certified dental technician" as described in said Order constitutes a "home occupation" use permitted as of right in an R.C. 2 zone pursuant to Section 1.A01.2B9.c of the Baltimore County Zoning Regulations, having been withdrawn under this Motion, is hereby dismissed so that the special hearing relief for a home occupation granted by the Deputy Zoning Commissioner is allowed to stand, subject to the following restrictions as contained in the original Order:

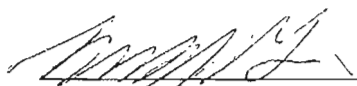
(a) Petitioners may not expand the business beyond the 11% of their home currently used without a public hearing before the Zoning Commissioner.

(b) Petitioners may not use Beryllium or any other toxic chemical while operating the home based business from their primary residence.

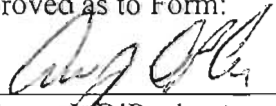
**COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY**


Edward W. Crizer, Jr.


Lawrence S. Wescott


Wendell H. Grier

Approved as to Form:


Anthony J. DiPaula, Attorney for
Petitioners


Carole S. Demilio, Deputy People's
Counsel for Baltimore County

6/16/08

IN RE: PETITION FOR SPECIAL HEARING

N side of Piney Grove Road 1,343 feet W
c/l of Longnecker Road
4th Election District
3rd Councilmanic District
(4406 Piney Grove Road)

George and Barbara Gelston
Petitioners

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **Case No. 08-249-SPH**

* * * * *

ORDER ON JOINT MOTION FOR RECONSIDERATION

This matter comes before this Deputy Zoning Commissioner for consideration of a Joint Motion for Reconsideration filed by both Petitioners and the Office of People's Counsel for Baltimore County. The Joint Motion for Reconsideration was filed pursuant to Rule 4(k) of Appendix G of the Baltimore County Zoning Regulations ("BCZR") wherein the Rules of Practice and Procedure Before the Zoning Commissioner/Hearing Officer for Baltimore County are provided. Rule 4(k) permits a party to file a Motion for Reconsideration of an Order issued by the Zoning Commissioner. This Motion must be filed within 30 days of the date the Order was issued, and must state with specificity the grounds and reasons for their request.

In the instant matter, Petitioners requested special hearing relief to determine whether a "certified dental technician" constitutes a home occupation use permitted as of right in an R.C.2 zone pursuant to Section 1A01.2.B.9.c of the B.C.Z.R., or alternatively, whether a "certified dental technician" constitutes a use by "other professional persons" permitted as of right in an R.C.2 zone pursuant to Section 1A01.2.B.9.d of the B.C.Z.R. Following a hearing on March 5, 2008, the undersigned granted Petitioners' Special Hearing request pursuant to the Findings of Fact and Conclusions of Law and accompanying Order dated April 9, 2008. The undersigned found that a "certified dental technician" constitutes "other professional persons" that are permitted to operate

an office as of right in an R.C.2 zone. In particular, the undersigned found that Petitioners demonstrated the highly technical and specialized nature of Mr. Gelston's profession, his background and experience, as well as the licensing and educational prerequisites that govern his position. Additionally, Petitioners established that Mr. Gelston is an active member of a professional association, the American Academy of Cosmetic Dentistry, and is also bound by a Code of Ethics promulgated by the American Academy of Cosmetic Dentistry.

In finding that Mr. Gelston's profession constituted an "other professional person" pursuant to Section 1A01.2.B.9.d of the B.C.Z.R., the undersigned did not render a decision as to whether Mr. Gelston's profession constituted a "home occupation" also permitted as of right pursuant to Section 1A01.2.B.9.c of the B.C.Z.R.

Thereafter, the undersigned received letters dated May 6, 2008 from Anthony J. DiPaula, Esquire on behalf of Petitioners and May 7, 2008 from Carole S. Dimilio, Deputy People's Counsel, making the Joint Motion for Reconsideration. Essentially, the parties have indicated that People's Counsel is contemplating an appeal in the instant matter; however, before potentially pursuing that avenue of relief, the parties are desirous that the undersigned make a specific finding on the issue of whether a "certified dental technician" constitutes a "home office" use permitted as of right in the R.C.2 zone. In order to clarify my April 9, 2008 decision in this matter, the undersigned will make that determination.

Section 1A01.2 of the B.C.Z.R. sets forth the use regulations in the R.C.2 zone, including those uses permitted as of right. Section 1A01.2.B.9.c of the B.C.Z.R. allows "[a]ccessory uses or structures, including, but not limited to, the following: Home occupations (see Section 101)." Section 101 of the B.C.Z.R. defines "Home Occupation" as follows:

Any use conducted entirely within a dwelling which is incidental to the main use of the building for dwelling purposes and does not have any exterior evidence, other

than a permitted sign, as stated in Section 450.4, to indicate that the building is being utilized for any purpose other than that of a dwelling; and in connection with which no commodity is kept for sale on the premises, not more than one person per dwelling is employed on the premises other than domestic servants or members of the immediate family, and no mechanical equipment, other than computers, printers, fax machines, modems, standard office copy machines and similar office equipment, is used except such as may be used for domestic purposes. A "home occupation" does not include fortune-telling.

In reviewing the factual record of this case, I find that Mr. Gelston's profession constitutes a "home occupation" that is permitted to operate as of right in an R.C.2 zone. Based on the testimony and evidence, Mr. Gelston's profession as a "certified dental technician" is clearly incidental to the main use of the property as Petitioners' dwelling. In addition, other than a drop box at the end of the long driveway leading to Piney Grove Road, and the infrequent appearance of a FedEx or UPS truck, there is no exterior evidence that the structure is being used for any purpose other than as a dwelling. I also find that but for the small and portable ceramic prosthesis such as ceramic caps, crowns, and bridges for dental patients, no commodity is kept for sale on the premises. Finally, the evidence shows that not more than one person per dwelling is employed on the premises, and that the mechanical equipment utilized by Mr. Gelston -- a computer aided design system and a scanner in one basement room, and a work bench and ceramic kiln in a second basement room -- are similar in size and shape to other computers, printers, fax machines, and similar office equipment. Hence, it is clear from the evidence presented at the hearing, and I have no difficulty in finding, that Mr. Gelston's profession as a "certified dental technician" constitutes a "home occupation" permitted as of right in an R.C.2 zone pursuant to Section 1A01.2.B.9.c of the B.C.Z.R.

WHEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 16th day of June, 2008 that the aforementioned Joint Motion for Reconsideration be and is hereby GRANTED; and

IT IS FURTHER ORDERED that consistent with the above, a “certified dental technician” constitutes a home occupation use permitted as of right in an R.C.2 zone pursuant to Section 1A01.2.B.9.c of the Baltimore County Zoning Regulations.



THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

4/9/08

IN RE: PETITION FOR SPECIAL HEARING

N side of Piney Grove Road 1,343 feet W
c/l of Longnecker Road
4th Election District
3rd Councilmanic District
(4406 Piney Grove Road)

George and Barbara Gelston
Petitioners

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **Case No. 08-249-SPH**

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Special Hearing filed by George and Barbara Gelston, the legal property owners. Special Hearing relief is requested pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to determine whether a “certified dental technician” constitutes a home occupation use permitted as of right in an R.C.2 zone, or alternatively, whether a “certified dental technician” constitutes a use by “other professional persons” permitted as of right in an R.C.2 zone, pursuant to Section 1A01.2.B.9.d of the B.C.Z.R. The subject property and requested relief are more fully described on the site plan which was marked and accepted into evidence as Petitioners’ Exhibit 1.

Appearing at the requisite public hearing in support of the Special Hearing were Petitioners George and Barbara Gelston, Thomas Hoff¹ of Thomas J. Hoff, Inc., the professional engineer who prepared the site plan, and Anthony J. DiPaula, Esquire, attorney for Petitioners. Appearing in Opposition to the Special Hearing were Al and Sue Bobes, neighbors of Petitioners. There were no other Protestants or interested persons present. However, Gary Siegel, another neighbor of Petitioners, submitted a written letter in support of the Special Hearing, which was kept in the case file and made a part of the record.

¹ Petitioners submitted a copy of Mr. Hoff’s resume, which was marked and accepted into evidence as Petitioners’ Exhibit 2.

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This matter is currently the subject of an active violation case (Case No. 07-11841) in the Division of Code Inspections and Enforcement. A citation for code violation was issued in this matter on October 24, 2007 alleging that Petitioners were conducting a dental lab business from their residence. It should be noted that the fact that a Code Enforcement Correction Notice is issued is generally not considered in a zoning case. Zoning enforcement is conducted by the Department of Permits and Development Management, which has the authority to issue Correction Notices and Citations, and to impose fines and other penalties for violation of law. On the other hand, the role of this office in this matter is to decide the discreet legal issue of whether Petitioners are entitled to the Special Hearing relief they have requested pertaining to the property.

Testimony and evidence offered revealed that the subject property is an irregular-shaped property with a panhandle driveway containing approximately 14.275 acres of land zoned R.C.2. The property is located approximately 1,300 feet north of Piney Grove Road between Longnecker Road and Peltzer Lane in the Reisterstown area of Baltimore County. Petitioners submitted a second site plan that shows a closer view of the property and captures more of the surrounding area. The plan, which was taken from County G 15 data, was marked and accepted into evidence as Petitioners' Exhibit 3.

The subject property is improved with a 4,230 square foot three-story single-family dwelling in the southwest corner of the property. Petitioners submitted several photographs of the existing dwelling, which were marked and accepted into evidence as Petitioners Exhibits 4A through 4F. The evidence demonstrates that the property lies in a wooded, isolated rural area and that the nearest neighboring home is approximately 600 feet to the south, where the Protestants reside. The next closest dwelling is over 2,200 feet away, to the north of Petitioners' home.

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Further evidence demonstrated that Petitioners purchased the subject property in 1984 and built the existing dwelling in 1986. Mr. Gelston has worked for years as a certified dental technician and is known as a master ceramist in the dental field. He is responsible for the professional design and construction of prosthesis such as ceramic caps, crowns, and bridges for dental patients. Petitioners submitted a brochure demonstrating the type of work that Mr. Gelston provides in the cosmetic dental field, which was marked and accepted into evidence as Petitioners' Exhibit 8. Mr. Gelston testified that his line of work has become highly technical and is largely assisted by computers. There are no harmful or toxic chemicals used, and dental patients never come for consultation at Petitioners' home.

For years, Mr. Gelston conducted his business from an office building on Business Center Drive in Reisterstown, but he became interested last year in moving his business to his home to lower overhead costs and work in a quieter, cleaner environment. After speaking with Mr. Hoff, the engineering consultant, Petitioners determined that operating the small business out of their home was legally permissible, and Mr. Gelston began working out of his basement in July of 2007. Petitioners submitted a picture of the home office with work related equipment, including a computer aided design system and a scanner, and a picture of a second room with a work bench and ceramic kiln, which were respectively marked and accepted into evidence as Petitioners' Exhibits 5 and 6. Petitioners also submitted three photographs demonstrating the type of hands-on technical work that Mr. Gelston performs, which were marked and accepted into evidence as Petitioners' Exhibits 7A through 7C.

Additional evidence indicates that the home office occupies two rooms in the basement of Petitioners' dwelling, encompassing 485 square feet, or 11% of Petitioners' home. Mr. Gelston works alone without any additional employees, and he generally conducts his business by

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[Signature]

shipping, and receiving four to six packages each week through Federal Express or UPS. After neighbors accidentally received a few of the packages, Petitioners constructed a drop box just off of Piney Grove Road, which is marked on the site plan submitted by Petitioners. Petitioners have requested the Special Hearing to continue to operate the small business out of their home.

The Protestants, Al and Sue Bobes, presented their case by submitting a number of Exhibits and raising several concerns with Petitioners' business operations. An initial concern surrounds the drop box, and Protestants submitted two photographs of the box and a bright orange cone that Petitioners' have used to signal that mail or packages are ready for pickup. The photographs were marked and accepted into evidence as Protestants' Exhibits 2A and 2B. The primary area of concern was that Petitioners are actually running a "dental lab" and Protestants were concerned that harmful chemicals, namely Beryllium, would run off and pollute their well and drinking water. Protestants submitted a printout of Petitioners' business website where it is referred to as a "dental lab" and a printout of a website from an unrelated commercial "dental lab" located in Chapel Hill, North Carolina that does use Beryllium. The printouts were respectively marked and accepted into evidence as Protestants' Exhibits 1 and 3. Protestants also submitted two documents from the U.S. Department of Labor, a brochure and an Internet printout, concerning the harmful effects of exposure to Beryllium and how to prevent adverse health effects in dental labs. The documents were respectively marked and accepted into evidence as Protestants' Exhibits 4 and 5.

In response to these concerns, Mr. Gelston stressed that he is not a dental lab per se, but that his work is much more specialized. He also indicated that he does not use any hazardous chemicals, including Beryllium, and that his business is confined to the two rooms previously

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described and is driven by his expertise in creating the various dental prosthesis for patients. He rarely deals with customers directly and most of his customers are dentists.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. The comments indicate no opposition or other recommendations concerning the requested relief.

Turning first to the Protestants' arguments, I find that their concerns are certainly worth noting, but are based primarily on speculation rather than actual evidence. As neighbors of Petitioners, the Protestants are understandably concerned with the harmful effects of Beryllium and other chemical runoff onto their property. However, Petitioner clearly testified that his business is largely computer driven and that he never uses Beryllium or other toxic chemicals on the premises. Thus, while I take Protestants' concerns seriously and into consideration, I cannot justify denying Petitioners' requested Special Hearing based solely on speculation unsupported by the evidence presented at the public hearing.

Turning now to the legal criteria governing this request for Special Hearing, pursuant to Section 1A01.2.B.9.d of the B.C.Z.R., I am persuaded that Mr. Gelston, a master ceramist and certified dental technician, constitutes "other professional persons" that are permitted to operate an office as of right in an R.C.2 zone. Petitioners went to great length to demonstrate the highly technical and specialized nature of Mr. Gelston's profession and the licensing and educational prerequisites that govern his position. Additionally, Petitioners submitted an international membership directory showing that Mr. Gelston is an active member of a professional association, the American Academy of Cosmetic Dentistry. The directory was marked and accepted into evidence as Petitioners' Exhibit 10. Petitioners also submitted the American Academy of Cosmetic Dentistry's Code of Ethics, which was marked and accepted into evidence as

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Petitioners' Exhibit 11. Considering all of these factors and the evidence as a whole, I find that Petitioner satisfies the criteria in Section 1A01.2.B.9.d of the B.C.Z.R. to operate a home based business as a professional person in less than 25% of his primary residence without the assistance of any nonresident employees.

Accordingly, I am persuaded to grant the Special Hearing relief and approve the home office as proposed. In my judgment, Petitioners' plans are appropriate and will not be detrimental to the health, safety, or general welfare of the surrounding locale. Indeed, as indicated by the evidence presented at the public hearing and the letter submitted by Petitioners' neighbor, Mr. Gelston operates a small, quiet business that has little, if any, effect on the surrounding community. Protestants' concerns are well taken and will not be ignored, and they have influenced the restrictions associated with this approval.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by the parties, I find that Petitioners' request for special hearing should be granted with conditions.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County, this 9th day of April, 2008 that pursuant to Petitioners' request for Special Hearing relief filed under Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), a "certified dental technician" as described above constitutes a use by "other professional persons" permitted as of right in an R.C.2 zone, pursuant to Section 1A01.2.B.9.d of the B.C.Z.R., subject to the following restrictions which are conditions precedent to the relief granted herein:

1. Petitioners may apply for permits and be granted same upon receipt of this Order; however, 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, Petitioners would be required to return, and be responsible for returning, said property to its original condition.

ORDER RECEIVED FOR FILED
4.9.08
[Signature]

2. Petitioners may not expand the business beyond the 11% of their home currently used without a public hearing before the Zoning Commissioner.
3. Petitioners may not use Beryllium or any other toxic chemical while operating the home based business from their primary residence.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.



THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

ORDER REVIEWED FOR FILE
4.9.08
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Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 4406 PINEY GROVE RD.
which is presently zoned RC-2

(This petition **must** be filed in person, in the zoning office, in triplicate, with original signatures.)

This Petition shall be filed with the Department of Permits and 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

(This box to be completed by planner)

SEE ATTACHED

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. 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:

N/A
Name - Type or Print
Signature
Address Telephone No.
City State Zip Code

Attorney For Petitioner:

ANTHONY J. DIPAUJA
Name - Type or Print
Anthony J. Dipaula
Signature
DIPAULA & SULLIVAN, LLC
Company
34 SOUTH MAIN ST. 410-893-4255
Address Telephone No.
BEL AIR MD 21014
City State Zip Code

Legal Owner(s):

GEORGE GELSTON
Name - Type or Print
George G. Gelston
Signature
BARBARA GELSTON
Name - Type or Print
[Signature]
Signature
4406 PINEY GROVE RD
Address Telephone No.
REISTERSTOWN MD 21136
City State Zip Code

Representative to be Contacted:

THOMAS J. HOFF
Name
406 W. PENNSYLVANIA AVE 410-296-3668
Address Telephone No.
TOWSON, MD 21204
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

Case No. 08-249-SPH

REV 9/15/98

UNAVAILABLE FOR HEARING

Reviewed By JF

Date 11/30/07

4.9.08

[Signature]

**PETITION FOR SPECIAL HEARING
4406 PINEY GROVE ROAD**

SPECIAL HEARING TO DETERMINE WHETHER A CERTIFIED DENTAL TECHNICIAN CONSTITUTES A HOME OCCUPATION USE PERMITTED AS OF RIGHT IN AN RC-2 ZONE, PURSUANT TO BCZR 1A01.2.B.9.c.

OR, ALTERNATIVELY, WHETHER A CERTIFIED DENTAL TECHNICIAN CONSTITUTES A USE BY A 'OTHER PROFESSIONAL PERSON' PERMITTED AS OF RIGHT IN AN RC-2 ZONE, PURSUANT TO BCZR 1A01.2.B.9.d.

THOMAS J. HOFF, INC.
Landscape Architects and Land Development Consultants
406 WEST PENNSYLVANIA AVENUE
TOWSON, MD. 21204
410-296-3668
FAX 410-296-5326

November 29, 2007

Description of 4406 Piney Grove Road, to Accompany Petition for Special Hearing

4th Election District, 3rd Councilmanic District

BEGINNING FOR THE SAME at a point in the centerline of Piney Grove Road, 1,343 feet more or less west of the centerline of Longnecker Road.

Thence binding on the centerline of Piney Grove Road,

- 1) North 76 degrees 18 minutes 00 seconds West 35.18 feet, thence leaving the centerline of Piney Grove Road,
- 2) North 29 degrees 23 minutes 55 seconds East 25.78 feet, thence,
- 3) North 06 degrees 45 minutes 00 seconds East 677.25 feet, thence,
- 4) North 19 degrees 57 minutes 56 seconds West 55.60 feet, thence,
- 5) North 84 degrees 00 minutes 30 seconds West 25.00 feet, thence,
- 6) North 01 degrees 41 minutes 45 seconds West 80.00 feet, thence,
- 7) South 88 degrees 18 minutes 15 seconds West 25.00 feet, thence,
- 8) North 01 degrees 41 minutes 45 seconds West 509.82 feet, thence,
- 9) North 88 degrees 18 minutes 15 seconds East 25.00 feet, thence,
- 10) North 01 degrees 41 minutes 45 seconds West 519.49 feet, thence,
- 11) North 88 degrees 18 minutes 15 seconds East 98.87 feet, thence,
- 12) North 01 degrees 41 minutes 45 seconds West 128.99 feet, thence,
- 13) North 82 degrees 12 minutes 00 seconds East 292.88 feet, thence,
- 14) North 87 degrees 13 minutes 00 seconds East 448.05 feet, thence,
- 15) South 06 degrees 48 minutes 22 seconds East 690.86 feet, thence,
- 16) South 88 degrees 18 minutes 12 seconds West 874.60 feet, thence,
- 17) South 01 degrees 41 minutes 45 seconds East 507.25 feet, thence,
- 18) South 33 degrees 15 minutes 00 seconds East 97.06 feet, thence,
- 19) South 06 degrees 45 minutes 00 seconds West 765.62 feet to the place of beginning.

Containing 14.275 acres of land more or less.

Note:

This Description has been prepared for zoning purposes only.



NOTICE OF ZONING 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: #08-249-SPH

4406 Piney Grove Road

N/side of Piney Grove Road at a distance of 1,343 feet west of centerline of Longnecker Road

4th Election District - 3rd Councilmanic District

Legal Owner(s): George & Barbara Gelston

Special Hearing: to determine whether a certified dental technician constitutes a home occupation use permitted as right in an RC-2 zone, or alternatively, whether a certified dental technician constitutes a use by a "other professional person" permitted as of right in an RC-2 zone.

Hearing: Wednesday, March 5, 2008 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-3868.

(2) For Information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT/2/746 Feb. 19

164152

CERTIFICATE OF PUBLICATION

2/21/2008

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 2/19/2008.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

J. Wilkinson

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS RECEIPT

No. **06204**

Date: **11-30-07**

PAID RECEIPT

Fund	Agcy	Orgn	Sub Orgn	Rev Source	Sub Rev	Rept Catg	BS Acct	Amount
001	006			6150				65.00

Total: **65.00**

Rec

From:

Thomas Hall

For:

*Paid for Special Housing Item #247
 10000 Primary Group 101*

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

RECEIVED
 12/01/2007 11:30/2007 11:14/07 2
 RECEIPT # 06204 11/30/2007 07/01
 15 100 10000 VERIFICATION
 000000
 Receipt Tot 65.00
 65.00 10 65.00 10
 Baltimore County, Maryland

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

RE: Case No: 08-249-SPH

Petitioner/Developer: GEORGE &
BARBARA GELSTON

Date Of Hearing/Closing: 3/5/08

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

Attention:

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
at 4466 PINEY GROVE ROAD

This sign(s) were posted on February 18, 2008
(Month, Day, Year)

Sincerely,

Martin Ogle 2/18/08
(Signature of sign Poster and Date)

Martin Ogle

Sign Poster

16 Salix Court

Address

Balto. Md 21220

(443-629 3411)

myantof
2/18/08

ZONING NOTICE

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

CASE # 08-249-SF

ROOM 407 COUNTY COURTS BUILDING
PLACE: 401 HOLLEY AVENUE, TOWSON, MD 21204

WEDNESDAY, MARCH 5, 2008
AT 7:00 AM

DATE/TIME: SPECIAL HEARING TO DETERMINE
REQUEST: WHETHER A CERTIFIED DENTAL TECHNICIAN
CONSTITUTES A HOME OCCUPATION USE PERMITTED
AS A RIGHT IN AN RC-2 ZONE, OR ALTERNATIVELY
WHETHER A CERTIFIED DENTAL TECHNICIAN
CONSTITUTES A USE BY A "OTHER PROFESSIONAL
TECHNICIAN" PERMITTED AS A RIGHT IN AN RC-2
ZONE

ADDITIONAL INFORMATION IS AVAILABLE BY
CONTACTING THE ZONING COMMISSIONER
AT 410-327-3201

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 08-249 SPH

Petitioner: GEORGE GELSTON

Address or Location: 4406 PINEY GROVE RD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: GEORGE GELSTON

Address: 4406 PINEY GROVE RD.

