

**IN RE: PETITIONS FOR SPECIAL HEARING,  
SPECIAL EXCEPTION & VARIANCE**  
SE side of Eastern Avenue; 304.3 feet SW  
of Oliver Beach Road  
15<sup>th</sup> Election District  
6<sup>th</sup> Councilmanic District  
(12935 Eastern Avenue Extended)

**Terri L. Stowars**  
*Legal Owner*  
**New Cingular Wireless PCS, LLC**  
Contract Lessee

\* BEFORE THE  
\* DEPUTY ZONING  
\* COMMISSIONER  
\* FOR BALTIMORE COUNTY  
\*  
\* **Case No. 2010-0127-SPHXA**

\* \* \* \* \*

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

This matter comes before this Deputy Zoning Commissioner for consideration of Petitions for Special Exception, Special Hearing, and Variance, filed by the legal owner of the subject property, Terri L. Stowars, and the contract lessee of a portion of the property, New Cingular Wireless PCS, LLC d/b/a AT&T Mobility, LLC ("AT&T") (collectively referred to as "Petitioners"). Special Exception use is requested pursuant to Section 426 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to construct a new telecommunications facility in a D.R.2 zoning district. Special Hearing relief is requested pursuant to Section 500.7 of the B.C.Z.R. to confirm that, under Section 102.2 of the B.C.Z.R., the proposed telecommunications facility will not share any yard space with the existing community building, and to confirm that the community building is a nonconforming use under Section 104 of the B.C.Z.R. Additionally, Petitioners seek Variance relief under Sections 426.6.A.1 and 426.9.C.2 of the B.C.Z.R. to allow the telecommunications facility with a northern setback of 149 feet, a southern setback of 185 feet,

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Date 3-1-10

By pr

and an eastern setback of 106 feet, all in lieu of the required 200 foot setbacks,<sup>1</sup> and to allow the telecommunications facility on a lot of 2.49 acres in lieu of the required 3 acres. The subject property and requested relief are more fully described in the five page site plan prepared by KCI Technologies that was collectively marked and accepted into evidence as Petitioners' Exhibit 3.

Appearing at the requisite public hearing in support of the requested special exception, special hearing, and variance petitions were Linda Liebermann, Site Acquisition Coordinator with Bechtel Communications Inc., Shashikanth Sena, Radio Frequency ("RF") Engineer with LCC International, Inc., and Bruce Weston, a professional engineer with Bechtel Communications Inc., all consultants to AT&T, and Terri L. Stowars, the property owner. Appearing as counsel to Petitioners was Gregory E. Rapisarda, Esquire. There were no Protestants or other interested persons at the hearing.

Testimony and evidence offered revealed that the subject property is a square-shaped property consisting of approximately 2.49 acres, more or less, zoned D.R.2. The property is located on the southeast side of Eastern Avenue, just south of Oliver Beach Road, in the Chase/Oliver Beach area of eastern Baltimore County, and is improved with an existing one-story block and frame structure and several small accessory structures. The property is home to the Bengie's-Chase Democratic Club, a "community building" that operates primarily as a social club that holds special events such as fundraisers, crab feasts, and the like. It is surrounded by parcels that are zoned D.R.2 and D.R.5.5 and abuts an existing wooded area and vacant lot to the north, a wooded

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<sup>1</sup> The 2 foot difference between the setbacks requested and the setbacks shown on the drawings is the difference between the setback to the center of the tower, as shown on the drawings, and the setback to the tower's edge closest to the property line. For example, a 151' setback from the northern property line is actually a 149' setback from that property line to the tower's edge.

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area and residential properties to the east, a residential lot to the south, and Eastern Avenue Extended to the west.

Petitioners established that AT&T's federal license requires it to provide coverage for wireless services in and around Baltimore County. Mr. Sena, AT&T's RF Engineer, testified that AT&T identified a coverage gap in the Middle River area through an analysis of dropped call data and the use of computer software designed to analyze AT&T's wireless network. In addition, Mr. Sena noted receipt of customer complaints due to dropped calls in the area. Mr. Sena's extensive education and professional experience were detailed in his resume, which was marked and accepted into evidence as Petitioners' Exhibit 10, and he was accepted as an expert in radio frequency engineering and wireless network design, management, and coverage.