REISTERSTOWN, MD. 21136

Telephone Number: 410-833-3587

Revised 7/11/05 - SCJ

TO: PATUXENT PUBLISHING COMPANY
Tuesday, January 22, 2008 Issue - Jeffersonian

Please forward billing to:

George Gelston
4406 Piney Grove Road
Reisterstown, MD 21136

410-833-3567

NOTICE OF ZONING 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: 08-249-SPH

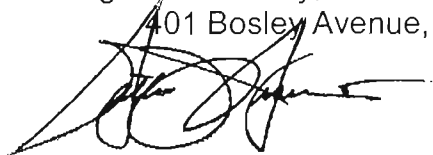
4406 Piney Grove Road

N/side of Piney Grove Road at a distance of 1,343 feet west of centerline of Longnecker Road
4th Election District – 3rd Councilmanic District

Legal Owners: George & Barbara Gelston

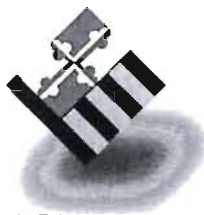
Special Hearing to determine whether a certified dental technician constitutes a home occupation use permitted as right in an RC-2 zone, or alternatively, whether a certified dental technician constitutes a use by a "other professional person" permitted as of right in an RC-2 zone.

Hearing: Wednesday, February 6, 2008 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204



WILLIAM J. WISEMAN III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

December 24, 2007
TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

NOTICE OF ZONING 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: 08-249-SPH

4406 Piney Grove Road

N/side of Piney Grove Road at a distance of 1,343 feet west of centerline of Longnecker Road

4th Election District – 3rd Councilmanic District

Legal Owners: George & Barbara Gelston

Special Hearing to determine whether a certified dental technician constitutes a home occupation use permitted as right in an RC-2 zone, or alternatively, whether a certified dental technician constitutes a use by a "other professional person" permitted as of right in an RC-2 zone.

Hearing: Wednesday, February 6, 2008 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: Anthony DiPaula, 34 South Main Street, Bel Air 21014
George & Barbara Gelston, 4406 Piney Grove Road, Reisterstown 21136
Thomas Hoff, 406 W. Pennsylvania Avenue, Towson 21204

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JANUARY 22, 2008.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, February 19, 2008 Issue - Jeffersonian

Please forward billing to:
George Gelston
4406 Piney Grove Road
Reisterstown, MD 21136

410-833-3567

NOTICE OF ZONING HEARING

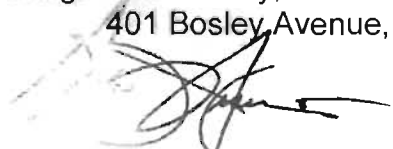
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 08-249-SPH

4406 Piney Grove Road
N/side of Piney Grove Road at a distance of 1,343 feet west of centerline of Longnecker Road
4th Election District – 3rd Councilmanic District
Legal Owners: George & Barbara Gelston

Special Hearing to determine whether a certified dental technician constitutes a home occupation use permitted as right in an RC-2 zone, or alternatively, whether a certified dental technician constitutes a use by a "other professional person" permitted as of right in an RC-2 zone.

Hearing: Wednesday, March 5, 2008 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204



WILLIAM J. WISEMAN III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

February 27, 2008

Anthony J. DiPaula
DiPaula & Sullivan, LLC
34 South Main Street
Bel Air, MD 21014

Dear Mr. DiPaula:

RE: Case Number: 08-249-SPH, 4406 Piney Grove Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 30, 2007. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure 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. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf
Enclosures

c: People's Counsel
George Gelston Barbara Gelston 4406 Piney Grove Road Reisterstown 21136
Thomas J. Hoff 406 W. Pennsylvania Avenue Towson 21204



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

County Office Building, Room 111
, 2007
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

December 3, 2007

ATTENTION: Zoning Review Planners

Distribution Meeting Of: December 10, 2007

Item Number: 248, 249, 251, 253, 254, 256, 258

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

. 1The Fire Marshal's Office has no comments at this time.

Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4880 (C) 443-829-2946
MS-1102F

cc: File

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



Printed with Soybean Ink
on Recycled Paper



Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor

State Highway
Administration

John D. Porcari, Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: 12/11/2007

Ms. Kristen Matthews
Baltimore County Office Of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 8-249-SPH
4406 PINEY GROVE ROAD
GELSTON PROPERTY
SPECIAL HEARING

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 8-249-SPH.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,


For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone: 410.545.0300 • www.marylandroads.com

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits & Development
Management

DATE: December 12, 2007

FROM: ^{DBK} Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For December 17, 2007
Item Nos. 08-248, 249, 251, 252, 253,
254, 255, 256, and 258

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

DAK:CEN:clw
cc: File
ZAC-NO COMMENTS- 121207.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: December 28, 2007

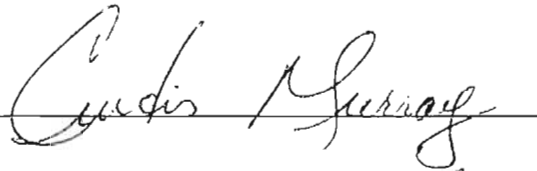
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): **Case(s) 08-249- Special Hearing**

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

For further questions or additional information concerning the matters stated herein, please contact Jessie Bialek in the Office of Planning at 410-887-3480.

Prepared By:



Division Chief:



CM/LL

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
4406 Piney Grove Road; N/S of Piney Grove *
Road, 1,343' W c/line Longnecker Road * ZONING COMMISSIONER
4th Election & 3rd Councilmanic Districts *
Legal Owner(s): George & Barbara Gelston * FOR
Petitioner(s) *
* BALTIMORE COUNTY
*
* 08-249-SPH

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO

Deputy People's Counsel

Old Courthouse, Room 47

400 Washington Avenue

Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of December, 2007, a copy of the foregoing Entry of Appearance was mailed to, Thomas Hoff, 406 West Pennsylvania Avenue, Towson, MD 21204 and Anthony DiPaula, Esquire, Dipaula & Sullivan, LLC, 34 South Main Street, Bel Air, MD 21014, Attorney for Petitioner(s).

RECEIVED

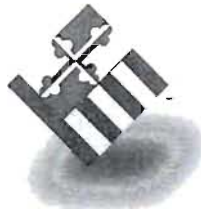
DEC 13 2007

Per.....

Peter Max Zimmerman

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
August 15, 2008 *Department of Permits and
Development Management*

Anthony DiPaula
DiPaula & Sullivan, LLC
34 South Main Street
Belair, MD 21014

Dear Mr. DiPaula:

RE: Case 08-249-SPH, 4406 Piney Grove Road

Please be advised that an appeal of the above-referenced case was filed in this office on July 15, 2008 by People's Counsel. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to call the Board at 410-887-3180.

Sincerely,

A handwritten signature in black ink that reads "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

c: William J. Wiseman III, Zoning Commissioner
Timothy Kotroco, Director of PDM
People's Counsel
George & Barbara Gelston, 4406 Piney Grove Road, Reisterstown 21136
Thomas Hoff, 406 W. Pennsylvania Avenue, Towson 21204
Al & Sue Bobes, 4408 Piney Grove Road, Reisterstown 21136
Dave Kirby, Code Enforcement

DIVISION OF CODE INSPECTIONS AND ENFORCEMENT

VIOLATION CASE DOCUMENTS

VIOLATION CASE: 07-11841

4406 PINEY GROVE ROAD

**ZONING CASE: 08-249-SPH
4406 PINEY GROVE RD**

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

DATE: January 2, 2008

TO: W. Carl Richards, Jr.
Zoning Review Supervisor

FROM: Rick Wisnom, Hearing Officer
Division of Code Inspections & Enforcement

SUBJECT: Item No.: 249
Legal Owner/Petitioner: George and Barbara Gelston
Contract Purchaser:
Property Address: 4406 Piney Grove Road
Location Description: North side of Piney Grove Road at a distance of 1,343 feet west of
the centerline of Longnecker Road

VIOLATION INFORMATION: **Case No.: 07-11841**
Defendants: George and Barbara Gelston

Please be advised that the aforementioned petition is the subject of an active violation case.

In addition, please find attached a duplicate copy of the following pertinent documents relative to the violation case, for review by the Zoning Commissioner's Office:

Complaint Intake Form
State Tax Assessment printout
Correction Notice/Code Violation Notice
Photographs
Other: correspondence

After the public hearing is held, please send a copy of the Zoning Commissioner's order to Lisa Henson in Room 213 in order that the appropriate action may be taken relative to the violation case.

RSW/
c: Lavette Street

CODE ENFORCEMENT REPORT

DATE: 09/17/07 INTAKE BY: _____ CASE #: 07-11841 INSPEC: _____

COMPLAINT LOCATION: 4406 Piney Grove Rd ZIP CODE: 21136 DIST: 4

COMPLAINANT NAME: ANN Walk-in PHONE #: (H) _____ (W) _____

ADDRESS: _____ ZIP CODE: _____

PROBLEM: Business from residence receiving deliveries for dental lab

IS THIS A RENTAL UNIT? YES _____ NO _____
IF YES, IS THIS SECTION 8? YES _____ NO _____

OWNER/TENANT INFORMATION: _____

TAX ACCOUNT #: _____ ZONING: _____

INSPECTION: NO SUCH ADDRESS

REINSPECTION: _____

REINSPECTION: _____

REINSPECTION: _____

Case Entry/Update
Format : CASREC

Mode CHANGE
File PDLV0001

Dt Rec: 9202007 Intake: _____ Act: _____ Case #: 0711841
Insp: STREET Insp Grp: ENF Insp Area: 4 Tax Acct: _____
Address: 4406 PINEY GROVE RD Apt #: _____ Zip: 21136
Owner: _____

Problem Descript.: BFR RECEIVING DELIVERIES FOR DENTAL LAB

MAP 16G1

Complainant Name (Last): WALK IN (First): _____
Complainant Addr: _____
Complainant City: _____ State: _____ Zip: _____
Complainant Phone (H): _____ (W): _____
Date of Reinspection: 10032007 Date Closed: _____ Delete Code (P): _____

F3=Exit
F9=Insert

F5=Refresh
F10=Entry

F6=Select format
F11=Change

Reopen

DATE: 10/02/2007

STANDARD ASSESSMENT INQUIRY (1)

TIME: 15:55:22

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
24 00 012806	04	1-0	04-00	H	NO		04/18/07
GELSTON GEORGE W				DESC-1.. IMPS14.275AC			
GELSTON BARBARA A				DESC-2.. 5520 FT E OLD HANOVER R			
PO BOX 1002				PREMISE. 04406		PINEY GROVE	RD

00000-0000

REISTERSTOWN

MD 21136-7002 FORMER OWNER:

----- FCV -----			----- PHASED IN -----		
	PRIOR	PROPOSED		CURR	PRIOR
LAND:	111,840	223,680		FCV	
IMPV:	235,930	354,360	TOTAL..	424,526	347,770
TOTL:	347,770	578,040	PREF...	0	0
PREF:	0	0	CURT...	424,526	347,770
CURT:	347,770	578,040	EXEMPT.	0	0
DATE:	01/06	08/06			

----	TAXABLE BASIS	----	FM DATE
	ASSESS: 424,526		11/15/06
	ASSESS: 347,770		
	ASSESS: 0		

ENTER-INQUIRY2 PA1-PRINT PF4-MENU PF5-QUIT PF7-CROSS REF

DATE: 10/24/2007

STANDARD ASSESSMENT INQUIRY (1)

TIME: 10:33:31

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
24 00 012806	04	1-0	04-00	H	NO		10/02/07

GELSTON GEORGE W DESC-1.. IMPS14.275AC

GELSTON BARBARA A DESC-2.. 5520 FT E OLD HANOVER R

PO BOX 1002 PREMISE. 04406 PINEY GROVE RD

00000-0000

REISTERSTOWN MD 21136-7002 FORMER OWNER:

----- FCV ----- PHASED IN -----

	PRIOR	PROPOSED		CURR	CURR	PRIOR
LAND:	111,840	223,680		FCV	ASSESS	ASSESS
IMPV:	235,930	354,360	TOTAL..	501,282	501,282	424,526
TOTL:	347,770	578,040	PREF...	0	0	0
PREF:	0	0	CURT...	501,282	501,282	424,526
CURT:	347,770	578,040	EXEMPT.		0	0
DATE:	01/06	08/06				

---- TAXABLE BASIS ---- FM DATE

ASSESS: 501,282 08/23/07

ASSESS: 424,526

ASSESS: 0

ENTER-INQUIRY2 PA1-PRINT PF4-MENU PF5-QUIT PF7-CROSS REF



CODE INSPECTIONS AND ENFORCEMENT CORRECTION NOTICE

CASE NUMBER 07-11841	PROPERTY TAX ID 24 00 012806	DATE ISSUED 10/24/07
NAME(S): George W. & Barbara A. Gelston		
MAILING ADDRESS P.O. Box 1002		
CITY Reisterstown	STATE MD	ZIP CODE 21136
VIOLATION ADDRESS 4406 Piney Grove Rd		
CITY BALTIMORE	STATE MARYLAND	ZIP CODE 21136

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

RESIDENTIAL ZONE CLASSIFICATION

- ☐ DR1 ☐ DR2 ☐ DR3.5 ☐ DR5.5 ☐ DR10.5 ☐ DR16
☐ RC2(1A01) ☐ RC4(1A03) ☐ RC20 & 50 (1A05) ☐ RC6(1A07)
☐ RC3(1A02) ☐ RC5(1A04) ☐ RCC (1A06) ☐ RC7 (1A08)
☐ OTHER: _____

NON-RESIDENTIAL CLASSIFICATION

- ☐ BL (230) ☐ BR (236) ☐ BM (233)
☐ MR (240) ☐ ML (253) ☐ MH (256)
☐ OTHER: _____

BALTIMORE COUNTY ZONING REGULATIONS (B.C.Z.R.)

AUTHORITY TO ENFORCE ZONING REGULATIONS: 32-3-102; 32-3-602; 32-3-603; 32-4-114

- | | |
|--|--|
| ☒ 101; 102.1: Definitions; general use | ☐ 415A: License/ remove untagged recreation vehicle |
| ☒ 1801.1: DR Zones-use regulations | ☐ 415A: Improperly parked recreation vehicle |
| ☒ 428: License/ Remove all untagged/ inoperative or damaged/ disabled motor vehicle(s) | ☐ 415A: One recreational vehicle per property |
| ☐ 1801.1D: Remove open dump/ junk yard | ☐ 410: Illegal Class II trucking facility |
| ☐ 431: Remove commercial vehicle(s) | ☐ 400: Illegal accessory structure placement |
| ☐ 101; 102.1: Remove contractors equip. storage yard | ☐ 1802.1; 270; 421.1: Illegal kennel. Limit 3 dogs |
| ☐ 101; 102.1: ZCPM: Cease service garage activities | ☐ 102.5: Residential site line violation /obstruction |
| ☐ 402: Illegal conversion of dwelling | ☐ 408B: Illegal rooming/ boarding house |
| ☐ 101; 102.1: ZCPM: Illegal home occupation | ☐ BCC: 32-3-102; 500.9 BCZR; ZCPM:
Violation of commercial site plan and/or zoning order |

BALTIMORE COUNTY CODE (B.C.C.)

- | | |
|--|--|
| ☐ 13-7-112: Cease all nuisance activity | ☐ 35-2-301: Obtain building/ fence/ sign permit |
| ☐ 13-7-115: County to abate nuisance & lien costs | ☐ 18-2-601: Remove all obstruction(s) at street, alley, road |
| ☐ 13-7-310: Remove all trash & debris from property | ☐ 13-7-310(2): Remove bird seed / other food for rats |
| ☐ 13-7-312: Remove accumulations of debris, materials, etc | ☐ 32-3-102: Violation of development plan/ site plan |
| ☐ 13-7-201(2): Cease stagnant pool water | ☐ IBC 115; BCBC 115: Remove/ Repair unsafe structure board and secure all openings to premise |
| ☐ 12-3-106: Remove animal feces daily | ☐ 13-7-401; 13-7-402; 13-7-403: Cut & remove all tall grass and weeds to three (3) inches in height |
| ☐ 35-5-208(a)(c): Seal exterior openings from rodents & pests | |
| ☐ 13-4-201(b)(d): Store garbage in containers w/tight lids | |

OWNER OCCUPIED HOUSING (B.C.C.)

- | | |
|---|--|
| ☐ 35-5-302(a)(1): Unsanitary conditions. | ☐ 35-5-302(a)(2): Store all garbage in trash cans |
| ☐ 35-5-302(a)(3): Cease _____ infestation from prop. | ☐ 35-5-302(b)(1): Repair exterior structure |
| ☐ 35-5-302(b)(1)(2): Repair decorative trim, cornices, etc | ☐ 35-5-302(b)(1)(3): Repair exterior extensions |
| ☐ 35-5-302(b)(1)(4): Repair chimney & similar extensions | ☐ 35-5-302(b)(1)(5): Repair metal/wood surfaces |
| ☐ 35-5-302(b)(1)(6): Repair defective door(s) / window(s) | ☐ 35-5-302(b)(1)(7): Repair defective fence |

INVESTMENT PROPERTY (B.C.C.)

- | | |
|--|---|
| ☐ 35-2-404(a)(1)(i): Remove hazardous or unsafe condition | ☐ 35-2-404(a)(1)(ii): Repair ext. walls / vertical members |
| ☐ 35-2-404(a)(1)(iii): Repair roof or horizontal members | ☐ 35-2-404(a)(1)(iv): Repair exterior chimney |
| ☐ 35-2-404(a)(1)(v): Repair ext. plaster or masonry | ☐ 35-2-404(a)(1)(vi): Waterproof walls/ roof/foundations |
| ☐ 35-2-404(a)(1)(vii): Repair exterior construction (see below) | ☐ 35-2-404(a)(1)(2): Remove trash, rubbish, & debris |
| ☐ 35-2-404(a)(1)(3): Repair /remove defective exterior sign(s) | ☐ 35-2-404(a)(4)(i)(ii): Board & secure. Material to match building color of structure |

OTHER VIOLATIONS OR REMARKS:

Cease the operation of a business from residence

☐ NOTICE POSTED AND MAILED

POTENTIAL FINE: ☒ \$200 ☐ \$500 ☐ \$1000 per day, per violation and to be placed as a lien upon your tax bill.

COMPLIANCE DATE: **11.07.07**

INSPECTOR NAME: **L. Sheet**

PRINT NAME (Rev 9/05)

AGENCY

07-11841

10/17/07 LG



THOMAS J. HOFF, INC.

Land Planners, Landscape Architects &

Land Development Consultants

406 WEST PENNSYLVANIA AVENUE

TOWSON, MD. 21204

VOICE 410-296-3668 FAX 410-296-5326

Thomas J. Hoff, RLA

President

Email: tom@thomasjhoff.com

Web Page: thomasjhoff.com

07-11841

"L"
TOM HOFF STOPPED IN RE
07-11841 HE HAS A FILLING
APPOINTMENT FOR A ~~SRA~~ ON 11/30
CAN YOU POSTPONE CITATION HEARING.
GF



Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Jefferson Building
105 West Chesapeake Avenue, Room 204
Towson, Maryland 21204

410-887-2188
Fax: 410-823-4236

PETER MAX ZIMMERMAN
People's Counsel

May 7, 2008

CAROLE S. DEMILIO
Deputy People's Counsel

Thomas H. Bostwick, Deputy Zoning Commissioner
County Courts Building
401 Bosley Avenue, Suite 405
Towson, Maryland 21204

Re: PETITION FOR SPECIAL HEARING
4406 Piney Grove Road
George & Barbara Gelston - Petitioners
Case No.: 08-249-SPH

RECEIVED
MAY 07 2008

BY:.....

Dear Mr. Bostwick:

Our office discussed your decision in the aforementioned case with the attorney for Petitioner, Mr. DiPaula, and received his letter to you setting forth the Joint Motion for Reconsideration.

We join in the Motion and respectfully ask you to rule on the Petition for Special Hearing requesting a home occupation for a dental technician. For the record, and based on our long-standing position in several cases that the term "professional" as used in the zoning regulations refers to the traditional occupations of doctor, lawyer and dentist, we oppose your Order granting the Petition for Special Hearing for a dental technician use as a professional. We will reserve judgment on the Petition for Special Hearing for a home occupation for a dental technician.

It is our position that the Joint Motion for Reconsideration stays the appeal period for your Order dated April 9, 2008, under Code of Baltimore County Regulations, Title 2, Rule 4 K. as found in BCZR Appendix G.

I appreciate your attention to this matter and thank you for the additional time to review this case again.

Very truly yours,

Carole S. Demilio
Deputy People's Counsel

CSD/rmw

cc: Anthony DiPaula, Esquire
Mr. & Mrs. Al Bobes

DIPAULA & SULLIVAN, LLC

ATTORNEYS AT LAW

Anthony J. DiPaula
ajd@dipaulasullivan.com

34 South Main Street
Bel Air, Maryland 21014

Roger J. Sullivan
rjs@dipaulasullivan.com

Telephone: 410-893-4255
Fax: 410-893-4277

May 6, 2008

FEDERAL EXPRESS

Thomas H. Bostwick, Deputy Zoning Commissioner
Baltimore County Maryland
County Court Building
401 Bosley Avenue, Suite 405
Towson, Maryland 21204

RECEIVED
MAY 07 2008

RE: Petition for Special Hearing
Case No.: 08-249-SPH
Property: 4406 Piney Grove Road

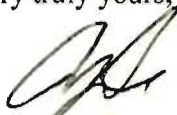
BY:

Dear Mr. Bostwick:

I would be remiss if I did not thank you for your decision dated April 9, 2008. I have since been contacted by People's Counsel, and I am told that they are contemplating an appeal. In discussing the matter with People's Counsel, however, we both recognize that should that occur, it may be better if the alternative request for relief filed in the Petition for Special Hearing was also addressed in your decision. In other words, if the matter has to be tried *de novo* before the Board of Appeals, it would be preferable if both requests, that of an office of an "other professional", and/or "home occupation" were both decided.

Please treat this letter as Joint Motion for Reconsideration by both the Petitioner and People's Counsel. This will serve to extend the time for appeal of your Order. It is my understanding that for the record, People's Counsel will also send you a letter stating their position

Very truly yours,



Anthony J. DiPaula

AJD/dh

cc: George W. Gelston
Al and Sue Bobes
People's Counsel for Baltimore County

s:\das\ajd\Gelston\Bostwick.ltr.1

1A01.2 Use regulations.

- A. Preferred use permitted as of right. Agricultural operations, when conducted in accordance with good and reasonable husbandry practices, shall be afforded preferential treatment over and above all other permitted uses in R.C.2 Zones.
- B. Uses permitted as of right.^{EN(1)} The following uses only are permitted as of right in all R.C.2 Zones: [Bill No. 178-1979]
1. Dwellings, one-family detached. [Bill No. 178-1979]
 2. Farms and limited acreage wholesale flower farms (Section 404). [Bill Nos. 178-1979; 51-1993]
 3. Open space, common. [Bill No. 178-1979]
 4. Public schools. [Bill Nos. 63-1980; 47-1982; 47-1985]
 5. Streets and ways. [Bill No. 178-1979]
 6. Telephone, telegraph, electrical-power or other lines or cables, provided that any such line or cable is underground; underground gas, water or sewer mains or storm drains; or other underground conduits, except interstate or international pipelines. [Bill No. 178-1979]
 7. Trailers, provided that any trailer allowed under this provision must be used or stored in accordance with the provisions of Subsection B, C, E or F of Section 415.1 and Section 415.2.A.1 or 415.3.C.1, as applicable. [Bill No. 178-1979]
 8. Antennas used by CATV systems operated by companies franchised under Article 25 of the Baltimore County Code, if situated on property owned by the county, state or federal government or by a governmental agency. [Bill Nos. 220-1981; 137-2004]
 9. Accessory uses or structures, including, but not limited to, the following:
 - a. Excavations, uncontrolled. [Bill No. 178-1979]
 - b. Farmer's roadside stand and produce stand, subject to the provisions of Section 404.4. [Bill Nos. 178-1979; 41-1992]
 - c. Home occupations (see Section 101). [Bill Nos. 124-1978; 178-1979]
 - d. Offices or studios of physicians, dentists, lawyers, architects, engineers, artists, musicians or other professional persons, provided that any such office or studio is established within the same building as that serving as the professional person's

- primary residence at the time of application; does not occupy more than 25% of the total floor area of that residence; and does not involve the employment of more than one nonresident employee. [Bill Nos. 78-1979; 105-1982; 65-1999]
- e. Parking space, including residential-garage space and space for recreational vehicle (Section 415A). [Bill No. 178-1979]
 - f. Piers, wharves, docks and bulkheads, subject to the provisions of Section 417. [Bill No. 178-1979]
 - g. Radio operator antennas, subject to Section 426A. [Bill Nos. 178-1979; 30-1998]
 - h. Swimming pools, tennis courts, garages, utility sheds, satellite receiving dishes (subject to Section 429) or other accessory structures or uses (subject to the height and area provisions for buildings as set forth in Section 400). [Bill No. 178-1979; Bill No. 71-1987]
 - i. Tenant houses, including trailers used as tenant houses. [Bill No. 178-1979]
 - j. Rubble landfills, provided that the actual fill area does not exceed 3% of the total contiguous acreage of the property in the same ownership and subject to the provisions of Section 412.7 only. [Bill No. 97-1987]
 - k. Signs, subject to Section 450. [Bill No. 89-1997]
- 10. Commercial film production, subject to Section 435. [Bill No. 57-1990]
 - 11. Transit facilities. [Bill No. 91-1990]
 - 12. Equestrian centers, provided that any such equestrian center has access to two roads, one of which is a road having, within two miles from the equestrian center, an interchange with an interstate expressway; contains no permanent grandstand; and contains no lights other than those consistent with farm use. Temporary structures, such as removable tents, viewing stands and seating, are permitted, provided that they are removed within a reasonable time following the event or events which they serve. [Bill No. 24-2002]
- C. Uses permitted by special exception.^{EN(2)} The following uses, only, may be permitted by special exception in any R.C.2 Zone, provided that in each case the hearing authority empowered to hear the petition finds that the use would not be detrimental to the primary agricultural uses in its vicinity; and, in the case of any use permitted under Item 29, further provided that the hearing authority finds that the use would support the primary agricultural use in its vicinity and would not itself be situated on land more appropriately used for primary agricultural uses: [Bill No. 178-1979]

1. Airports. [Bill No. 178-1979]
2. Animal boarding places (regardless of class), commercial kennels, private kennels, veterinarians' offices or veterinarians (see Section 421). [Bill Nos. 178-1979; 87-2001]
3. Antique shops (see Section 402B). [Bill No. 178-1979]
4. Camps, including day camps. [Bill No. 178-1979]
5. Community care centers provided that no residential community care center, i.e., a center which serves as the residence of the persons for whom care is provided, shall provide care for more than 15 persons per site, and no day community care center shall provide care for more than 15 persons per acre nor more than 75 persons per site. [Bill Nos. 178-1979; 157-1986]
6. Churches or other buildings for religious worship. [Bill No. 178-1979]
7. Excavations, controlled. [Bill No. 178-1979]
8. Farm market, subject to the provisions of Section 404.4. [Bill Nos. 178-1979; 41-1992]
9. Fishing and shellfishing facilities, Class I and II. [Bill No. 178-1979]
10. Golf courses or country clubs. [Bill No. 178-1979]
11. Home occupations of disabled persons, where the use is established in a structure originally constructed as a dwelling or as accessory to a dwelling or where the use is established in a structure that is situated on the same lot as a dwelling and which the Zoning Commissioner finds to be compatible with its surrounding neighborhood, provided that:
 - a. Only three persons, including the disabled person and the members of his immediate family who are residents of the dwelling, are employed in the use on the premises; and
 - b. In any case the use is conducted by a disabled person whose domicile is the dwelling to which the use is accessory and whom the hearing authority finds is so severely disabled as to be unable to engage in his occupation away from the premises of his home.

Any provision of Section 502.2 to the contrary notwithstanding, any special exception granted pursuant to this item shall expire upon the first to occur of the following:

- (1) Five years after the issuance of the permit;
- (2) The death of a disabled person;
- (3) The termination of the disability; or
- (4) The failure of the disabled person to permanently reside at the premises.

A new special exception for the use may be granted when the previous special exception expires but only upon the completion of the entire application and hearing process in the same manner as if it were the initial application for this special exception. It is the purpose of this provision to prevent the use of residential property for business purposes by an occupant other than a disabled person and to ensure that any occupation permitted pursuant to this item will be conducted in a manner appropriate to its surroundings. [Bill No. 27-1981]

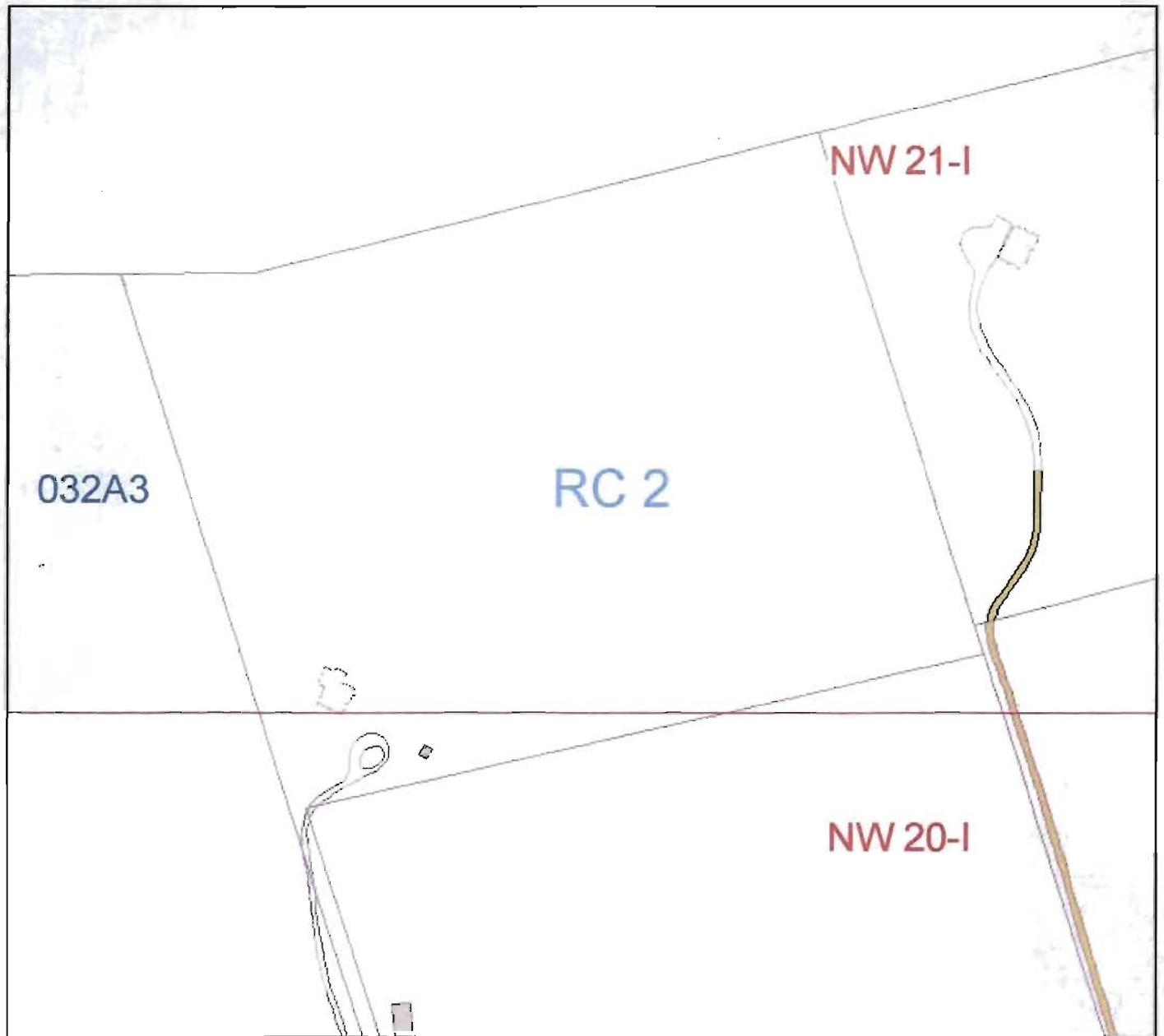
12. Horticultural nurseries, subject to the provisions of Sections 404.1 and 404.2. [Bill No. 41-1992]
13. Hunting or fishing preserves. [Bill No. 178-1979]
14. Landscape service operations, subject to the provisions of Sections 404.1 and 404.3. [Bill No. 41-1992]
15. Offices for agriculture-related uses. [Bill Nos. 178-1979; 37-1988]
16. Offices or studios of physicians, dentists, lawyers, architects, engineers, artists, musicians or other professional persons as an accessory use, provided that any such office or studio is established within the same building as that serving as the professional person's primary residence at the time of application; does not occupy more than 25% of the total floor area of that residence; and does not involve the employment of more than one nonresident professional associate nor two other nonresident employees. [Bill Nos. 105-1982; 65-1999]
17. Public utility uses not permitted as of right. [Bill No. 178-1979]
18. Rail passenger station, subject to Section 434. [Bill No. 91-1990^{EN(3)}]
19. Residential art salons (see Section 402C). [Bill No. 178-1979]
20. Standard restaurants or tearooms converted from dwellings (Section 402.3). [Bill Nos. 178-1979; 110-1993]
21. Riding stables. [Bill No. 178-1979]

22. Sanitary landfills, or rubble landfills in which the actual fill area exceeds 3% of the total contiguous acreage of the property in the same ownership. However, the fill area of a rubble landfill may not exceed 7% of the total contiguous acreage, nor may the fill area exceed a depth of 20 feet unless the Zoning Commissioner specifically finds that the landfill should be exempt from the depth limitation (see Section 412). [Bill Nos. 178-1979; 97-1987]
23. Schools, including schools for agricultural training, private preparatory schools, business or trade schools, conservatories or colleges. [Bill No. 178-1979]
24. Shooting ranges, including archery, pistol, skeet, trap or small-bore rifle ranges, or turkey shoots. [Bill No. 178-1979]
25. Sludge disposal facility - landspreading (Section 412A.2.E). [Bill No. 46-1982]
26. Trailers, as provided in Section 415.1.D. [Bill No. 178-1979]
27. Volunteer fire company or ambulance-rescue facilities. [Bill No. 178-1979]
28. Wireless telecommunications towers, subject to Section 426. [Bill No. 30-1998]
29. The following "agricultural-support" uses as principal commercial uses: [Bill Nos. 178-1979; 51-1993]
 - a. Farm-machinery sales, storage or service; blacksmithing. [Bill No. 178-1979]
 - b. Feed or grain mills or driers. [Bill No. 178-1979]
 - c. Fertilizer sales or storage. [Bill No. 178-1979]
 - d. Sawmills. [Bill No. 178-1979]
 - e. Slaughterhouses or manufacture, processing or packing of fruit, vegetables, animal or meat products, or by-products. [Bill No. 178-1979]
 - f. Spirits manufacture, including the manufacture of alcohol to be used in gasoline/alcohol mixtures, but excluding the production of these mixtures. [Bill Nos. 178-1979; 51-1993]
 - g. Firewood operations. [Bill No. 151-1992]
 - h. Winery, including accessory retail and wholesale distribution of wine produced on-premises. Temporary promotional events, such as wine tastings or public gatherings associated with the winery, are permitted, within any limits set by the special exception. [Bill No. 51-1993]

*Baltimore County Zoning Regulations
PC/Codebook for Windows*

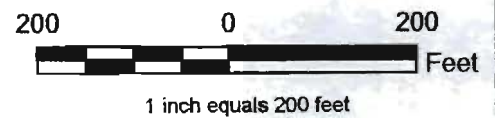
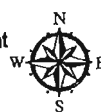
- i. Bottled water plant, if the source of the water is located on the same site as the plant, and provided that the Director of Environmental Protection and Resource Management makes a recommendation that the proposed facility will not adversely affect the quality or capacity of surface water or groundwater. [Bill No. 51-1993]

4406 Piney Grove Rd



Publication Date: November 27, 2007
Publication Agency: Department of Permits & Development Management
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot

DQ Map Notes



CASE NAME _____
CASE NUMBER 08-249 SPH
DATE 3/5/08

[illegible]

PLEASE PRINT CLEARLY

CASE NAME _____

CASE NUMBER _____

DATE _____

CITIZEN'S SIGN-IN SHEET

NAME

ADDRESS

CITY, STATE, ZIP

E-MAIL

ALL BOBES
SUE BOBES

4408 Piney Grove Rd
" " " " " "

Reston VA 20190

pineygrove@aol.com

RESUME

THOMAS J. HOFF

THOMAS J. HOFF, INC.

406 West Pennsylvania Avenue
Towson, Maryland 21204
410-296-3668

EDUCATION:

Bachelor of Science Landscape Architecture,
Magna Cum Laude
West Virginia University, 1976

EXPERIENCE:

January 1992 to Present.
THOMAS J. HOFF, INC.
Towson, Maryland

Principal - President. Responsibilities include administration, client relations, site design, project management, government agency coordination and project scheduling for all projects in the office. Project supervision of staff responsible for zoning plans, site plans, grading plans, storm water management plans, sediment control plans, utility plans, public works plans and landscape plans for commercial, residential, industrial, and institutional sites.

December 1986 to December 1991.
HOFF & ANTONUCCI, INC.
Lutherville, Maryland

Principal - President. Responsibilities include administration, client relations, site design, project management, government agency coordination and project scheduling for all projects in the office. Project supervision of staff responsible for zoning plans, site plans, grading plans, storm water management plans, sediment control plans, utility plans, public works plans and landscape plans for commercial, residential, industrial, and institutional sites.

PETITIONER' S

EXHIBIT NO. 2

Thomas J. Hoff
Resume (cont.)

July 1983 to December 1986.

HOFF, ROSENFELT, AND WOOLFOLK, INC.

Owings Mills, Maryland

Principal - Secretary/Treasurer. Responsibilities included administration, client relations, site design, project management, government agency coordination and project scheduling for all projects in the office. Project supervision of staff responsible for zoning plans, site plans, grading plans, storm water management plans, sediment control plans, utility plans, public works plans and landscape plans for commercial, residential, industrial, and institutional sites.

February 1978 to July 1983.

DEVELOPMENT DESIGN GROUP LIMITED

Towson, Maryland

Chief Project Manager. Responsibilities included site design, project management, government agency coordination, and supervision of staff responsible for zoning plans, site plans, grading plans, storm water management plans, sediment control plans, utility plans, public works plans and landscape plans for commercial, residential, industrial, and institutional sites.

July 1976 to February 1978.

DAFT McCUNE & WALKER, INC.

Towson, Maryland

Staff Landscape Architect. Responsibilities included site design, site plans, grading plans, sediment control plans, utility plans, public works plans and landscape plans for commercial, residential, industrial, and institutional sites.

ORGANIZATIONS:

Baltimore Association of Landscape Architects

PROFESSIONAL REGISTRATION:

Registered Landscape Architect (1981)
Maryland - No. 493

AWARDS:

American Society of Landscape Architects – Certificate of Merit for Excellence in the Study of Landscape Architecture, 1975-76

The Baltimore County Soil Conservation District, Consultant Firm of the Year, 2002

Zoning Hearings:

11219 Greenspring Avenue, Baltimore County – Special Exception and Variances, Case No. 08-221-XA, 2008.

3668 Galloway Road, Baltimore County – Variances and Special Hearing, Case No. 08-184-SPHA, 2007.

18 Aigburth Road, Baltimore County – Variances, Case No. 08-055-A, 2007.

3675 Offutt Road, Baltimore County – Variance, Case No. 07-530-A, 2007.

2901 Rolling Road, Baltimore County – Variance, Case No. 07-380-A, 2007.

1641 Cold Bottom Road, Baltimore County – Variance, Case No. 07-242-A, 2007.

1601 Odensos Lane, Baltimore County – Variance, Case No. 07-143-A, 2006.

9208 Avondale Road, Baltimore County – Special Hearing, Case No. 06-660-SPH, 2006.

9701 Reisterstown Road, Northwest Honda, Baltimore County – Special Hearing and Variances, Case No. 06-649-SPHA, 2006. Sign Variances and amend previously approved plan.

9208 Avondale Road, Baltimore County – Special Hearing, Case No. 06-289-SPH, 2006.

9033 Cuckold Point Road, Bill's Boats, Baltimore County – Special Hearing, Case No. 06-102-SPH, 2006.

409 Allegheny Avenue, Baltimore County – Special Exception, Case No. 06-041-X, 2005.

6003 Kenwood Avenue, Baltimore County – Special Hearing and Variances, Case No. 05-667-SPHA, 2005.

4505 Piney Grove Road, Baltimore County – Special Exception and Variances, Case No. 05-359-XA, 2005.

1104 Harwall Road, Baltimore County – Special Exception and Variances, Case No. 05-242-XA, 2005.

9101 Liberty Road, Auto Collision Technologies, Baltimore County – Special Exception and Variances, Case No. 04-422-XA, 2004.

11420 York Road, Baltimore County – Variances, Case No. 04-302-A, 2004.

Zoning Hearings:

4 Marlyn Avenue, Care Management, Inc., Baltimore County – Variances, Case No. 03-537-XA, 2003.

212 Cockeys Mill Road, Miller Tree & Landscape, Baltimore County – Special Exception, Special Hearing and Variances, Case No. 03-466-SPHXA, 2003.

9701 Reisterstown Road, Northwest Honda, Baltimore County – Special Hearing and Variances, Case No. 03-406-SPHA, 2003. Commercial parking in a residential zone and RTA Buffer Variance.

15509 Manor Road, Bozman Property, Baltimore County – Variances, Case No. 03-235-SPHA, 2003.

4106 Klausmier Road, Baltimore County – Variance to permit undersized lot, Case No. 03-217-A, 2002.

4104 Klausmier Road, Baltimore County – Variance to permit undersized lot, Case No. 03-216-A, 2002.

Tom's Sports Tavern, 9307 Liberty Road, Baltimore County – Setback Variances, Case No. 02-377-SPHA, 2002.

Sunoco Service Station, 6401 Golden Ring Road, Baltimore County – Sign Variances, Case No. 02-371-A, 2002.

Sunoco Service Station, 8000 Loch Raven Blvd., Baltimore County – Sign Variances, Case No. 02-370-A, 2002.

Radio Shack, 1206 Reisterstown Road, Baltimore County – Sign Variances, Case No. 02-211-A, 2002.

Sunoco Service Station, 6324 Baltimore National Pike, Baltimore County – Sign Variances, Case No. 01-312-A, 2001.

Sunoco Service Station, 10812 Reisterstown Road, Baltimore County – Sign Variances, Case No. 01-311-A, 2001.

Sunoco Service Station, 11701 Reisterstown Road, Baltimore County – Sign Variances, Case No. 01-310-A, 2001.

10233 Liberty Road, Baltimore County – Special Exception, Case No. 00-561-X, 2000.

Zoning Hearings:

114 Dundalk Avenue, Baltimore County - Special Exception and Variances, Case No. 00-07-XA, 2000.

103 Riverton Road, Baltimore County – Special Hearing, Special Exception and Variances, Case No. 00-370-SPHXA, 2000.

Sunoco Service Station, 143 Back River Neck Road, Baltimore County – Sign Variances, Case No. 00-348-A, 2000.

405 East Joppa Road/510-514 & 518 Fairmount Avenue, Baltimore County – Special Hearing to amend the Special Exception and Variances, Case No. 00-305-SPHA, 2000.

Sunoco Service Station, 10800 Pulaski Highway, Baltimore County – Special Hearing and Variances, Case No. 00-103-SPHA, 1999.

St. Charles @ Old Court Apartments, Baltimore County – Variance to allow detached garages, Case No. 00-076-A, 1999.

Northwest BMW/Honda, 9700 Reisterstown Road, Baltimore County – Variance, Case No. 00-009-A, 1999.

Sunoco Service Station, 100 West Timonium Road, Baltimore County – Special Exception, Special Hearing and Variances, Case No. 99-408-SPHXA, 1999.

1623 Bellona Avenue, Baltimore County – Special Exception for a physician's office within a primary residence, Case No. 99-283-SPX, 1999.

2448 Spring Lake Drive, Baltimore County - Sideyard Variance, Residential, Case No. 99-71-A, 1998.

9608 & 9610 Belair Road, Baltimore County - Special Exception for Class B Group Child Care, Special Hearing and Variances, Case No. 98-282-SPHXA, 1998.

7303 Belair Road, Baltimore County - Setback Variances, Case No. 98-192-A, 1997.

CVS Pharmacy, 9519 Philadelphia Road, Baltimore County - Parking and Setback Variances, Case No. 97-395-A, 1997.

114 Dundalk Avenue, Baltimore County - Variance, Case No. 96-484-A, 1996.

3419 Sweet Air Road, Baltimore County - Parking Variance for Restaurant, 1996

Zoning Hearings:

Rolling View Green, Baltimore County - Special Hearing and Variances, Case No. 95-432-SPHA, 1995.

The Estates at Rolling View, Baltimore County - Setback Variances for Residential Subdivision, Case No.94-464-A, 1994.

1110 Reisterstown Road, Baltimore County - Variances and Special Hearing, Case No. 94-248-SPHA, 1994.

Edgewood Senior Center, Harford County - Special Exception and Variances, 1994

Hyatt Property, Baltimore County - Setback Variance, 1994

Camp Glyndon, Baltimore County - Special Exception and Sign Variance, 1993

Painters Mill Executive Office Park, Baltimore County - Sign Variance

204 Sudbrook Lane, Baltimore County - Special Exception for Assisted Living Facility in a DR Zone

Amoco Oil, Philadelphia Road, Baltimore County - Special Exception & Sign Variance

Amoco Oil, Route 40, Harford County - Setback Variance

Littman Property, Residential Subdivision, Baltimore County - Special Hearing

Schuster Concrete, Crondall Lane, Baltimore County - Setback Variance

Amoco Oil, Carroll Plaza, Carroll County - Sign Variance

Maerk, Ltd., Carroll Plaza Shopping Center, Carroll County -Parking Variance

Methodist Home, Powells Run Rd., Baltimore County - Special Exception & Variance

Board of Appeals:

9033 Cuckold Point Road, Bill's Boats, Baltimore County – Special Hearing, Case No. 06-102-SPH, 2007.

Sunoco Service Station, 6324 Baltimore National Pike, Baltimore County – Sign Variances, Case No. 01-312-A, 2001.

Board of Appeals:

Sunoco Service Station, 10812 Reisterstown Road, Baltimore County – Sign Variances, Case No. 01-311-A, 2001.

Sunoco Service Station, 11701 Reisterstown Road, Baltimore County – Sign Variances, Case No. 01-310-A, 2001.

Bundy Property, Baltimore County – Petition for Reclassification, Case No. R-99-184, 1999.

Easter Property, Baltimore County - CRG Appeal, 1994

Amoco Oil, Philadelphia Road, Baltimore County - Special Exception & Sign Variance

Pizza Palace, Baltimore County - Parking Variance for Restaurant

Littman Property, Residential Subdivision, Baltimore County - Special Hearing

Schuster Concrete, Crondall Lane, Baltimore County - Setback Variance

Hearing Officer's Hearings:

Chapeldale Woods, Single family detached lots, RC-5 zone, 2001

Merrymans Manor, Single family detached lots, RC-4 zone, 2000.

Carrington Ridge, Single family detached lots, DR-2 zone, 2000.