Mr. Sena described the deficient coverage in the Middle River area and how, using specifically designed software, AT&T's engineers created a "search ring" that identified a finite area where AT&T could place antennas to rectify the coverage gap. He testified that the area within the search ring is unique because it contains the limited number of properties from which AT&T's antennas could be situated to meet optimum coverage objectives. A copy of the search ring map and a more detailed aerial photograph were marked and accepted into evidence as Petitioners' Exhibits 6A and 6B, respectively. Mr. Sena created a radio frequency coverage propagation map that illustrates AT&T's lack of coverage around the area of the subject property. Mr. Sena's expert testimony and the "existing coverage" propagation map clearly detailed AT&T's need for coverage in the area, and the map was marked and accepted into evidence as Petitioners' Exhibit 5. After AT&T identified the coverage gap and created a search ring, it identified and evaluated potentially suitable antenna locations within the search ring.

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By [Signature]

Ms. Liebermann testified about her twelve years of experience in the telecommunications industry and in particular, her site acquisition and project management work. Ms. Liebermann's resume was marked and accepted into evidence as Petitioners' Exhibit 1, and she was accepted as an expert in project management related to identifying and evaluating potential site locations and building new wireless telecommunications infrastructure. Ms. Liebermann testified that AT&T's standard business practice for site identification and acquisition is consistent with the County's legislative policies -- namely, to co-locate antennas on an existing structure whenever possible. Ms. Liebermann testified that the only existing structures within the search area were nearby Amtrak catenary line poles. Ms. Liebermann testified that co-location on Amtrak poles created site access problems relating to safety and security but that, nonetheless, AT&T submitted the coordinates and height of the Amtrak poles to Mr. Sena for an analysis of potential coverage resulting from a co-location. Mr. Sena testified that he evaluated the data and determined that co-location was not viable because the 70 foot poles were too low and would not allow AT&T to meet its minimum coverage objectives. The Baltimore County Tower Review Committee ("TRC") and Columbia Telecommunications Corporation, the County's technical consultant, visited the site and surrounding area and evaluated AT&T's data relating to the Amtrak poles. As stated in the Baltimore County Inter-Office Correspondence dated July 28, 2009 that was marked and accepted into evidence as Petitioners' Exhibit 7, the TRC concluded that the Amtrak poles were not viable and that "no other accessible co-location opportunities exist at or near this location that would suffice in providing their requested coverage of the intended area. Ultimately, the TRC unanimously recommended approval of AT&T's proposed telecommunications facility at the subject property because it would allow AT&T to meet its "targeted coverage objectives, as well all of the requirements of Section 426, while allowing needed emergency and non-emergency communications for the citizens of the area."

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By pm

With no co-location opportunities, AT&T determined and the TRC agreed that a new tower was necessary to resolve the need for coverage. AT&T identified and evaluated two small commercially zoned parcels in the search area as potential sites for a new tower: the Harewood Food Market at 6924 Harewood Road, and the Oliver Beach Inn at 12948 Eastern Avenue Extended, which are both zoned B.L. The Harewood Food Market is a grocery store and a residence, and the Oliver Beach Inn is a restaurant. Ms. Liebermann testified that both properties are very small, but were evaluated because they were identified in a B.L. zoning district. Ms. Liebermann further testified that both parcels were ruled out because they were in fact too small to accommodate a telecommunications facility and also because of landowner disinterest. AT&T also looked at large residential or agricultural properties in the search area and identified two nearby churches and a school on large parcels that were zoned residential. Neither the church's nor the school's owners were interested in leasing space to AT&T for a new facility. Ms. Liebermann's testimony established that AT&T prioritized potential sites according to the B.C.Z.R. and that there were no viable parcels within the search ring that were 3 acres or larger. AT&T's exhaustive search led to identifying the largest viable residentially zoned parcel in the search ring -- the subject property.

When the subject property was identified and the landowner expressed interest in leasing the space, Mr. Sena created a radio frequency coverage propagation map to evaluate potential coverage from the proposed location. Mr. Sena's testimony and the "proposed coverage" propagation map showed that AT&T would meet its coverage objectives with a new tower at this location. The "proposed coverage" propagation map was marked and accepted into evidence as Petitioners' Exhibit 11. Mr. Sena also testified that AT&T needed its antennas at 120 feet in height to meet its coverage objectives and that a 122 foot stealth slimline tower was the minimum

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height to provide AT&T the necessary coverage and provide space for at least two future carriers as required.

There was significant testimony about the existing special circumstances and conditions in support of the requested relief. Mr. Sena testified that the subject property is unique because it is the largest available, viable location. Ms. Liebermann testified that the subject property is also unique from all other residential lots because of its large size -- 2.49 acres -- and because it is home to a commercial use. The subject property is also surrounded on two sides by a thick strand of trees and it abuts a lot to the north that is vacant and used for equipment storage. Photos of the adjacent and vacant lot were marked and accepted into evidence as Petitioners' Exhibit 4.

Ms. Liebermann next testified about AT&T's visual impact survey and balloon test. On September 16, 2008, an AT&T representative inflated a 4-5 foot red weather balloon with helium and flew the balloon at a height of 122 feet from the location of the proposed tower. Once the balloon was raised, a photographer drove throughout the surrounding area to analyze visibility and take photographs from various locations where the balloon was visible. KCI Technologies, AT&T's engineering firm, used the photographs showing the balloon's visibility to create photosimulations in which a scaled 122 foot stealth slimline tower was digitally superimposed onto the pictures in place of the balloon and rope. The photosimulations indicate that the tower, or some portion thereof, would be visible from five out of the eight photograph locations, and that, generally, the visibility dissipates as one moves further from the site. AT&T submitted a visual impact survey package that included a map showing the eight photo locations surrounding the site, eight photographs, and five photosimulations showing the proposed tower's visibility. The visual impact survey package was marked and accepted into evidence as Petitioners' Exhibit 8.

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By m

Ms. Liebermann then testified that AT&T's community outreach included obtaining contact information from the Baltimore County Zoning Office for four area homeowner's associations. AT&T sent a letter and preliminary zoning drawings to the Essex Middle River Chamber of Commerce, the Essex Middle River Civic Council, the Harewood Park Community League, and the Windlass Run Improvement Association. The outreach letter explained AT&T's proposal and offered to meet with each group to answer questions or address concerns. Even though no group specifically requested a meeting, AT&T held a community meeting at the Bengies-Chase Democratic Club on the subject property on March 20, 2009. Approximately fifty people attended AT&T's presentation. After the presentation, AT&T held a question and answer session and there was a general consensus that everyone at the meeting was in support of the proposal. One area resident who was unable to attend the zoning hearing, Ms. Karen Dunne of 13237 East Greenbank Road, wrote a letter of support which was marked and accepted into evidence as Petitioners' Exhibit 9.

Next to testify was Bruce S. Weston, a licensed professional engineer with extensive experience in tower design and siting, who was accepted as an expert in civil engineering, in particular relating to new tower construction and site development. His resume was marked and accepted into evidence as Petitioners' Exhibit 12. Mr. Weston testified that he is familiar with the subject property, the relevant provisions of the B.C.Z.R, including site data and landscaping requirements, and that he had supervised the preparation of the site plan that was accepted into evidence as Petitioners' Exhibit 3. Mr. Weston's testimony and the site plan reveals that the proposed tower and equipment compound would comply with each of the requirements set forth in Sections 426 (Wireless Telecommunications Tower Regulations) and 502.1 (Special Exception criteria) of the B.C.Z.R., and that the compound would be screened and visually improved with landscaping. Mr. Weston further testified that the proposed tower would not trigger any lighting

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By pr

requirements from the Federal Aviation Administration ("FAA"), and this was confirmed in a FAA Summary Report that was marked and accepted into evidence as Petitioners' Exhibit 14. Mr. Weston also pointed out in the drawing that the proposed use is completely separate from the existing use and that no space from either use would overlap.

Mr. Weston provided additional testimony in support of the four variances being requested. In particular, Mr. Weston showed that the requested 106 foot northern setback touches the vacant lot and that there is a distance of 206 feet to the nearest property line with a residence. Mr. Weston explained that the requested setback of 149 feet to the west represents the distance to Eastern Avenue Extended, and that the nearest residential property line to the west is 179 feet and on the other side of Eastern Avenue Extended. Mr. Weston also pointed out that the nearest residences are 234 feet to the north and 247.5 feet to the west.

Finally, and perhaps most importantly, Mr. Weston provided detailed testimony about the tower's engineering standards and its maximum load capacities. The testimony addressed a tower's "fall zone" which is the area around a tower that could be potentially affected in the unlikely event that the maximum loads are exceeded and the tower fails. Mr. Weston testified that setbacks typically provide physical protection to adjacent properties from a tower's "fall zone" and he pointed out that no adjacent property would be within 122' feet of the tower. More importantly, however, was the testimony that the proposed tower would adhere to enhanced engineering standards that would limit its "fall zone" to a maximum of 50 feet.