A



B

PETITIONER'S

EXHIBIT NO. 4A-F



C



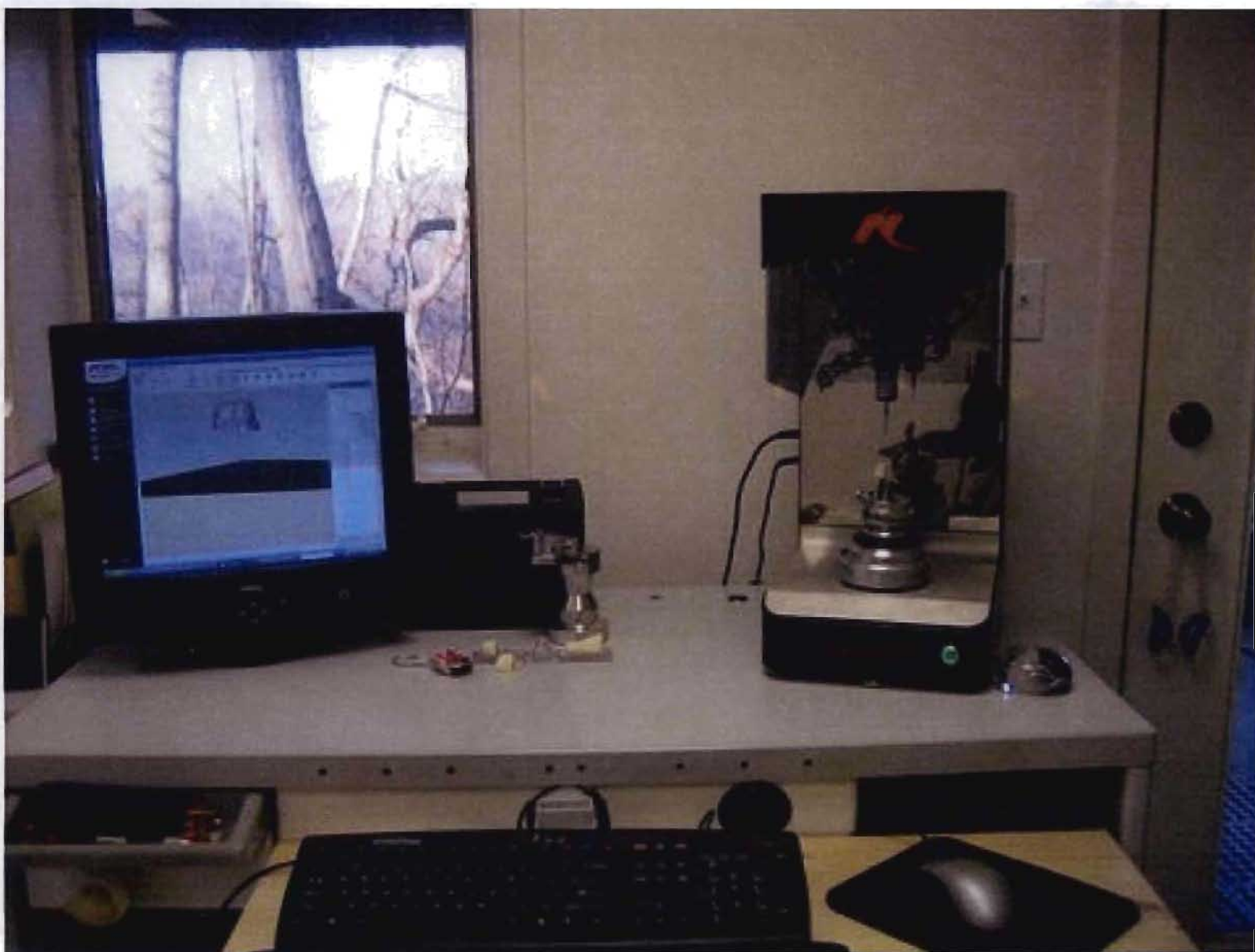
D



E



F



PETITIONER'S

EXHIBIT NO. 5



PETITIONER'S

EXHIBIT NO. 6

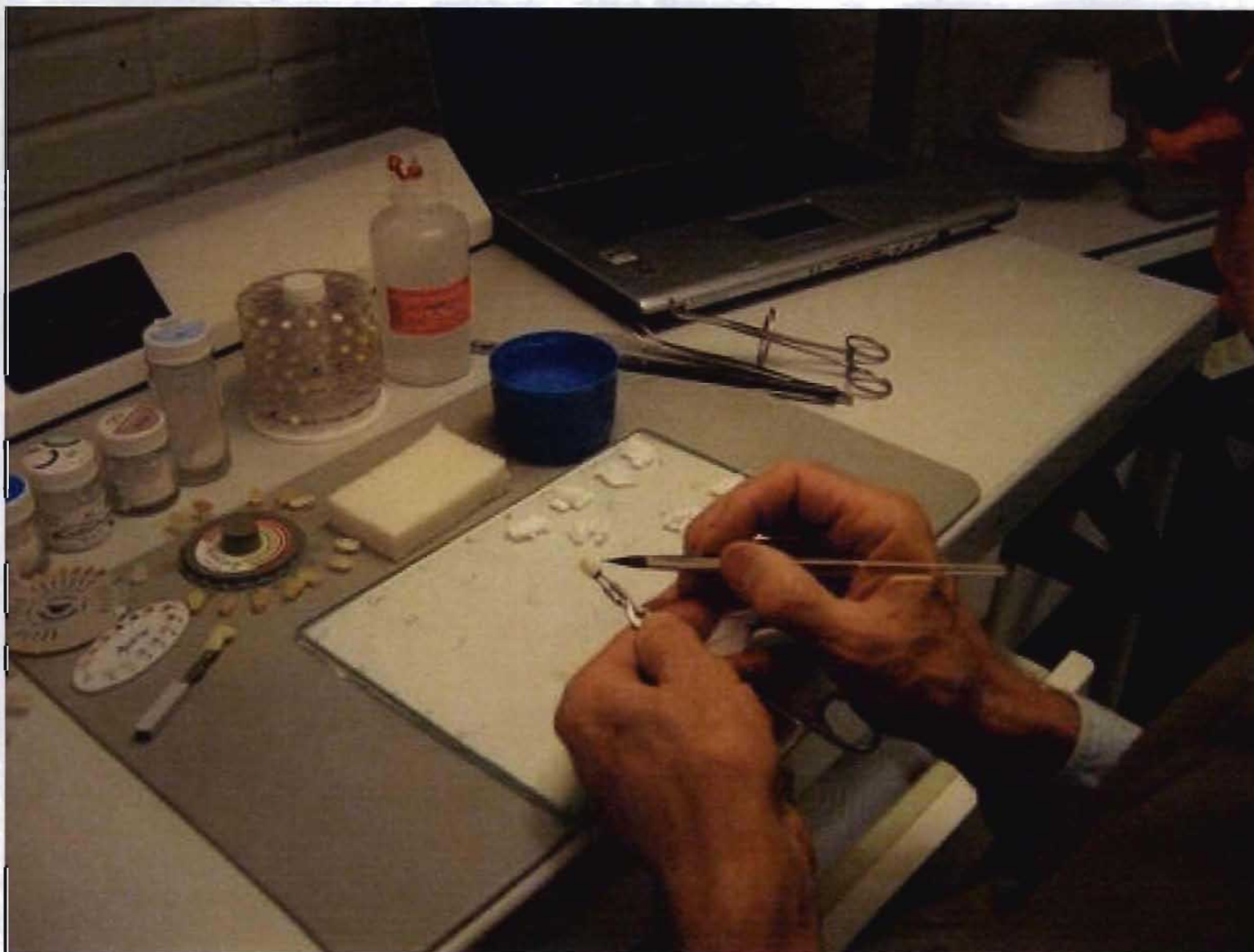


PETITIONER' S

EXHIBIT NO. 7A-C



7C



7B

Age, injuries, disease, eating habits, environment. They are all factors in the health and appearance of your teeth. Loss or damage of teeth can adversely affect your mouth's structure, your facial appearance, and even your confidence and self-esteem. But today's modern prosthodontic procedures make it possible to restore or replace teeth, improve their natural look, and maintain a beautiful smile for a lifetime.

As a prosthodontist, Dr. Boenning has extensive specialized training in the restoration and replacement of teeth and the skills to change the look of stained, chipped, missing or worn teeth. Working with your regular dentist, with other health care professionals, or as your primary dentist, Dr. Boenning can diagnose dental problems and recommend a plan of treatment. He will perform the necessary procedures to get your teeth looking as good — or even better — than new, restore optimum dental function, and help you preserve a healthy mouth.



"The Best Dentists in America" - 2004, 2005
Baltimore Magazine's "Top Dentists" - 1999, 2002
Baltimore Magazine's "Best Dentist" - 1997

- Porcelain Inlays/Onlays (Replace defective silver fillings)
- Bonding and Tooth Colored Fillings

Implants

Non-removable replacement of missing teeth.

Secure loose dentures so they do not move while eating or speaking.

- Single Tooth Replacement
- Bridge Supported by Implants
- Denture Supported by Implants

Reconstruction

Natural looking restorations designed to strengthen and protect natural teeth or replace missing teeth.

- Crowns and Bridgework

Complete and Partial Dentures

Comfortable, state-of-the-art materials to create special smiles.

- Traditional and Special Attachment Dentures

Before



Bonding



Implants,
Veneers,
Bleaching



Veneers



Veneers

After



Dr. Boenning's goal — and the mission of his highly trained professional staff — is to provide the very best dental care in a relaxed, attentive environment. Each patient is treated with state-of-the-art equipment, the most advanced dental techniques available... and old-fashioned courtesy, too.



Take an opportunity to have a dental consultation with Dr. Boenning. He will review your dental history, diagnose problems, and discuss the cosmetic, reconstructive, and replacement options open to you. You'll end up wearing a much more attractive smile.

PETITIONER'S

EXHIBIT NO. 8

FINANCING AVAILABLE

WELCOME TO THE OFFICE OF
DR. KEITH A. BOENNING, WHERE
WE PRACTICE EXCELLENCE
IN THE ART AND SCIENCE
OF DENTAL CARE.



*An avid painter and
photographer,
Dr. Boenning brings the
eye of an artist
to his work as a dentist,
the perfect combination
of talents!*

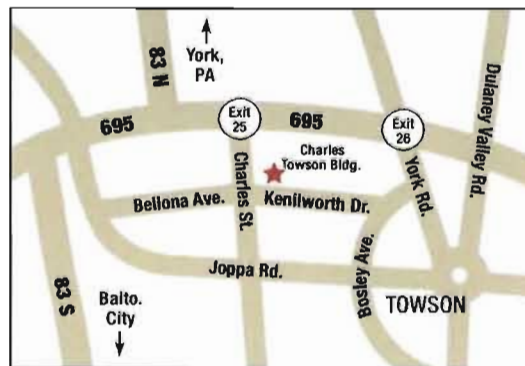
American Dental Association and State and County
Associations. He has lectured extensively in the fields of
cosmetic and implant dentistry and is guest lecturer at
the University of Maryland Dental School.

He is known for his attention to detail in his dental
restorations which produce life-like results. Striving
to increase the precision and accuracy in his
dentistry, Dr. Boenning even works while
observing through a high power
surgical microscope.

Dr. Keith A. Boenning is a
progressive, caring dentist who
specializes in Prosthodontics,
the area of dentistry that
focuses on the restoration and
replacement of teeth. A 1983
graduate of the University of
Maryland Dental School, Dr.
Boenning completed advanced
training in Prosthodontics in
1985. In 1986 he opened his
office in Towson, where his
practice is located today.

Dr. Boenning is a member
of the American College of
Prosthodontics, the Academy
of Osseointegration, the

CONVENIENT LOCATION



DIRECTIONS

From the East (White Marsh)

Take 695 to the Charles Street exit, #25. Left at the exit ramp
stop sign. Go through the roundabout and exit on Charles
Street. Left at the 2nd traffic light, Kenilworth Drive. First left at
The Exchange entrance. The Charles Towson building is the
white building on the right. We are located on the ground
floor facing the front of the building, Suite #104.

From the West (Pikesville)

Take 695 to the Charles Street exit, #25. Right at the exit ramp
light onto Charles Street. Left at the next traffic light, Kenilworth
Drive. First left at The Exchange entrance. The Charles Towson
building is the white building on the right. We are located on the
ground floor facing the front of the building, Suite #104.



BOENNING D.D.S.

1104 Kenilworth Drive, Suite 104

Towson, MD 21204

Ph 410-828-1717 • Fax 410-821-0912

www.drboenning.com

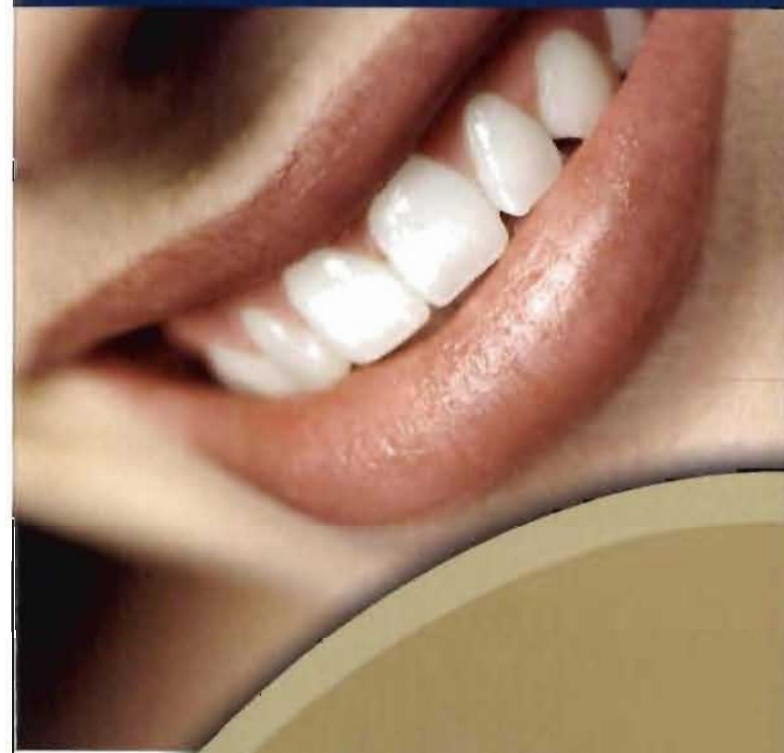
Open Monday - Thursday 8:30am - 5pm

Occasional Friday Hours

KEITH A. BOENNING D.D.S.

PROSTHODONTIST

*Cosmetic, Implant &
Reconstructive Dentistry*



*Excellence in the art
& science of dental care*

Tutt Gelston, CDT

The Dental Studio, Inc.
102 Business Center Dr.
Reisterstown, MD 21136

410-833-3587 Office
800-206-9832 Office
410-833-3588 Fax
E-mail-tuttgelston@aol.com



The Art of Beautiful Teeth

PETITIONER' S

EXHIBIT NO. 9

AMERICAN ACADEMY OF COSMETIC DENTISTRY®

2000-2001
INTERNATIONAL MEMBERSHIP DIRECTORY



*Learning from the Past
Preparing for the Future*

Celebrating the Revolution

BOSTON
MASSACHUSETTS

AMERICAN ACADEMY OF COSMETIC DENTISTRY®

17th Annual Scientific Session

May 22-27, 2001

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AMERICAN ACADEMY
OF COSMETIC DENTISTRY

Code of Ethics

Effective March 1999

PETITIONER'S

EXHIBIT NO.

11

PREAMBLE TO THE AACD CODE OF ETHICS

First and foremost, dentistry is dedicated to the health and well being of the patient. Unless we cultivate the ethical dimensions of dentistry, the patient is at risk, because practitioner/dentists have tremendous power that can be used for good or evil. Dentistry is a moral enterprise, and if we take away the ethical and moral dimensions, what remain are techniques. Dentistry is a profession because it is dedicated to something other than its own self-interests.

Each member's primary professional obligation shall be to serve the public. The competent and timely delivery of quality care within the boundaries of clinical circumstances presented by the patient, with due consideration being given to the needs and desires of the patient, shall be the most important aspect of the obligation. It is each member's further obligation to practice dentistry to the best of his/her abilities to improve the oral health of each patient.

Membership in the American Academy of Cosmetic Dentistry provides opportunities for education, exchange of ideas, fraternization, and recognition.

Membership alone must not be permitted to imply recognition by the AACD of a member's abilities or skills in cosmetic dentistry. Such recognition occurs upon successful completion of the Academy's Accreditation and/or Fellowship programs.

Members should not misrepresent their training and competence in any way that would be false or misleading. A member, whether or not Accredited or Fellowed, must not list or state in a commercial context (listing in a curriculum vitae is acceptable) that he or she is a member of the AACD, or to use the name or logo of the Academy in any media (including, but not limited to print, Yellow Pages, radio, TV, stationery, business cards, brochures, on-hold messages, Internet, or any other promotional material of any kind) other than as specifically authorized by AACD's *Guidelines for Announcing and Advertising Membership in the Academy*. To avoid misinterpretations that an entire laboratory is Accredited, laboratories may only use the name of an individual

who is Accredited with the A in accordance with AACD's *Guidelines for Announcing and Advertising Membership in the Academy*.

It is the policy of the Academy that each applicant for membership and each member must formally agree to adhere to the AACD's *Guidelines for Announcing and Advertising Membership in the Academy* and the AACD's *Code of Ethics*. Applicants for membership will be required to sign a statement upon application, and members are required to sign a reaffirmation of agreement to these provisions on an annual basis.

CODE OF ETHICS

PATIENT SELECTION AND TREATMENT

While members, in serving the public, may exercise reasonable discretion in selecting patients for their practices, members shall not refuse to accept patients into their practice or deny dental service to patients because of the patient's race, creed, color, sex, sexual orientation, or national origin. Furthermore, members shall not allow differences in culture and values to influence selection of patients, treatment of patients and/or the therapeutic relationship.

PATIENT RECORDS

Members are obligated to safeguard the confidentiality of patient records. Members shall maintain patient records in a manner consistent with the protection of the welfare of the patient. Upon request of a patient or another dental practitioner authorized by the patient, members shall provide any information that will be beneficial for the future treatment of that patient.

MEMBERS' DISCRETION

Members shall be obliged to report to their State Licensing Board instances of gross or continual faulty treatment by other practitioners. Patients should be informed of their present oral health status without disparaging comment about prior services.

RESEARCH AND DEVELOPMENT

Members have the obligation of making the results and benefits of their investigative efforts available to all when they are useful in safeguarding or promoting the health of the public.

Members issuing a public statement with respect to the profession shall have a reasonable basis to believe that the comments made are true.

REBATE AND SPLIT FEES

Members shall not accept or tender "rebates," "referral fees" or "split fees."

REPRESENTATION OF CARE AND FEES

Members shall not represent the care being rendered to their patients in a false or misleading manner. Members shall not represent the fees being charged for providing care in a false or misleading manner.

PATIENT INVOLVEMENT

The member should inform the patient of the proposed treatment, and any reasonable alternatives, in a manner that allows the patient to become involved in treatment decisions.

CHEMICAL DEPENDENCY

It is unethical for a member to practice while abusing controlled substances, alcohol or other chemical agents that impair the ability to practice. All members have an ethical obligation to urge impaired colleagues to seek treatment. Members with first-hand knowledge that a colleague member is practicing dentistry when so impaired have an ethical responsibility to report such evidence to their State Licensing Board.

EDUCATION

The privilege of members to be accorded professional status rests primarily in the knowledge, skill, and experience with which they serve their patients and society. All members, therefore, have the obligation of keeping their knowledge and skill current.

DISCLOSURE OF CONFLICT OF INTEREST

1. As it applies to members:

First and foremost and before any other considerations, the practitioner member must place the patient's interest, always and without fail, in the primary position in keeping with the 2,500 year-old Hippocratic oath. The patient comes first. Practitioner/dentists should never stray off the mark in acting in the best interest of our patients, and we should disclose any and all conflicts of interests to our patients, if they exist, so that patients clearly understand and can make informed decisions.

2. As it applies to presenters who present scientific or educational material:

A member or presenter who presents educational or scientific information in an article, seminar or other program shall disclose to the participants or readers any monetary or other special interests the member (or member's family) or the presenter (or presenter's family) may have with a company whose products are promoted or endorsed in the presentation. Disclosure shall be made in any promotional material and in a presentation. Disclosure shall be made in a clear and understandable manner and always at the very beginning of a presentation. This rule also applies to non-members who present to a forum of Academy members and the disclosure of conflict of interest statement is a part of their contract to present.

GOVERNMENT OF A PROFESSION

Every profession owes society the responsibility to regulate itself. Such regulation is achieved largely through the influence of the professional societies. All members, therefore, have the obligation to observe the AACD's *Code of Ethics*.

PROFICIAL PROCEDURES

1. **PROFESSIONAL CONDUCT:** The professional conduct of the members of this Academy shall be governed by the American Academy of Cosmetic Dentistry's *Code of Ethics*.
2. **PLEDGE:** Every new applicant of this Academy, upon applying for membership, and every member upon renewing, must sign a statement pledging to adhere to the AACD's *Code of Ethics*, policies, rules, regulations and bylaws.
3. **CONDUCT SUBJECT TO DISCIPLINE:** A member may be subject to disciplinary sanctions if the member is found to have: (a) been guilty of committing a felony; (b) violated the dental practice act of the state, province or country in which the member practices; (c) violating the AACD's *Code of Ethics*, policies, rules, regulations and bylaws; (d) his/her license to practice dentistry either suspended or revoked by the political jurisdiction in which he/she practices; (e) displayed any conduct detrimental to the reputation or the best interests of the AACD. Any member sanctioned in any manner by a state or provincial dental board shall have an affirmative obligation to notify the AACD Ethics Committee of the fact and findings of the sanction.
4. **INITIATION OF COMPLAINTS:** Complaints raising disciplinary considerations may be made by any interested party. All complaints must be submitted to the Investigating Panel of the Ethics Committee in writing and supported by sufficient corroborative evidence.
5. **PRELIMINARY INVESTIGATION OF COMPLAINTS:** The identity of the member being investigated is kept confidential by the Investigating Panel throughout this process. Only the Investigating Panel, the Ethics Committee Chair, and Executive Office know the identity. The Investigating Panel shall make initial investigation into complaints. It shall collect evidence of violations. It shall determine the

precise nature of the conduct which is subject to criticism, whether there is any factual basis to support the alleged misconduct, and whether such conduct, if proven, would constitute a violation of the Academy's *Code of Ethics* or other established conduct standards. The Academy member against whom charges have been made should be informed that a preliminary investigation is being conducted and that he/she will be informed of its results. The accused member may be asked to comment, orally or in writing, to the Investigating Panel. After the completion of the preliminary investigation, the Investigating Panel will determine whether the information obtained may reasonably be interpreted to constitute a violation of the Academy's *Code of Ethics* or other conduct standards. A decision not to commence any disciplinary proceedings against a member should be made known to the member in question and the person(s) who initiated the charges in the first instance.

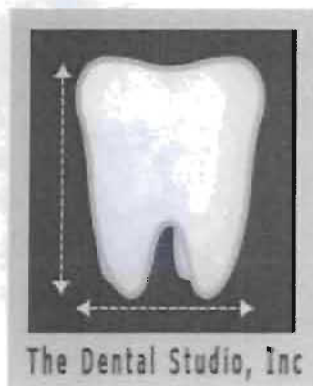
6. **DUE PROCESS:** A decision to commence disciplinary proceedings will initiate "due process requirements." To satisfy due process requirements, there must be: (a) reasonable notice of charges; (b) a notice of a hearing; (c) the right of confrontation and cross-examination; (d) an opportunity to refute all charges; and (e) a hearing before a Hearing Panel. The guidelines of due process must be followed providing notice of charges with specificity, providing for assistance of counsel, and utilizing uniform procedures and establishing rights of appeal. In this manner, judicial members will avoid prejudicial error.
7. **CONFIDENTIALITY:** Confidentiality by the members of the Ethics Committee, the Investigating Panel, and the Hearing Panel is to be strictly maintained throughout the entire judicial proceedings except to the extent necessary for a full review of the facts. Members of a Hearing Panel may not be current members of an Investigating Panel, or have served on an Investigating Panel that investigated matters related to the accused.

8. **DISCIPLINE:** The Hearing Panel, may impose the following: (1) Censure - written record of censure shall be placed in the permanent record of the guilty member and a copy shall be mailed "return receipt requested" to the guilty member. The returned receipt will also be placed in the member's permanent record; (2) Suspension - means that all membership privileges, except continued entitlement to coverage under insurance programs, are lost during the suspension period. Suspension shall be unconditional and for a specified period at the termination of which full membership privileges are automatically restored. A written record of suspension shall be placed in the permanent record of the guilty member and a copy shall be mailed "return receipt requested" to the guilty member. The returned receipt will also be placed in the permanent record of the guilty member; (3) Expulsion - shall be an absolute discipline and shall not be imposed conditionally. A written record of the expulsion shall be placed in the permanent record of the guilty member and a copy shall be mailed "return receipt requested" to the guilty member. The returned receipt will also be placed in the member's permanent record. After the expulsion period, as determined by Due Process, the individual may reapply for membership to the Academy.
9. **DECISION:** The decision of the Hearing Panel, whether for acquittal, censure, suspension, or expulsion, shall be presented in writing and shall specify the charges made against the member, the facts presented in substantiation and/or refutation of the charges, the verdict rendered, and the penalty, if any, imposed. Such notice shall also inform the member of the right to appeal.
10. **APPEAL:** The member may appeal the decision of the Hearing Panel by filing a statement of particulars with the Executive Director of the AACD no later than sixty (60) days after the mailing of the Hearing Panel's decision accompanied by a request for a hearing before the Appeals Board.

11. **APPEALS BOARD:** The Appeals Board shall be composed of a minimum of three (3) members to be selected by the current Ethics Committee Chair. This Board shall be comprised of past-Presidents, past-Board members and/or past-Ethics Committee members. Discipline imposed shall be stayed pending appeal. All notice and hearing requirements set forth above shall be applicable to appeals to the Appeals Board. The Appeals Board shall hold its hearing at the next annual session following the receipt of the notice to appeal. The decision of the Appeals Board shall be final.
12. **PUBLIC ANNOUNCEMENT OF DISCIPLINE IMPOSED:** In the event of final imposition of discipline upon a member pursuant to this *Code of Ethics*, and based on a specific finding by the Ethics Committee of need to protect the public from said member, the name and office address of the member, the fact that discipline was administered, the nature of the discipline administered, and the specific provision of the *Code of Ethics* determined to have been violated may be published and/or disclosed by the Executive Director to the public to the extent deemed necessary by the Ethics Committee to protect the public.
13. **HOLD HARMLESS:** Every member of this Academy waives the right to hold the Academy, its directors, officers, members and/or employees responsible for any damage, pecuniary or otherwise, which may result from discipline associated with disciplinary proceedings against said member.

INTERPRETATION AND APPLICATION OF 'CODE OF ETHICS'

The preceding statements constitute the *Code of Ethics* of the American Academy of Cosmetic Dentistry. Problems involving questions of ethics will be solved within the broad boundaries established in this *Code of Ethics*. Members found guilty of unethical conduct as described in the American Academy of Cosmetic Dentistry's *Code of Ethics* are subject to penalties.



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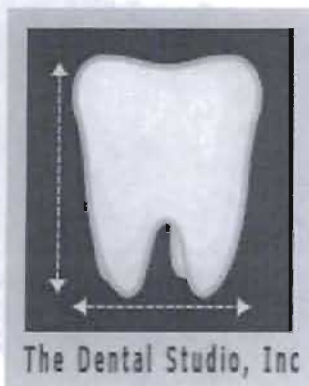
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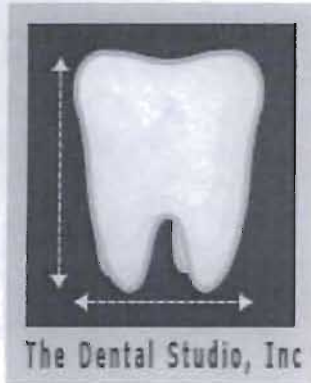
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Porcelain Fused to Metal

- Porcelain fused to High Noble
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U. S. Department of Labor
Occupational Safety and Health Administration
Directorate of Science, Technology and Medicine
Office of Science and Technology Assessment

PROTESTANT' S

EXHIBIT NO. 5

Preventing Adverse Health Effects From Exposure To Beryllium In Dental Laboratories

Hazard Information Bulletins

HIB 02-04-19 (

The Occupational Safety and Health Administration's (OSHA's) Directorate of Technical Support issues Hazard Information Bulletins (HIBs) to provide information about occupational hazards and/or to provide information about noteworthy, innovative, or specialized procedures, practices, and research that relate to occupational safety and health. These bulletins are not standards or regulations and they create no independent legal obligations. They are advisory in nature, informational in content, and are intended to assist employers in providing a safe and healthful workplace. Further information about this bulletin may be obtained by contacting OSHA's Directorate of Health Standards Programs at 202-693-1950.

Purpose

This Hazard Information Bulletin (HIB) is to inform employers and employees about the risk of dental laboratory technicians developing chronic beryllium disease (CBD). It also provides information on the ways in which exposures can be reduced, the type of protective equipment which can be worn to reduce exposure, and of medical surveillance procedures that can be used to identify workers who may be sensitized to beryllium in the early stages of CBD.

Background

Chronic Beryllium Disease Caused by Working With Dental Alloys Containing Beryllium: The Occupational Safety and Health Administration (OSHA) is concerned that cases of chronic beryllium disease (CBD) are occurring among dental laboratory technicians working with dental alloys containing beryllium.¹ CBD is a serious disease that can be disabling and even fatal. CBD has been reported among dental laboratory personnel (refs. 1-3), and a recent letter to OSHA indicates that these cases continue to occur (ref. 4).

Workers exposed to beryllium in dental laboratories are covered by the current OSHA Permissible Exposure Limits (PELs) for beryllium. The OSHA PELs for beryllium allow exposure to 2 micrograms per cubic meter of air as an 8-hour time-weighted average (TWA), between 5 µg/m³ and 25 µg/m³ exposure for up to 30 minute and 25 µg/m³ as a maximum peak limit that can never be exceeded. Several studies and reports have questioned whether the current 2 µg/m³ PEL for beryllium in the workplace is adequate to prevent the occurrence of exposed workers (refs. 5-7, 9-14).

The Bulletin presents a case report of a dental laboratory technician who was recently diagnosed with CBD. It offers information on the types of engineering controls, work practices, training, personal protective equipment, and housekeeping procedures that can be used to reduce beryllium exposure and the risk of CBD to individuals performing casting, sprue cutting, grinding, polishing and finishing of dental alloys containing beryllium. This Bulletin also provides information about a health surveillance method that can be used to identify beryllium-sensitized individuals.

Case Report

Beryllium Dental Alloy Exposure and Work Practices: A 53-year-old woman who had worked as a dental laboratory technician for 13 years was diagnosed with CBD in May 2000. From 1987 to 1995, her daily work involved sandblasting beryllium dental alloy, cutting the metal sprue from the alloy with a high-speed grinder, removing bubbles with a hand-held electric grinder and deburrer, and setting the restoration to make sure it fit the mouth. While performing this work, the worker wore a surgical-type paper mask. Although a household-type wall vacuum with movable hoses was available for cleanup, the laboratory was reported to be very dusty.

Beginning in 1996, the woman worked in a different dental laboratory, where her duties included the grinding of porcelain restorations, sandblasting, metal finishing, and polishing restorations with rouge. The dental technician was involved in clean-up activities, which included using a household-type dry vacuum, emptying the bag, taking it outside and shaking it, washing the bag, and hanging it outside to dry. Shaking the bag produced a dust cloud. Although this lab used a beryllium dental alloy, it did so much less often than the dental laboratory worker had previously been employed. At the second laboratory, work was performed without the use of a hood. Airborne beryllium samples were not taken at either of the dental laboratories where this woman worked.

The Laboratory Technician's Awareness of the Hazards of Beryllium Exposure: The laboratory technician reportedly received no information from her employers concerning the health hazards associated with beryllium exposure. The OSHA Hazard Communication Standard (29 CFR 1910.1200) requires that manufacturers of hazardous substances such as dental alloys containing beryllium provide a copy of a Material Safety Data Sheet (MSDS) to customers along with the beryllium dental product. MSDSs must describe the hazards posed by these substances and ways workers can be protected from exposure.

The Hazard Communication Standard also requires employers using hazardous chemicals to train workers about the hazards to which they are exposed and on how to use and work safely with the product. An MSDS for a product containing beryllium must indicate the health effects of exposure: (1) that beryllium can cause chronic beryllium disease in exposed workers; (2) that acute beryllium disease, which has symptoms resembling those of bronchitis, may occur as a result of exposure to beryllium. Although this form of beryllium disease has not been reported in a single case involving the grinding of dental alloys containing beryllium (ref. 15); and beryllium is classified as a known human carcinogen by the International Agency for Research on Cancer.

Diagnosis of Chronic Beryllium Disease and Confusion with Other Lung Disease: In 1997, the laboratory technician was diagnosed as having sarcoidosis. CBD can be mistaken for sarcoidosis when the diagnosis is based on clinical observation or x-rays alone. The worker was correctly diagnosed with CBD in May 2000. The diagnosis was based on the results of additional diagnostic procedures that identified a positive beryllium lymphocyte transformation test result and abnormal lung pathology, physiology and function. She is currently experiencing symptoms including dry cough, decreased energy, shortness of breath after walking up one or two flights of stairs, and walking rapidly on a horizontal surface.

Identification of Dental Alloys That Contain Beryllium

Not all dental alloys contain beryllium. Dental laboratory technicians need to inquire about the contents of the dental alloys they are using. Information about the contents of dental alloys can be found in the MSDSs that accompany dental products to the dental laboratory.² The synonyms and trade names for some beryllium-containing dental products are listed in the Appendix to this document.

Chronic Beryllium Disease

CBD primarily affects the lungs. CBD may occur among dental laboratory technicians when they inhale beryllium dust when working on items such as dental crowns, bridges, and partial denture frameworks made of beryllium-containing dental alloys.

alloys containing beryllium. CBD may develop within months after initial exposure to beryllium or may have a slow onset and not develop until years after exposure to beryllium has occurred. The amount or length of beryllium necessary to cause a specific individual to develop CBD is not known, but recent information suggests that even short exposures (weeks or months) to levels of beryllium below OSHA's PEL of 2 µg/m³ averaged over a day may lead to CBD in some workers (refs. 5-7).

Beryllium Sensitization: Only workers who have become sensitized to beryllium are believed to develop CBD. A sensitized worker is one who has developed an allergic-type reaction to beryllium. Some workers may become sensitized within weeks or months of exposure on the job, while others may not become sensitized until years after a job where there has been beryllium exposure, and some workers never become sensitized. Beryllium sensitization may be detected through the use of a blood test called the BeLPT, which stands for Beryllium Lymphocyte Test. This test measures how specific white blood cells called lymphocytes react to beryllium. Positive results mean that a worker is sensitized. In some cases, persons with CBD do not have a positive blood lymphocyte test, but do have a positive response to beryllium using other diagnostic tests. Sensitization is believed to occur through the inhalation of beryllium dusts or fumes. Particles containing beryllium that become lodged under the skin can cause skin lesions and may have the potential to induce sensitization. There are no known symptoms associated with sensitization to beryllium. It is not known whether everyone who is sensitized will eventually develop CBD. Between 46% and 100% of surveillance-identified workers with beryllium sensitization already have CBD. At the time of initial clinical assessment for the disease (refs. 6, 11, 12, 17-21). It is currently estimated that individuals with beryllium sensitization, but without CBD, have about a 10% chance per year of progressing to CBD (ref. 12).

Signs and Symptoms of Chronic Beryllium Disease: Workers with CBD may not be aware that they have the disease or may have no or only mild symptoms. Workers with clinical evidence of CBD may have one or more of the following signs or symptoms: unexplained cough; shortness of breath, especially with activity; fatigue; loss of appetite; fever; or night sweats. Workers having CBD, but no symptoms can be diagnosed today only through advances in medical testing. Because the disease may develop slowly over a period of many years, workers may not know they have the disease for a long time without knowing it. The individuals with CBD, who do not have clinical symptoms, are generally referred to as having asymptomatic CBD, or subclinical CBD.

Recommendations

Engineering Controls, Work Practices, Personal Protective Equipment And Training: The following recommendations can be used to reduce the exposure of dental laboratory technicians to beryllium:

1. Engineering Controls

Engineering controls are the first line of defense in employee protection. Therefore, employers should provide appropriate engineering controls and should train their workers in their use and in work practices to ensure that dental laboratory technicians' exposures to beryllium are maintained below the current OSHA PELs. The following engineering controls are recommended:

- Where possible, alloys that do not contain beryllium should be substituted for beryllium-containing dental work;
- All procedures related to casting, cutting, grinding, or polishing beryllium-containing dental alloys should be conducted using properly designed and installed local exhaust ventilation;
- Vacuum systems and local exhaust ventilation systems should be equipped with high-efficiency particulate (HEPA) filters.³

2. Work Practices to Reduce Beryllium Exposure

The following work practices should be used to ensure that the exposures of dental laboratory technicians are reduced:

- Substitute work practices that generate less dust, such as hand filing, for procedures that produce large amounts of dust, such as power grinding;
- Wearing long-sleeved shirts and tucking pant legs into socks or boots to prevent ticks from reaching the skin;
- Use local exhaust ventilation (hoods) properly to minimize the generation of dust and fumes when working with beryllium-containing alloys.

beryllium-containing alloys;

- Use HEPA vacuums to clean equipment and the floor around the work area;
- Prohibit the use of compressed air to clean parts or working surfaces;
- If a wet mop is used for cleaning, do not leave a film of dust on the floor after the water dries;
- Monitor employee exposures to airborne beryllium dust and fume, using personal sampling techniques on a regular basis, to ensure that beryllium exposures are below the OSHA PELs and are as low as feasible;
- Limit the number of workers who have access to areas where beryllium-containing alloys are being fabricated;
- Use appropriate respiratory protection.

3. Hygiene, Clothing, Housekeeping Procedures and Personal Protective Equipment

Dusts containing beryllium can be carried into cars and taken home on the shoes, clothing, and hair of workers exposed on the job (ref. 23). CBD cases have occurred among the family members of beryllium-exposed workers. To minimize skin contact and to reduce take-home exposures and beryllium contamination of non-work areas, that protective clothing is worn in areas where dental appliances and restorations containing beryllium are made. (Protective clothing includes laboratory coats, booties, and other types of garments worn over the skin, hair or personal clothing.) In addition, employers should ensure that employees:

- Wash their face, hands, and forearms before eating, drinking, smoking, or applying cosmetics;
- Do not take food items, drinks, cosmetics, or tobacco products into the work area;
- Use gloves and arm sleeves to minimize skin exposure;
- Do not enter the eating area wearing protective clothing unless properly cleaned beforehand;
- Store street clothes separately from work clothes in a clean area;
- Keep their work clothes as clean as possible during the workshift;
- Vacuum their work clothing before removal (clothes must not be cleaned by blowing or shaking);
- Wipe off their shoes before leaving the work area if booties are not worn;
- Do not leave the workplace wearing protective work clothing or equipment or take it home for laundering;
- Place work clothes in a covered container at the end of the workshift;
- At a minimum, wash their hands and face before leaving the worksite; and
- If possible, shower and change into street clothes prior to leaving the facility.

4. Respiratory Protection

Recent studies suggest that exposure to beryllium at levels below OSHA's 2 µg/m³ PEL may have caused lung cancer in workers (refs. 5-7, 9-14). Therefore, even in situations where exposures may be below the 2 µg/m³ limit, employers should consider providing their beryllium-exposed workers with National Institute for Occupational Safety and Health (NIOSH)-approved air-purifying respirators equipped with 100-series filters (either N-, P-, or R-type as appropriate), or powered air-purifying respirators equipped with HEPA filters, particularly when they are involved in beryllium-containing alloy fabrication where dust can become airborne. Wearers of respirators must be medically approved to wear a respirator and must be fit tested to ensure that the respirator fits properly (see OSHA's Respiratory Protection Standard, 29 CFR 1910.134). [Note: in the case report presented, the laboratory technician either wore no mask or wore a surgical-type mask. Use of a surgical-type of mask does not provide adequate respiratory protection because it does not seal to the face or effectively filter out fine particles. Use of this type of mask provides a false sense of security and does not protect the workers from exposure to beryllium fume or dust.]

5. Training and Information

Employers must comply with the OSHA Hazard Communication Standard, 29 CFR 1910.1200. Additional training will help employers and employees prevent exposures. The following information includes both required and recommended information that will help to protect employees from the adverse health effects associated with beryllium exposure. Employers should ensure that employees exposed to beryllium are trained in and have access to the following information:

- The specific nature of the operations in their workplace where exposure to beryllium-containing al

occur;

- Material Safety Data Sheets (MSDSs) for dental alloys containing beryllium;
- The seriousness of the lung disease (CBD) that may occur as a result of exposure;
- The signs and symptoms of CBD;
- The potential for developing lung cancer as a result of exposure;
- The importance of avoiding skin contact with dust containing beryllium;
- The engineering controls the employer is using to reduce worker exposures to beryllium-containing alloys;
- Specific work practices that should be used to reduce exposure to beryllium-containing alloys;
- The use of appropriate protective equipment, including respirators and skin protection;
- Methods that may be used to detect the presence of beryllium in the workplace, such as workplace air sampling;
- The results of any industrial hygiene sampling the employer or others have conducted for levels of beryllium in the dental laboratory;
- The availability of a blood test to determine whether an exposed worker has become sensitized to beryllium, namely, the Beryllium Lymphocyte Proliferation Test (BeLPT); and
- A copy of this Hazard Information Bulletin.

Health Surveillance Methods for Beryllium Sensitization and Chronic Beryllium Disease:

1. To the Employer

Employers should consider sending beryllium exposed laboratory technicians to a physician or other health care professional to be evaluated for beryllium sensitization or the presence of CBD. Surveillance for CBD begins with a blood test for beryllium sensitization (the BeLPT),⁴ plus any further evaluation considered appropriate by the health-care professional. With few exceptions, the blood BeLPT will detect a response to beryllium exposure more quickly than breathing tests or chest x-rays. A confirmed positive BeLPT result means that the individual is sensitized to beryllium. It does not mean that the worker has or will develop CBD. Some individuals may become anxious upon receiving information that they are sensitized to beryllium because of the uncertainty of whether or not they will develop CBD. These individuals may wish to consult a health care provider familiar with CBD for further evaluation and counseling.

It is widely believed that beryllium sensitization is necessary before a worker can develop CBD, although in some situations sensitization may not be shown in the blood test. The BeLPT is not routinely done in most dental laboratories; however, a health care professional may order this test from the testing laboratory or one of the research centers listed below. If a worker is sent to a health care professional for testing, a copy of this Hazard Information Bulletin should accompany the employee.

2. To the Employee

If you have repaired or fabricated dental appliances or restorations made from beryllium-containing alloys and have developed any of the symptoms listed below, you should inform your employer and health-care professional of your past beryllium exposure, or seek information from a health-care professional who specializes in occupational diseases, to determine whether you may have developed CBD:

- Unexplained cough
- Shortness of breath
- Fatigue
- Weight loss or loss of appetite
- Fever or night sweats.

If you do not have any of the above symptoms but are concerned that you may have become sensitized to beryllium, you should inform your employer and health-care professional that you would like to be tested with the BeLPT. Take a copy of this Hazard Information Bulletin with you.

Blood Testing For Beryllium Sensitization:

Only the three medical research centers and the one laboratory listed below currently offer the blood test for beryllium sensitization.

identifies beryllium-sensitized workers. Any health-care professional with access to an overnight courier order this test from one of the facilities listed below. As other research centers and laboratories develop to test workers' blood for evidence of beryllium sensitization, OSHA will add them to the list.

Medical Research Centers

Cleveland Clinic Foundation
9500 Euclid Avenue, L-15
Cleveland, Ohio 44195
phone: (800) 628-6816

Division of Environmental and Occupational Health Sciences
National Jewish Medical and Research Center
Denver, Colorado 80206
phone: (303) 398-1722

Pulmonary Immunology Laboratory
Hospital of University of Pennsylvania
421 Curie Blvd.
844 BRB II/III
Philadelphia, Pennsylvania 19104
phone: (215) 573-9875

Testing Laboratory

Specialty Laboratories, Inc.
2211 Michigan Avenue
Santa Monica, California 90404-3900
phone: (800) 421-4449

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Appendix

Dental Alloys Containing Beryllium

Nickel alloy		Pent V	Ticonium Prei 100 Denture
non-precious nickel/chrome	-----	Pentillium	Ultratek

ceramic bake-on alloy			
ADAN 2	Jel-Span	Polaris	Uniflo-B
Argeloy NP	-----	Premium NP	Unitbond
Bak-On NP Pre-Solder	Litecast B	Rex V	Vera Bond
Beta		Rexillium	
Biobond II	Microbond 2000	Rexillium III	Vident 550 N Be Alloy
Biobond II Ceramic Bonding Alloy	Purcast	Rexillium V	Vitrified V Bo
Co-span	Neydium + Be	Rexillium W	Vitron
CSN Alloy	Nickel Chromium Alloy	Servalloy	V Premium N
Dentillium Dentsply Regalloy T Partial Denture Alloy	Nobil Ceram Noble Metal Alloy	Summit T-3	W.C. V Pisces Westbond B
Dentsply Regalloy 100 Partial Denture Alloy	NPA I	Tech Star	Will-ceram Li
Excelalloy	NPX III	Ticon	Will-ceram Li
Fidelity 1000	Odyssey	Ticonium No. 44	Wiron
Formula 40	Omni	Ticonium No. 50	
Gemini II	Pen V	Ticonium No. 100	

Dental Products Containing Beryllium

A or C Abrasive Grinding Wheels, Sticks and Hones

1. This Bulletin applies to dental laboratories and not to dental offices unless beryllium-containing dental products are fabricated, or modified in dental offices.
2. In addition to beryllium, laboratory technicians may also be exposed to other toxic materials such as chromium, cobalt, molybdenum, gallium, ruthenium, titanium, free silica, gold, silver, and platinum. Although these substances appear to demonstrate less overall toxicity than beryllium, their exposure should be avoided whenever feasible.
3. Filters of local exhaust systems and all vacuum cleaners should be maintained regularly to minimize dust. Filters should be changed in a properly ventilated enclosure such as a laboratory hood. Personal protective equipment such as gloves, full-body overgarments, and respiratory protection may be necessary.
4. A single report in the literature by Brush Wellman, Inc. researchers (ref. 17) concludes that the BeLP can meet the criteria for a screening test, but is useful for a disease surveillance tool. In this report, 46% of identified workers with sensitization had CBD at initial clinical assessment. In other studies, 49-100% of identified sensitized workers had CBD at initial clinical assessment for the disease (refs. 6, 11, 12, 18-21).

Notes: (1) The beryllium content of these alloys typically ranges from 0.5-2.0 %. (2) This list includes all, of the beryllium-containing products that have been used in dental applications in the past. Their current status is not known. (3) Since 2000, Jel-Span has been manufactured without beryllium in the alloy.

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Occupational Safety & Health Administration
200 Constitution Avenue, NW
Washington, DC 20210

Hazard Information Bulletin



U.S. Department of Labor
Occupational Safety and Health Administration

PREVENTING ADVERSE HEALTH EFFECTS FROM EXPOSURE TO BERYLLIUM IN DENTAL LABORATORIES

HIB 02-04-19 (rev. 05-14-02)

Purpose

This Hazard Information Bulletin (HIB) is to inform employers and employees about the risk of dental laboratory technicians developing chronic beryllium disease (CBD). It also provides information on the ways in which beryllium exposures can be reduced, the type of protective equipment which can be worn to reduce exposure, and on the type of medical surveillance procedures that can be used to identify workers who may be sensitized to beryllium, or who may be in the early stages of CBD.