The Zoning Advisory Committee (ZAC) comments were received and are contained within the case file. Comments from the Department of Environmental Protection and Resource Management dated December 11, 2009 indicate that Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

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By RM



I have thoroughly reviewed the substantial evidence provided by AT&T, including its need for coverage, its site identification practices and efforts in this case, and its analysis of alternative site candidates. I am satisfied that a new telecommunications facility, including a 122 foot stealth slimline monopole within a 33 foot 10 inch by 30 foot fenced compound at the subject property is warranted and appropriate. The weight of the evidence firmly establishes that the proposed telecommunications facility meets each of the relevant and applicable provisions of the B.C.Z.R., including but not limited to, Sections 102.2, 307.1, 426, and 502.1.

Furthermore, I find that AT&T's proposal meets the County's requirements for a new tower and will provide benefits to the surrounding community. Therefore, I am persuaded to grant the Petition for Special Exception use, pursuant to Section 426 of the B.C.Z.R., to construct a new telecommunications facility in a D.R. 2 zoning district. I am also persuaded to grant the requested Petition for Special Hearing and I find that, pursuant to Section 500.7 of the B.C.Z.R., the proposal complies with Section 102.2 of the B.C.Z.R. because the proposed telecommunications facility will not share any yard space with the existing community building, and I find that the existing community building is a nonconforming use under Section 104 of the B.C.Z.R. Finally, I am persuaded to grant the Variance relief from Sections 426.6.A.1 and 426.9.C.2 of the B.C.Z.R. and allow the telecommunications facility with a northern setback of 149 feet, a southern setback of 185 feet, and an eastern setback of 106 feet in lieu of the required 200 foot setbacks, and to allow the telecommunications facility on a 2.49 acre lot in lieu of the required 3 acres.

Pursuant to the advertising and posting of the Property, and public hearing held thereon, and based on the evidence presented and for the reasons set forth above, the Petitions for Special Exception, Special Hearing, and for Variance shall be granted.

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Date 2-1-10

By [Signature]

THEREFORE, IT IS ORDERED this 15<sup>th</sup> day of March, 2009 by the Deputy Zoning Commissioner that Petitioners' request for Special Exception use pursuant to Section 426 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to construct a new telecommunications facility in a D.R.2 zoning district be and is hereby **GRANTED**; and

IT IS FURTHER ORDERED that Petitioner's request for Special Hearing relief pursuant to Section 500.7 of the B.C.Z.R. to confirm that, under Section 102.2 of the B.C.Z.R., the proposed telecommunications facility will not share any yard space with the existing community building, and to confirm that the community building is a nonconforming use under Section 104 of the B.C.Z.R., be and are hereby **GRANTED**; and

IT IS FURTHER ORDERED that Petitioners' requests for Variance from Sections 426.6.A.1 and 426.9.C.2 of the B.C.Z.R. to allow the telecommunications facility with a northern setback of 149 feet, a southern setback of 185 feet, and an eastern setback of 106 feet, all in lieu of the required 200 foot setbacks, and to allow the telecommunications facility on a lot of 2.49 acres in lieu of the required 3 acre, be and are hereby **GRANTED**.

The relief granted herein shall be subject to the following conditions:

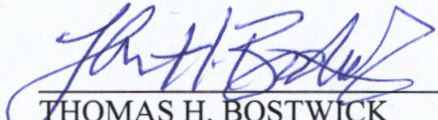
1. Petitioners may apply for their permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

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By pr 10

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

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Date 3-1-10

By pz





**BALTIMORE COUNTY**  
M A R Y L A N D

JAMES T. SMITH, JR.  
*County Executive*

March 1, 2010

THOMAS H. BOSTWICK  
*Deputy Zoning Commissioner*

GREGORY E. RAPISARDA, ESQUIRE  
SAUL EWING LLP  
500 EAST PRATT STREET  
BALTIMORE MD 21202

Re: Petitions for Special Hearing, Special Exception and Variance  
Case No. 2010-0127-SPHXA  
Property: 12935 Eastern Avenue Extended

Dear Mr. Rapisarda:

Enclosed please find the decision rendered in the above-captioned case.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "John H. Bostwick".