Background

Chronic Beryllium Disease Caused by Working With Dental Alloys Containing Beryllium: The Occupational Safety and Health Administration (OSHA) is concerned that cases of chronic beryllium disease (CBD) are continuing to occur among dental laboratory technicians working with dental alloys containing beryllium.¹ CBD is a serious lung disease that can be disabling and even fatal. CBD has been reported among dental laboratory personnel in the past (refs. 1-3), and a recent letter to OSHA indicates that these cases continue to occur (ref. 4).

Workers exposed to beryllium in dental laboratories are covered by the current OSHA Permissible Exposure Limits (PELs) for beryllium. The OSHA PELs for beryllium allow exposure to 2 micrograms per cubic meter of air ($2 \mu\text{g}/\text{m}^3$) as an 8-hour time-weighted average (TWA), between $5 \mu\text{g}/\text{m}^3$ and $25 \mu\text{g}/\text{m}^3$ exposure for up to 30 minutes at a time, and 25

The Occupational Safety and Health Administration's (OSHA's) Directorate of Technical Support issues Hazard Information Bulletins (HIBs) to provide information about occupational hazards and/or to provide information about noteworthy, innovative, or specialized procedures, practices, and research that relate to occupational safety and health. These bulletins are not standards or regulations and they create no independent legal obligations. They are advisory in nature, informational in content, and are intended to assist employers in providing a safe and healthful workplace.

Further information about this bulletin may be obtained by contacting OSHA's Directorate of Health Standards Programs at 202-693-1950

$\mu\text{g}/\text{m}^3$ as a maximum peak limit that can never be exceeded. Several studies and reports have questioned whether the current $2 \mu\text{g}/\text{m}^3$ PEL for beryllium in the workplace is adequate to prevent the occurrence of CBD among exposed workers (refs. 5-7, 9-14).

The Bulletin presents a case report of a dental laboratory technician who was recently diagnosed with CBD. It also offers information on the types of engineering controls, work practices, training, personal protective equipment and housekeeping procedures that can be used to reduce beryllium exposure and the risk of CBD to individuals involved in casting, sprue cutting, grinding, polishing and finishing of dental alloys containing beryllium. This Bulletin also provides information about a health surveillance method that can be used to identify beryllium-sensitized individuals.

¹This Bulletin applies to dental laboratories and not to dental offices unless beryllium-containing dental alloys are fabricated, or modified in dental offices.

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Dental labs get beryllium alert

OSHA warns that toxic metal poses threat to workers

By Sam Roe

Tribune staff reporter

Published April 23, 2002

In a rare move, federal regulators are warning thousands of dental laboratories that they might be exposing workers to harmful levels of beryllium, a highly toxic metal used in the production of crowns and bridges.

The warning, to be issued Tuesday in the form of a health hazard bulletin, states that several dental lab technicians have contracted a potentially fatal lung disease after inhaling tiny amounts of beryllium dust.



America's dental labs "should certainly not be complacent," said John Henshaw, head of the Occupational Safety and Health Administration, which is issuing the warning. "They should be very alert at how the

material may be in the air and then take the precautions to avoid inhalation."

The Tribune reported last year that dental labs across the nation were using materials containing beryllium without proper safeguards, such as respirators.

OSHA said it would mail the nine-page warning to dental labs and post it on the agency's Web site. There are about 7,300 dental labs and 42,000 dental technicians nationwide, U.S. census statistics show. The number of labs using beryllium is not known, but a Tribune spot check of 31 in the Chicago area found that 16, or about half, use the metal.

The warning applies only to dental laboratories and not to dental offices unless they cut or grind beryllium, OSHA said. And the risks to patients appear remote: Scientists said they did not know of anyone contracting the disease from having a beryllium crown or bridge in the mouth.

Beryllium is usually associated with the defense industry as the strong, lightweight metal that has been used for decades in nuclear weapons, tanks and missiles. As the Cold War waned, beryllium producers increasingly searched for other markets, including the dental industry.

Small amounts of beryllium are frequently mixed with other metals to improve the strength of crowns and bridges. These beryllium alloys are often cast, ground and polished in dental laboratories, which then sell the finished pieces to dentists.

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How beryllium can affect dental industry (Chicago Tribune) April 23, 2002

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In solid form, beryllium appears to be safe. But when the metal is cut, polished or otherwise altered, the resulting dust can cause an incurable lung disease. Studies show that about 3 percent of those exposed develop the illness, sometimes decades after their last exposure.

OSHA's hazard bulletin recommends that dental labs use ventilation, respirators and protective clothing to limit beryllium dust exposure. Employers should also regularly test the air and, where possible, use substitutes for beryllium.

Workers with possible symptoms of beryllium disease--coughing, shortness of breath and fatigue--are urged to contact their physicians. Others who are concerned are urged to take a blood test to determine whether they have blood abnormalities linked to the disease. Though beryllium disease is incurable, scientists say early detection allows for treatments that can attempt to limit lung damage.

OSHA cited several scientific reports since 1993 that detailed beryllium disease among dental technicians. One case involves a Florida woman who was diagnosed with the illness in 2000 after working at two dental labs. At one lab she wore only a surgical-type paper mask, which does not prevent beryllium inhalation.

OSHA officials said the agency became concerned about beryllium disease in the dental industry in January 2001, when Dr. Lee Newman of the National Jewish Medical and Research Center in Denver informed the agency of a recent case.

"We are definitely seeing beryllium disease--sometimes severe forms of the disease--in dental laboratory technicians," Newman said. "It was time for OSHA to take some action."

OSHA officials also credited the Tribune report and similar research by the environmental group Ohio Citizen Action for demonstrating the need for a hazard bulletin.

The National Association of Dental Laboratories said it would share OSHA's warning with its 1,700 members. President Richard Harrell said the association "wants its members and the industry to have all available information related to potential health hazards."

This is the first hazard bulletin OSHA has issued this year and the seventh in the last three years.

In 1999, OSHA issued a bulletin warning workers that government safety standards might not be protecting them from beryllium dust. The legal limit is 2 micrograms per cubic meter of air, equivalent to the amount of dust the size of a pencil tip spread throughout a 6-foot-high box the size of a football field. But several studies have found that workers have contracted the disease at exposures under this amount.

OSHA is studying whether to tighten the legal limit, but the rule-making process could take years.

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Amalgam and dental trap wastes

Amalgam containing silver and mercury should be sent offsite for recycling along with dental trap wastes that collect amalgam particles and some lead scraps [6 CCR 1007-3 Part 261.6(a)(3)]. Check with your recycler to make sure they are willing to take both amalgam and lead wastes. These particulates should be collected in a closed container compatible with the waste. It is good management practice for the CESQG to label the container as "Hazardous Waste-Amalgam and Dental Trap Wastes" and mark it with the accumulation start date. When a sufficient amount has been collected, the offsite recycler should be contacted for pick-up. Empty amalgam capsules may be disposed of as solid waste with the regular trash.

Disposal

Hazardous wastes that cannot be recycled and are destined for disposal have to be disposed of as hazardous wastes. Some wastes, such as unused developer (which may be corrosive), may be neutralized by the generator and disposed of down the drain *with prior approval of the wastewater treatment authority* [6 CCR 1007-3 Part 100.21]. The generator should contact a hazardous waste disposal company for assistance with other hazardous wastes.

X-ray equipment frequently contains small amounts of cooling oil. Oils containing PCBs and PCB-containing equipment with greater than 50 ppm PCBs are regulated under the Toxic Substances Control Act by the Environmental Protection Agency (EPA) [40 CFR Part 761]. Contact the EPA Region VIII offices for assistance on PCB management.

NON-HAZARDOUS WASTES

Developer

Used or diluted developer is a non-hazardous waste and can often be flushed down the drain with the permission of the public wastewater treatment authority. Facilities that are on individual septic disposal systems should not pour this material down the drain because it can harm the septic system. They should contract with an industrial wastewater disposal company for disposal of these wastes.

Infectious Wastes

Blood on swabs or dressings and used sharps (needles, probes, etc.) are considered non-hazardous infectious wastes [25-15-401 CRS]. Infectious wastes are a solid waste in Colorado and require special handling prior to disposal [6 CCR 1007-2 Section 1.2]. Receptacles containing infectious waste have to be clearly labeled with the biohazard symbol or with the words "Infectious Waste" in letters at least one inch high. Untreated waste must be stored, packaged, contained, and transported in a manner that prevents the release of the waste material and in a manner to prevent nuisance conditions. [6 CCR 1007-2 Section 13.8] Common industry practice is to use red bags for the disposal of infectious waste.

Properly labeled and packaged infectious waste can be disposed of in a permitted solid waste disposal facility without treatment. This procedure must be documented in the facility's infectious waste handling plan and must be acceptable to the waste hauler and disposal site. [25-15-403 CRS] Waste generators may treat their infectious waste themselves to render it noninfectious or contract with a medical waste disposal company. Infectious waste that has been appropriately treated to render it non-infectious is no longer considered infectious for handling and disposal purposes. [25-15-404 CRS] Treatment of the waste reduces the generator's potential liability after disposal. Treated waste can be disposed of with other noninfectious and non-hazardous solid wastes after the generator either identifies it as appropriately treated waste or provides the hauler and disposal facility with a written statement that its general waste includes appropriately treated infectious waste. [25-15-405 CRS, 6 CCR 1007-2 Section 13.8.3]

Appropriate treatment is any method that renders the waste noninfectious. The generator must keep records that include the following: documentation that the method is effective; a written standard operating procedure for implementation of the method; and regular monitoring to test the effectiveness of the treatment. [25-15-404 CRS] Widely used treatment methods include incineration, autoclaving, decontamination, and sterilization. [6 CCR 1007-2 Section 13.4]

Contaminated sharps (needles, syringes) must be placed in a puncture resistant container and be properly designated as untreated infectious waste or made noninfectious by an appropriate treatment method. Untreated containers of sharps cannot be compacted. [6 CCR 1007-2 Section 13.8.4]

For more information:

**Colorado Department of
Public Health & Environment**

**Hazardous Materials and
Waste Management Division
4300 Cherry Creek Drive South
Denver, Colorado 80246-1530**

**Customer Technical Assistance (303) 692-3320
(888) 569-1831 ext. 3320 toll-free**

Division Website <http://www.cdphe.state.co.us/hm/>
Regulations <http://www.cdphe.state.co.us/regulate.asp>
E-mail comments.bmwmd@state.co.us

CHW-012

This Compliance Bulletin is intended to provide guidance on the appropriate management of wastes based on Colorado solid and hazardous waste statutes and regulations only. The wastes described in this guidance may also be regulated under other statutes and regulations.



Colorado Department
of Public Health
and Environment

Compliance Bulletin *Hazardous Waste* **Photographic, X-ray and Dental Wastes** reviewed/revised August 2002

Dental clinics and photography or radiology labs generate relatively small quantities of several types of hazardous and nonhazardous wastes. Wastes generated by these facilities are considered to be hazardous wastes if the waste:

- is easily combustible or flammable (ignitable);
- dissolves metals or other materials or burns the skin (corrosive);
- is unstable or undergoes rapid or violent chemical reaction or produces toxic gases when mixed with water or other materials (reactive);
- is a metal, pesticide, herbicide, or organic chemical at high enough concentrations that could be harmful or toxic if released into ground water (toxic).

[6 CCR 1007-3 Part 261]

Many small dental clinics and photography or radiology labs are classified as Conditionally Exempt Small Quantity Generators (CESQG) of hazardous waste, meaning that they generate less than 100 kilograms (kg) (about 220 pounds or 25 gallons) of hazardous waste and/or 1 kg of acute hazardous waste per calendar month [6 CCR 1007-3 Part 261.5]. CESQGs are responsible for identifying all hazardous wastes that they generate [6 CCR 1007-3 Part 262.11], can accumulate up to 1000 kg of hazardous waste on site at one time, and may either treat their own hazardous wastes or must ensure delivery to a facility that is authorized to accept hazardous waste [6 CCR 1007-3 Part 261.5].

Some dental clinics and labs are small or large quantity generators of hazardous waste because they generate more than 100 kg of hazardous waste and/or 1 kg of acute hazardous waste per month and/or accumulate more than 1000 kg of hazardous waste on site. These generators have additional requirements including restrictions on how long and how much hazardous waste they can store, record-keeping requirements, training requirements, etc. Refer to the Colorado Hazardous Waste Regulations 6 CCR 1007-3 Part 262 and the "Guide to Generator Requirements of the Colorado Hazardous Waste Regulations," available from the Hazardous Materials and Waste Management Division.

HAZARDOUS WASTES

The most common sources of hazardous wastes generated by dental clinics and photography or radiology labs include:

- Fixer – contains silver, D011
- Undiluted developer – may be corrosive, D002
- Lead foil, dental bite wings, discarded lead shields - contain lead, D008
- Amalgam - contains silver & mercury, D011, D009
- Dental trap filter wastes - contain lead, silver, mercury, D008, D009, D011

- Developer system cleaners – may contain chromium, D007
- Old X-ray equipment - may contain PCB oils, regulated under the Toxic Substances Control Act (TSCA)
[6 CCR 1007-3 Part 261]

Recycling

Silver

Silver from used film, fixer, and paper is a valuable resource that should be recycled. These wastes may be classified as hazardous wastes depending on the concentration of silver [6 CCR 1007-3 Part 261.24]. There are essentially two ways to recover the silver, either recycling onsite or collecting it for an offsite recycling service to pick up. Onsite recycling is generally limited to used fixer, rather than film or paper. The generator can install one or more silver recovery units (electrolytic units, recirculating electrolytic units, or cartridges) at the end of the x-ray or film processing line. The recovered silver can then be sold to a metal reclaimer and the **treated** fixer disposed of down the drain *with prior permission of public wastewater treatment authority* [6 CCR 1007-3 Part 100.21]. Facilities that have individual septic disposal systems should not dispose of this material down the drain even in small quantities as it can harm the septic system. They should contract with an industrial wastewater disposal company to dispose of these wastes.

For offsite recycling, the generator should collect and store used fixer in a closed plastic container. Although not required for CESQGs, it is good management practice to label this container with the words "Hazardous Waste-Used Fixer" and the date that the fixer was first added to the container. Small and large quantity generators are required to properly label their hazardous waste containers. When enough used fixer has been accumulated, the generator can arrange pick-up by a recycling service. The recycling service will reclaim the silver from the used fixer at the recycler's site. Many will offer this service for used film and paper as well.

If the facility is a small or large quantity generator of hazardous waste, shipments of unprocessed used fixer containing silver are considered hazardous waste and the hazardous waste manifest system must be used [6 CCR 1007-3 Part 267].

Lead

Lead from lead foil, bite wings, and discarded lead shields may be recycled as scrap metal through scrap metal recyclers, through some silver recyclers, or contact your dental supply company for recycling assistance [6 CCR 1007-3 Part 261.6(a)(3)].



American Dental Association
www.ada.org

New Practice Checklist

(requirements can vary from state to state and from city to city)

This checklist is designed to provide a list of some key issues frequently confronted by dentists opening a new practice — each practice situation presents unique challenges. Every topic can be quite complex — use this list only as a starting point and seek competent advice, when necessary. First step — contact both your state dental society and the ADA!

To Do	What	Contact
Licenses (May vary from state to state)	☐ State dental license	Department of professional regulation or state board of dentistry http://www.ada.org/prof/prac/licensure/index.asp
	☐ Anesthesia and analgesia permit (if needed)	Department of professional regulation or state board of dentistry http://www.ada.org/prof/prac/licensure/index.asp
	☐ License to prescribe drugs	Drug Enforcement administration, http://www.dea.gov
	☐ Controlled substance license	Department of professional regulation or state board of dentistry http://www.ada.org/prof/prac/licensure/index.asp
Professional Association	☐ Join local, state and national dental association	State dental societies http://www.ada.org/ada/organizations/searchcons1.asp American Dental Association http://www.ada.org .
Regulations	☐ X-ray registration	Check your state government web site
	☐ Waste management (Check state and local laws)	Best Management Practice for Amalgam Waste http://www.ada.org/prof/resources/topics/amalgam_bmp.asp
	☐ HIPAA	http://www.ada.org/qoto/hipaa
	☐ National Provider Identification (NPI)	https://nppes.cms.hhs.gov
Local requirements	☐ City or village occupancy permit	Contact your county & municipal governments for regulations related to opening a dental practice.
	☐ Zoning board	Your state dental society may also provide information. Dental Society Roadmaps http://www.ada.org/prof/ed/careers/newdent/roadmaps/index.asp
	☐ Building permit	
Infection Control & OSHA	☐ Infection control requirements	http://www.cdc.gov/oralhealth/pressreleases/NewGuidelines.htm
	☐ Job safety & health protection	www.osha.gov http://www.ada.org/prof/ed/careers/infopaks/osha.asp
	☐ OSHA Compliance	ADA Catalog — ADA Regulatory Compliance Manual
Taxes	☐ State department of revenue	List of state departments of revenue http://www.revenue.state.il.us/otherstates.htm
	☐ Federal	http://www.irs.gov/businesses/index.html
	☐ IRS tax ID number	IRS - http://www.irs.ustreas.gov
Insurance	☐ Disability income & office overhead expenses	ADA Group Insurance Plans/Great-West www.insurance.ada.org
	☐ Life — term & universal	www.naic.org
	☐ MedCASH (supplemental to major medical)	
	☐ Professional liability	www.ada.org/members/prac/insure/liability/states.asp
	☐ Health insurance	Contact your state dental society or online resources: www.ada.org/prof/prac/insure/medinsure.asp



American Dental Association
www.ada.org

New Practice Checklist

(requirements can vary from state to state and from city to city)

Other insurances	☐ Workman's compensation	http://www.dol.gov/esa/owcp_ org.htm
	☐ Employee fidelity bond	http://www.sba.gov/financing/bonds/resources.html
Employees	☐ Verify licenses, as needed	
	☐ Vaccines and immunizations	http://www.ada.org/prof/resources/positions/statements/blog.d.asp
	☐ Employee policies	<i>Employee Office Manual: A Guide for the Dental Practice*</i>
	☐ Hire staff	<i>Smart Hiring: A Guide for the Dental Office*</i>
	☐ Employment Eligibility (I-9 forms)	http://www.uscis.gov/files/form/i-9.pdf
	☐ Federal & state labor law posters	Posters http://www.hrdocs.com/Posters/
Business Issues	☐ Define practice structure	<i>Valuing a Practice: A Guide for Dentists</i> <i>Practice Options for the New Dentist: A How-To Guide</i>
	☐ Practice financing	ADA Member Advantage http://www.adamemberadvantage.com/dentists/prac_pranancing.asp
Supplies & equipment	☐ Dental Buying Guide	Dental manufacturers by name, location and product http://www.ada.org/prof/resources/pubs/dbguide/index.asp
Dental lab	☐ Select a dental lab	National Association of Dental Laboratories http://www.nadl.org/scr/dir/index.cfm

- To order, contact the ADA Catalog department. www.adacatalog.org or 1-800-947-4746.

Below is a list of ADA practice management and regulatory publications and guidebooks that are often requested by dentists opening new practices. To order, contact the ADA Catalog department. www.adacatalog.org or 1-800-947-4746.

Associateships: A Guide for Owners and Prospective Associates
Valuing a Practice: A Guide for Dentists
Practice Options for the New Dentist
Dental Office Design: A Guide for Building, Remodeling and Relocation
CEO Crash Course
Transitions: Navigating Sales, Associateships, and Mergers in Your Dental Practice
Employee Office Manual: A Guide for the Dental Practice
Smart Hiring: A Guide for the Dental Office
Fast-Track Training: The Basics for Dental Staff
Basic Training II for New Clinical Personnel
Basic Training III: for Dental Administrative Personnel
Protecting Your Dental Office from Fraud and Embezzlement
Frequently Asked Legal Questions: A Guide for Dentists and the Dental Team
The Power of Customer Service

The Power of Internal Marketing
Dental Letters with Impact
Develop a Dynamic Web Site for Your Practice
Multicultural Communications in the Dental Office
The Ultimate Dental Practice PR Kit
CDT 2007

Regulatory:
Regulatory Compliance Manual
Effective Infection Control: A Training Program for Your Dental Office
OSHA in the Dental Office
HIPAA Privacy Kit
HIPAA Security Kit

Need help selecting which of these resources are best for you to get started? Just call the ADA – 1-800-947-4746.

VIRTUAL TOUR of Drake Dental Laboratories

Special Thanks to Drake Laboratories for this Virtual Tour



Stephen C. Bayne

Department of Operative Dentistry
School of Dentistry
University of North Carolina
Chapel Hill, NC 27599-7450

Prior to course discussions of INDIRECT RESTORATIVE TECHNIQUES, it is instructive to preview the operations that occur within a dental laboratory. The following is a preview of those operations.

PROTESTANT' S

EXHIBIT NO. 3

DENTAL LAB TOURS

Drake and Sherer

The Drake Difference

DRAKE Dental Laboratory
<http://www.drakelab.com/>

SHERER DENTAL LAB

SHERER Dental Laboratory
<http://www.shererdentallab.com/>

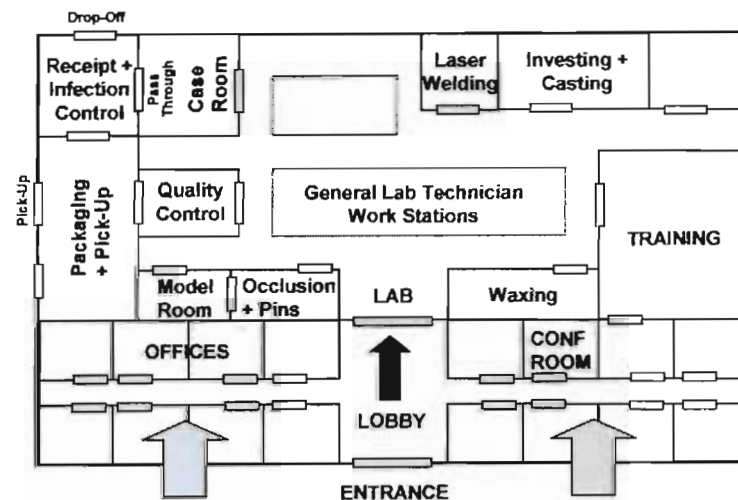
The class members will visit either the Drake (<http://www.drakelab.com/>) or [CLICK] Sherrer Dental Labs (<http://www.shererdentallab.com/>) sometime during the second year. Prior to those visits, the following virtual tour is provided as a introduction to some of the systems that are in place.

Both Drake Dental Laboratory and Sherer Dental Laboratory are major service laboratories for the North and South Carolina region. Drake was started by Billy Drake, a master laboratory technician, and utilizes ultra-modern management and technical systems. Scherer is managed by Jimmy Stegal who is also a significant friend and supporter of the School of Dentistry.

Most dental laboratories continue to be small mom-and-pop operations that provide standard restorations. However, newer and more exotic restorative systems require much larger investments of equipment that are only practical for larger dental laboratories.

DRAKE LABORATORY TOUR

Overview of Lab

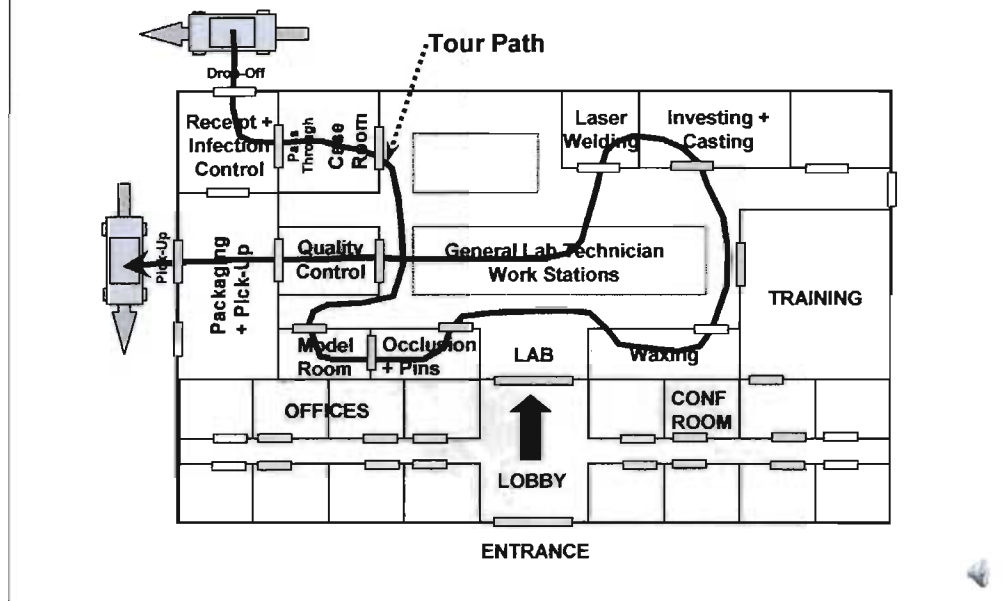


Drake Laboratory is located on the north side of Charlotte, NC within reach of many counties in the central piedmont and parts of South Carolina. The laboratory normally services dental offices that are within 1-2 hours of driving time on almost a daily basis. Otherwise, rapid delivery services such as UPS and FEDEX are employed to mail things to and from the laboratory. Annually, the laboratory offers a special weekend tour, conference, and golf tournament to bring all of the clients closer together with the technicians and managers.

The map of the laboratory above shows the current operational characteristics. Administrative offices **[CLICK]** are located along the front of the building. A conference room and training rooms are connected to those areas. Despite prior training of many of the applicants to the lab, most are screened thoroughly and more extensively trained before becoming part of the system.

DRAKE LABORATORY TOUR

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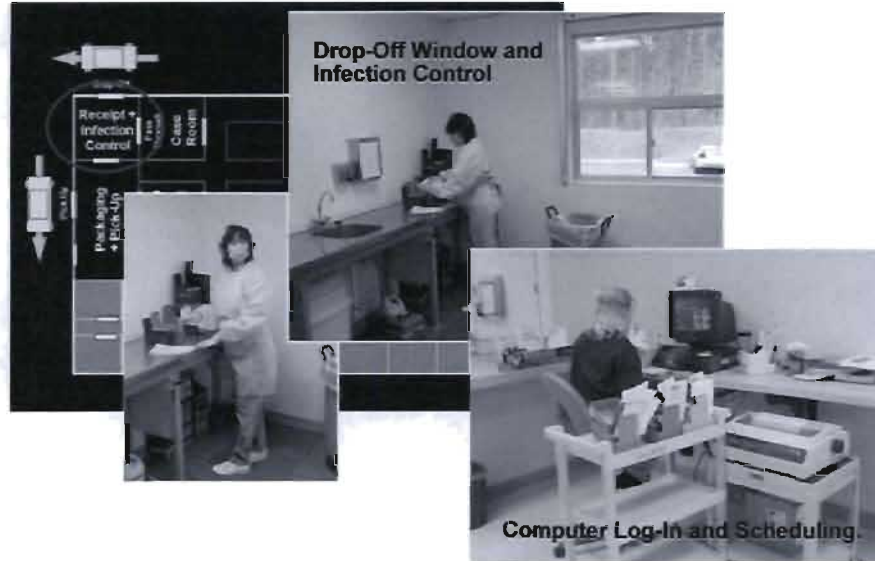
[\[CLICK\]](#) Pick-up-and-drop-off vehicles collect or deliver items to the back side of the laboratory. Received materials are logged into the computer management system, undergo infection control procedures, and are scheduled through the system (see the Case Room above). There may be between 1500-2500 cases in the system at any one time. Depending on the specific type of case involved, it will process through different components of the laboratory preparation for fabrication (model room, occlusion and pins, waxing, investing, casting (or PFM or porcelain fabrication), welding, finishing, polishing). At each of these stations there are experts who process large numbers of cases at any single time. An occlusion expert checks the final wax-ups on everything. In the middle of the laboratory are work stations for all the laboratory technicians. At all points, there are touch screen terminals to log in the progress of any case. Every case is computer tracked and can be easily checked for its schedule and progress.

The final cases are then put through scrupulous Quality Control checks by two master technicians. It is not unusual for 15% of the cases to fail QC and be redone.

On the figure above, is a standard path for a full gold crown restoration. The frames which follow reflect steps along that path.

DRAKE LABORATORY TOUR

Drop-Off, Infection Control, Computer Log-In



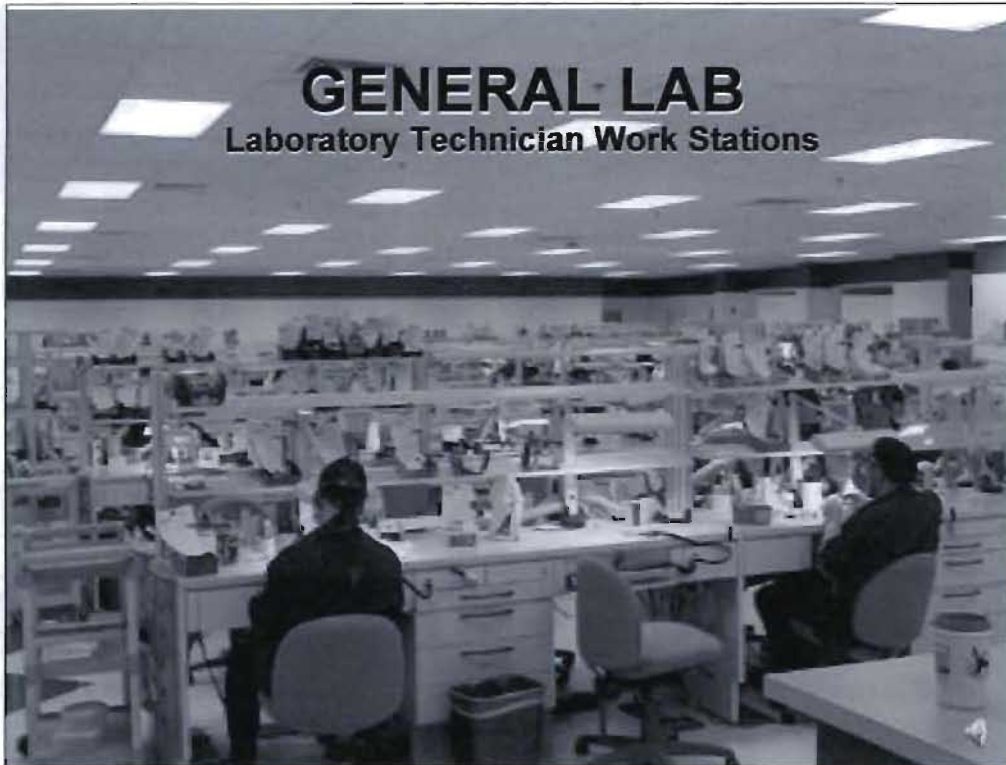
At the "drop off window" **[CLICK]** the cast is treated as though it is biologically unsafe and immediately processes for infection control. At the same time, **[CLICK]** the case is placed into a lab tray and then logged into the computer system for tracking and assignment to various technical people. It is then passed through a small window into the case room as a holding area until the case is officially started.

DRAKE LABORATORY TOUR

Case Set-Up and Assignment



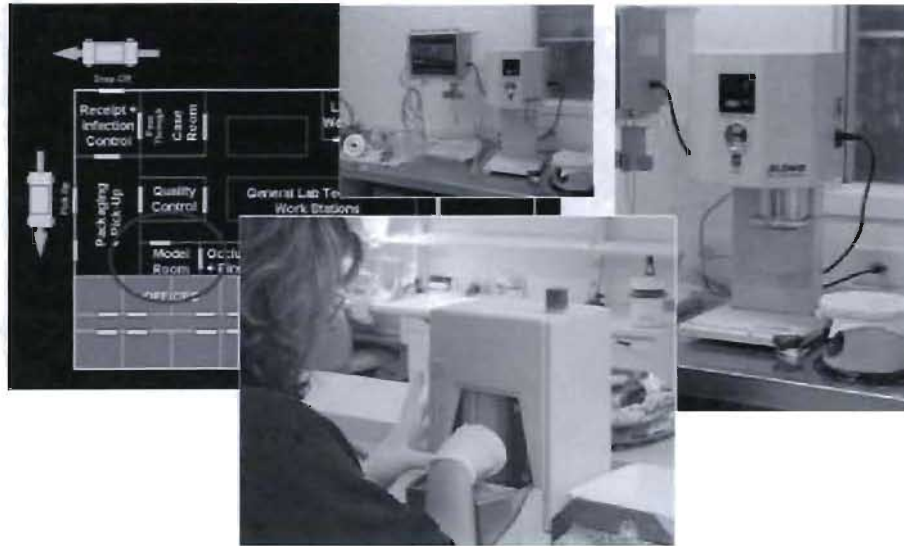
In the case room, **[CLICK]** different color coding is added to reflect the needs of the case.



In the center of the laboratory **[CLICK]** are the work stations for individual laboratory technicians. Case trays and partially processed cases are only collected by them after all the preliminary steps in fabrication are accomplished. Those preliminary steps are the described by the rest of the virtual tour.

DRAKE LABORATORY TOUR

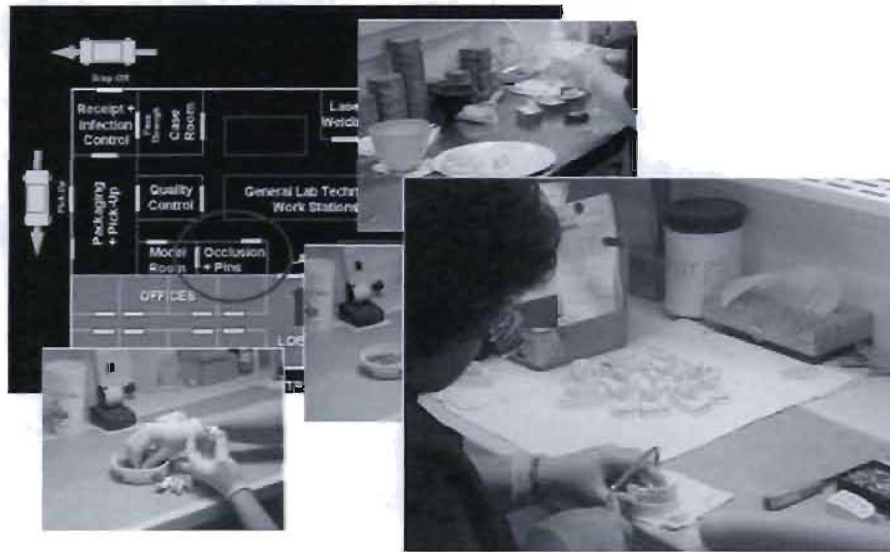
Casting Station for Working Casts



Impressions are poured in cast stone using die stone for the specific restoration tooth. Gypsum products in the Drake Lab are managed automatically by a special machine invented by Billy Drake. It dispenses powder and liquid of the right type at the right proportions into a mixing bowl and aids in most of the mixing. The provides control of gypsum dust, protection against contamination, insures the right mixing proportions, and helps to insure that there are standard mixing and setting times. **[CLICK]** Poured models are then adjusted for geometry with a model trimmer.

DRAKE LABORATORY TOUR

Mounting Casts and Sectioning Removable Dies



Removable dies are created by pouring specific teeth and adding brass pins before pouring the rest of the working cast. Casts are sectioned to release the dies. **[CLICK]**

DRAKE LABORATORY TOUR

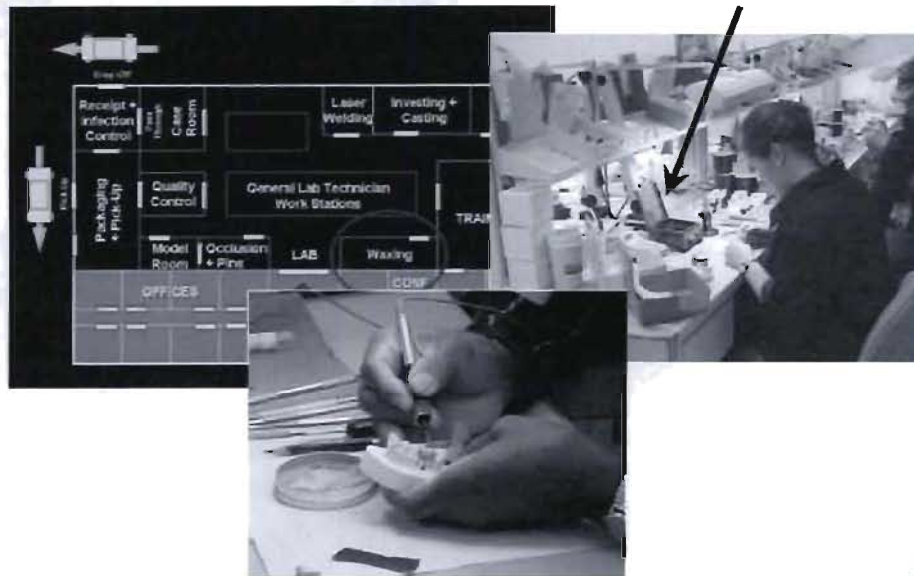
Pins for Removable Dies and Occlusion Checks



Quadrant working casts are mounted on standard single-hinge plastic disposable articulators.
[CLICK] Articulated working casts are checked for occlusion before and after waxing.

DRAKE LABORATORY TOUR

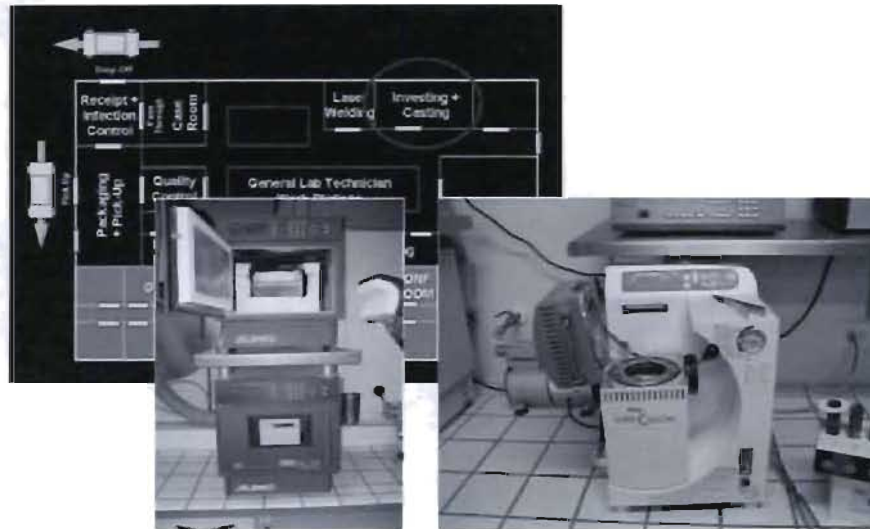
Waxing Station



Waxing of restorations is accomplished by just a couple of laboratory technicians. HOT POTS are used to control the temperature of the wax **[CLICK]** so that it is molten but at low temperatures and not prone to thermal decomposition. **[CLICK]** Wax can be easily added to the working dies using an electric spatula at the same temperature. No open flames are employed and spatulas can not be overheated.

DRAKE LABORATORY TOUR

Investing, Burnout, and Casting

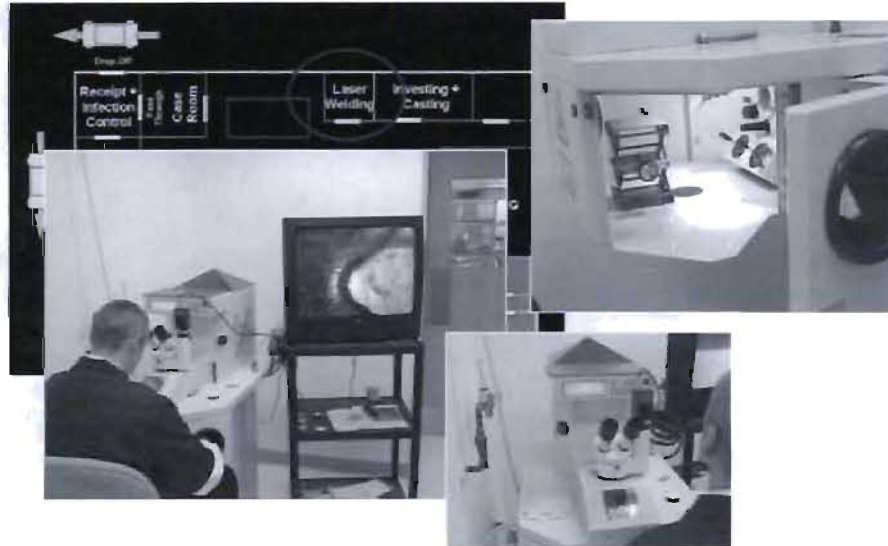


Wax patterns are invested to create molds for casting metal alloy restorations. **[CLICK]** Wax in the molds used to be eliminated by heating the investment in ovens but now is more quickly eliminated using a Drake patented microwave apparatus. **[CLICK]** All alloys are induction melted and pressure cast (rather than using centrifugal casting machines that are slow, less well-controlled, bulky, and more dangerous).

Induction melting eliminates the dangers open gas-air or oxyacetylene torch flames and can produce very high temperatures for melting. A vacuum casting machine helps to draw the molten alloy into the mold. Pressure behind the molten alloy helps to simultaneously force the alloy into the mold space.

DRAKE LABORATORY TOUR

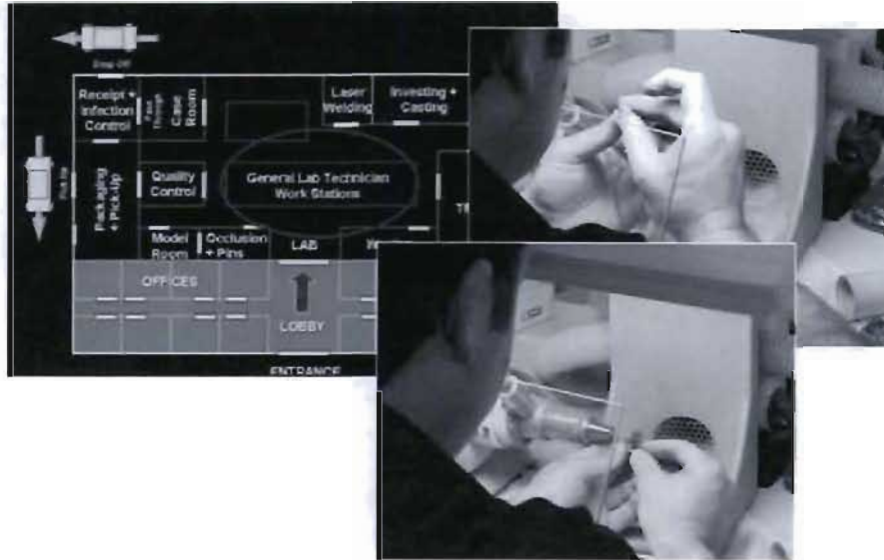
Laser Welding



Casts that produced in two or more sections require soldering or welding. DRAKE uses a laser welding machine. The parts is positioned within a protective chamber. **[CLICK]** The spot welder is focused with microscope. **[CLICK]** A series of lap welds is made to join the two pieces. This is relatively efficient and protects other portions of the same item beyond the very narrow zone of welding from potential overheating.

DRAKE LABORATORY TOUR

Sprue Removal, Finishing, and Polishing



The welded portions of the cast restoration then have the sprue removed and is processed manually through finishing and polishing. **[CLICK]** More complicated restorations (PFM or ceramic) will have appropriate steps handled manually from this point onward by the assigned technician.

DRAKE LABORATORY TOUR

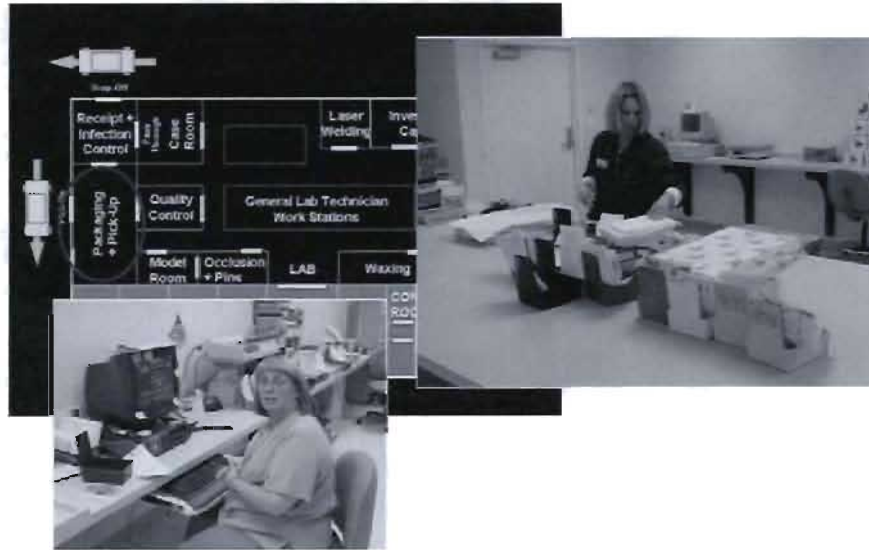
Quality Control Booth



Finished cases are then reviewed by two master technicians **[CLICK]** as part of quality control in a special clean area. **[CLICK]** After they pass this dual review, they are moved into the final room for billing and packaging.

DRAKE LABORATORY TOUR

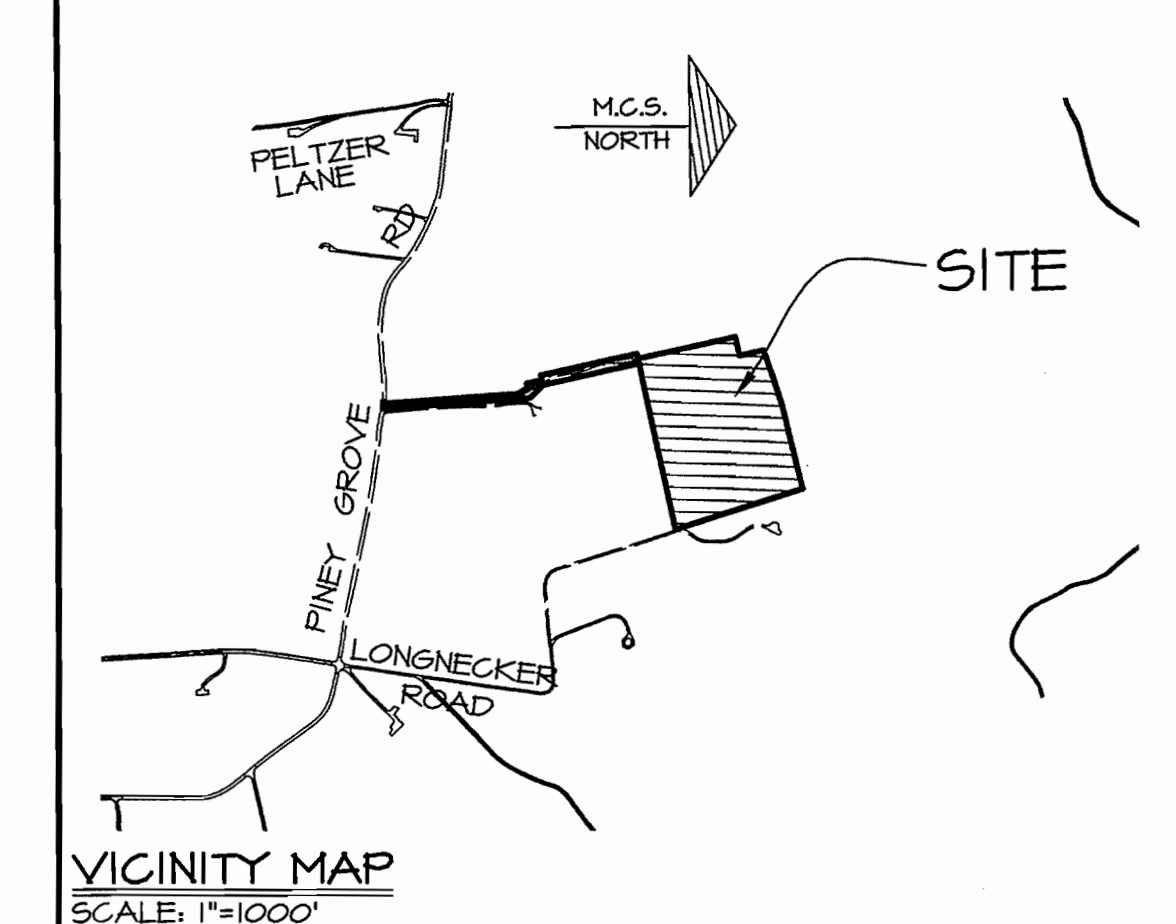
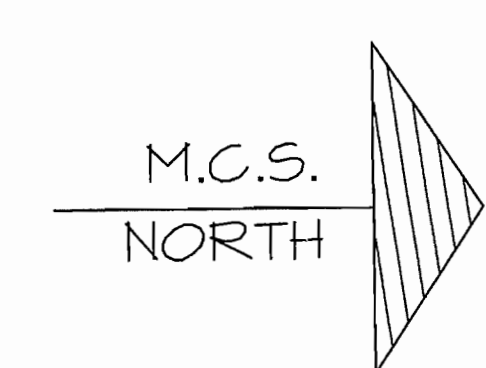
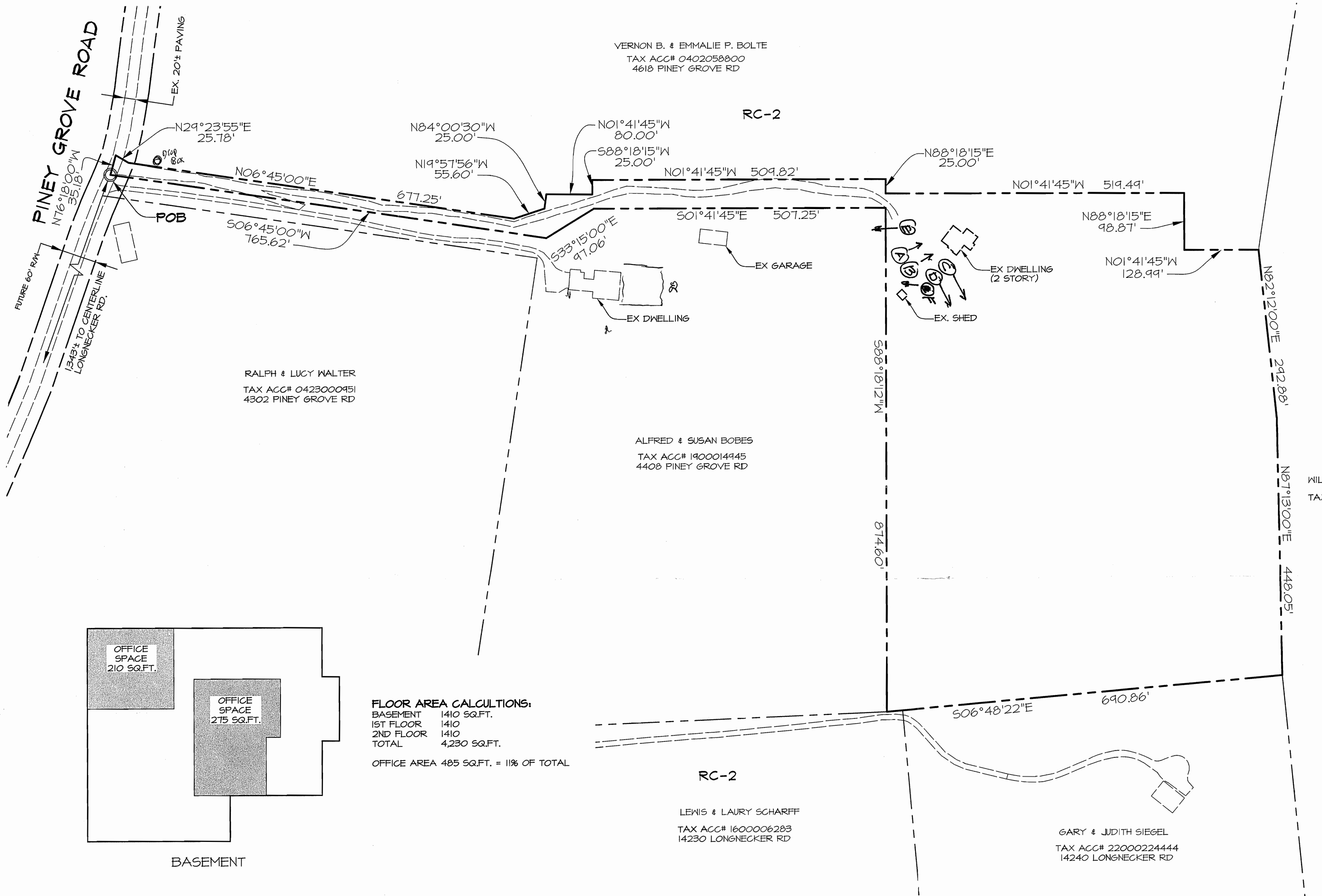
Billing, Packaging, and Pick-Up



Billing is managed by the computer. **[CLICK]** The fabricated restoration is packaged and scheduled for either distribution through the pick-up-and-delivery service or FEDEX.



Specials thanks to DRAKE Laboratories and all the personnel for letting us include pictures of this laboratory in operation.



VICINITY MAP
SCALE: 1"=1000'

SITE DATA:
GROSS SITE AREA - 14.275 AC.±, 621,819 SQ. FT.
EXISTING ZONING - RC-2

EXISTING USE RESIDENTIAL
PROPOSED USE RESIDENTIAL

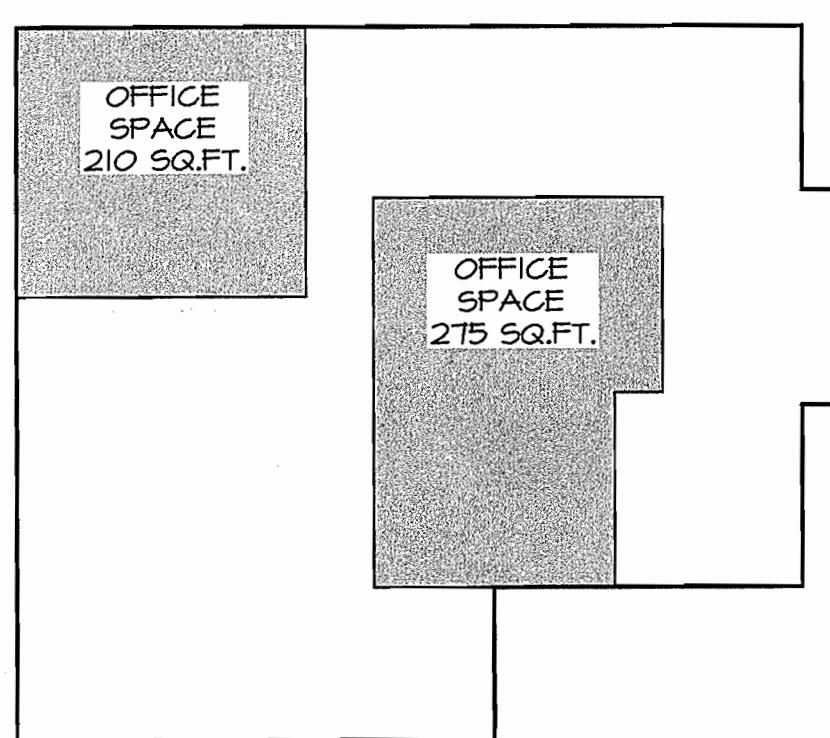
ZONING & DEVELOPMENT PLAN HISTORY:
THERE ARE NO PRIOR ZONING CASES ON THIS SITE.
THERE ARE NO CRG OR DEVELOPMENT PLANS ON THIS SITE.
PROPERTY WAS THE SUBJECT OF A DRC REQUEST FOR A LOT LINE ADJUSTMENT, GRANTED 12/1/02, DRC # 1209026

GENERAL NOTES:
1) PROPERTY IS NOT IN THE CHESAPEAKE BAY CRITICAL AREA.
2) THERE ARE NO 100 YEAR FLOOD PLAIN ON SITE.
3) THERE ARE NO HISTORICAL STRUCTURES LISTED ON THE HISTORICAL INVENTORY AS DETERMINED BY THE LANDMARKS PRESERVATION COMMISSION ON SITE. THE PROPERTY IS NOT IN A HISTORIC DISTRICT.
4) PROPERTY IS NOT IN ANY MORATORIUM AREA.
5) PROPERTY IS SERVED BY PRIVATE WELL & SEPTIC.

OWNER:
GEORGE & BARBARA GELSTON
4406 PINEY GROVE RD.
REISTERSTOWN, MD 21136
410-833-3581
DEED REF. 6805/14
TAX ACCOUNT# 1900014946

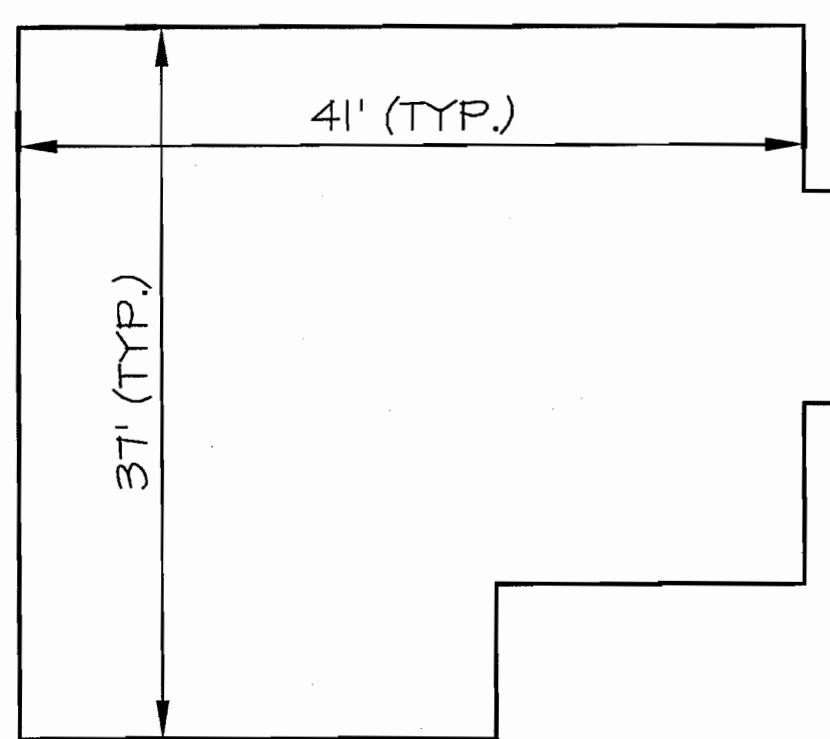
ZONING RELIEF REQUEST:
SPECIAL HEARING TO DETERMINE WHETHER A CERTIFIED DENTAL TECHNICIAN CONSTITUTES A HOME OCCUPATION USE PERMITTED AS OF RIGHT IN AN RC-2 ZONE, PURSUANT TO BCZR 1A10.2.B.9.C. OR, ALTERNATIVELY, WHETHER A CERTIFIED DENTAL TECHNICIAN CONSTITUTES A USE BY A 'OTHER PROFESSIONAL PERSON' PERMITTED AS OF RIGHT IN AN RC-2 ZONE, PURSUANT TO BCZR 1A01.2.B.9.D.

PETITIONER'S
EXHIBIT NO. 1

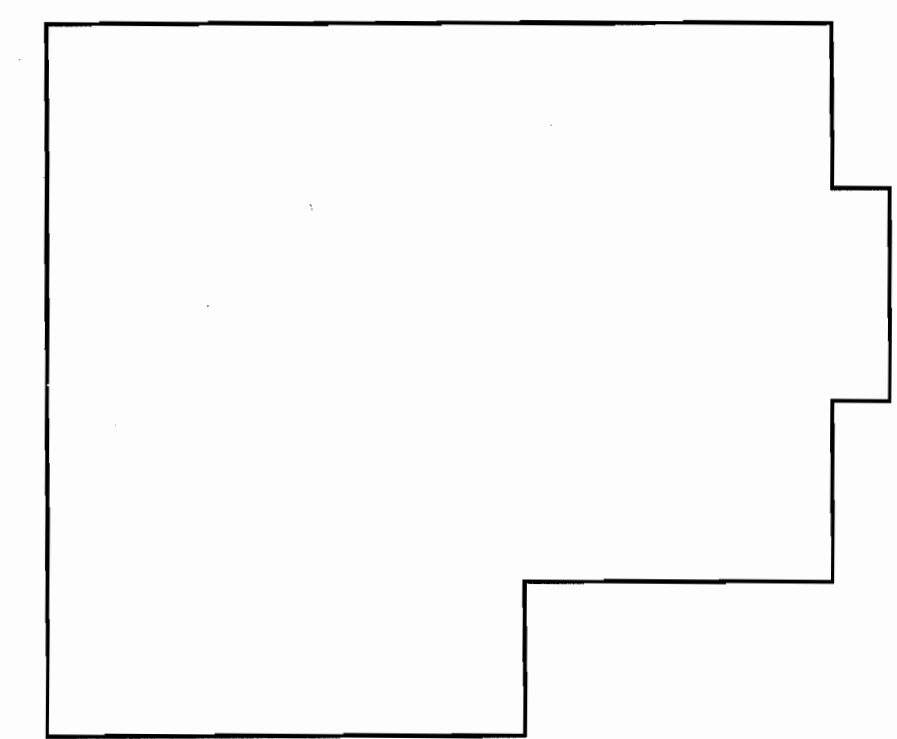


BASEMENT

FLOOR AREA CALCULATIONS:
BASEMENT 1410 SQ.FT.
1ST FLOOR 1410
2ND FLOOR 1410
TOTAL 4,230 SQ.FT.
OFFICE AREA 485 SQ.FT. = 11% OF TOTAL



FIRST FLOOR

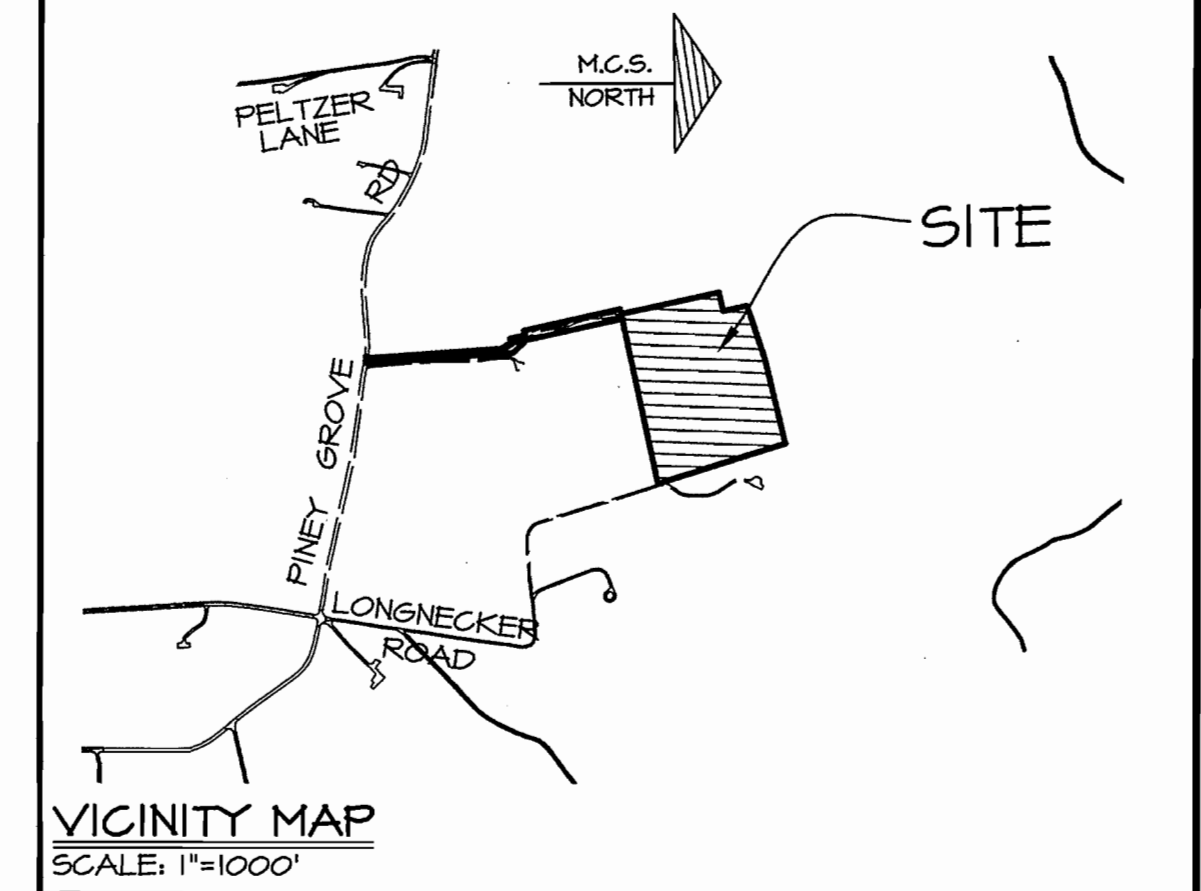
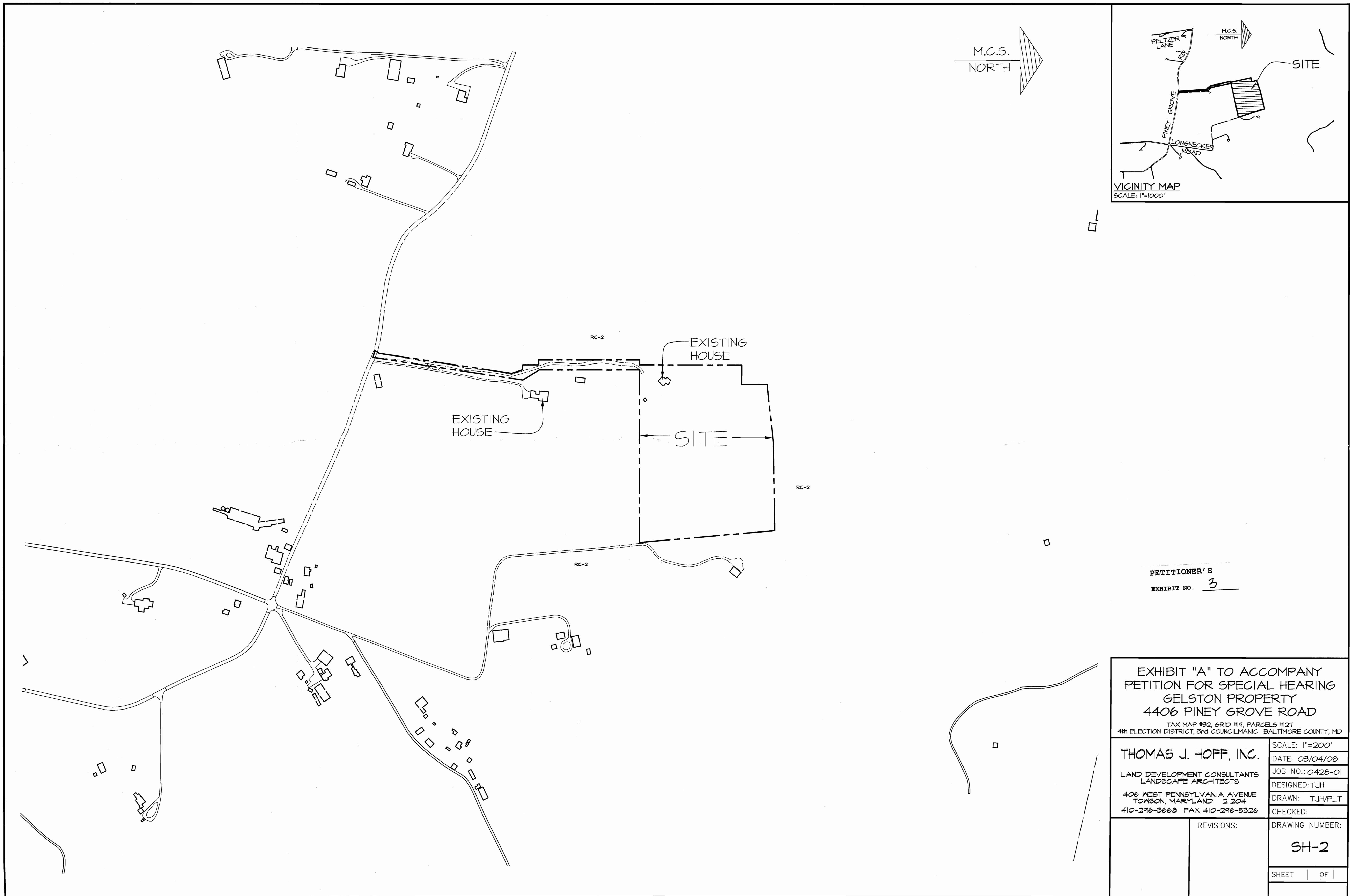


SECOND FLOOR

FLOOR PLANS:
SCALE: 1"=10'

PLAN TO ACCOMPANY PETITION FOR SPECIAL HEARING
GELSTON PROPERTY
4406 PINEY GROVE ROAD
TAX MAP #32, GRID #19, PARCELS #127
4th ELECTION DISTRICT, 3rd COUNCILMANIC BALTIMORE COUNTY, MD

THOMAS J. HOFF, INC. LAND DEVELOPMENT CONSULTANTS LANDSCAPE ARCHITECTS 406 WEST PENNSYLVANIA AVENUE TOWSON, MARYLAND 21204 410-296-3668 FAX 410-296-5326	SCALE: 1"=100'	DRAWING NUMBER:
	DATE: 11/30/07	SH-1
	JOB NO.: 0428-01	
	DESIGNED: TJH	
	DRAWN: TJH/PLT	
CHECKED:		
REVISIONS:		



PETITIONER'S
EXHIBIT NO. 3

EXHIBIT "A" TO ACCOMPANY PETITION FOR SPECIAL HEARING GELSTON PROPERTY 4406 PINEY GROVE ROAD	
TAX MAP #32, GRID #19, PARCELS #127 4th ELECTION DISTRICT, 3rd COUNCILMANIC BALTIMORE COUNTY, MD	
THOMAS J. HOFF, INC.	SCALE: 1"=200'
LAND DEVELOPMENT CONSULTANTS LANDSCAPE ARCHITECTS	DATE: 03/04/08
406 WEST PENNSYLVANIA AVENUE TOWSON, MARYLAND 21204 410-296-3663 FAX 410-296-5326	JOB NO.: 0428-01 DESIGNED: T.J.H. DRAWN: T.J.H./PLT CHECKED:
REVISIONS:	DRAWING NUMBER: SH-2
	SHEET OF