THOMAS H. BOSTWICK  
Deputy Zoning Commissioner  
for Baltimore County

THB:pz

Enclosure

c: Linda Liebermann, Site Acquisition Coordinator, Bechtel Communications Inc., 9200 Berger Road, Columbia MD 21046  
Bruce Weston, Engineer, Bechtel Communications Inc., 9200 Berger Road, Columbia MD 21046  
Shashikanth Sena, Engineer, New Cingular Wireless PCS LLC, 7150 Standard Drive, Hanover MD 21076  
Chris Morin, 5659 Columbia Pike, Suite 101, Falls Church VA 22041  
Terri L. Stowars, 2221 Westbridge Road, Timonium MD 21093



# Petition for Special Hearing

## to the Zoning Commissioner of Baltimore County

for the property located at 12935 Eastern Avenue Extended, Baltimore, Maryland 21220  
which is presently zoned DR-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 bounded 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:

**New Cingular Wireless PCS, LLC**

Name - Type or Print JENNIFER VAN RIVER  
Signature [Signature]  
Address 7150 Standard Drive Telephone No. (410) 818-6459  
City Hanover State Maryland Zip Code 21076

### Attorney For Petitioner:

**Jason M. St. John**

Name - Type or Print [Signature]  
Signature [Signature]  
Company Saul Ewing, LLP  
Address 500 East Pratt Street Telephone No. (410) 332-8898  
City Baltimore State Maryland Zip Code 21202

### Legal Owner(s):

**Terri L. Stowars**

Name - Type or Print Terri L. Stowars  
Signature [Signature]  
N/A  
Name - Type or Print —

Signature 2221 Westbridge Road Telephone No. (410) 935-4580  
Address Timonium State Maryland Zip Code 21093  
City —

### Representative to be Contacted:

**Linda Flannery-Liebermann, Bechtel**

Name 9200 Berger Road Telephone No. (410) 926-6528  
Address Columbia State Maryland Zip Code 21046  
City —

### OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 3 HRS

Case No. 3916 0127 ERHXA UNAVAILABLE FOR HEARING  
REV 9/15/98 ORDER RECEIVED FOR FILING Reviewed By VL Date 10/09/09

Date 2-1-10

By [Signature]

**Attachment to Petition for Special Hearing  
filed by New Cingular Wireless PCS, LLC d/b/a AT&T Mobility LLC ("AT&T")  
in reference to 12935 Eastern Avenue Extended, Baltimore, Maryland 21220**

THE PROPOSED TELECOMMUNICATIONS FACILITY AS NOT CONFLICTING  
WITH SECTIONS 102.2 AND 104 BCZR REGARDING SEPARATION  
OF USES AND NON CONFORMITY OF THE EXISTING COMMUNITY BUILDING USE.



0127





# Petition for Special Exception

to the Zoning Commissioner of Baltimore County for the property located at 12935 Eastern Avenue Extended, Baltimore, Maryland 21220

which is presently zoned DR-2

Deed Reference: 24789 / 478 Tax Account # 2400000407

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 Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

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 Exception, advertising, posting, etc. and further agree to and are to be bounded 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:

**New Cingular Wireless PCS, LLC**

Name - Type or Print JENNIFER VAN RIVER  
MANAGER OF REALESTATE

Signature [Signature]  
Address 7150 Standard Drive Telephone No. (410) 818-6459  
City Hanover State Maryland Zip Code 21076

## Attorney For Petitioner:

**Jason M. St. John**

Name - Type or Print [Signature]  
Signature [Signature]  
Company Saul Ewing, LLP  
Address 500 East Pratt Street Telephone No. (410) 332-8898  
City Baltimore State Maryland Zip Code 21202

## Legal Owner(s):

**Terri L. Stowars**

Name - Type or Print Terri L. Stowars  
Signature [Signature]  
-----  
Name - Type or Print -----  
Signature -----  
Address 2221 Westbridge Road Telephone No. (410) 935-4580  
City Timonium State Maryland Zip Code 21093

## Representative to be Contacted:

**Linda Flannery-Liebermann, Bechtel**

Name Linda Flannery-Liebermann, Bechtel  
Address 9200 Berger Road Telephone No. (410) 926-6528  
City Columbia State Maryland Zip Code 21046

Case No. 2010 0127 SPHXA

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REV 07/27/2007

Date 2-1-10

By [Signature]

OFFICE USE ONLY  
ESTIMATED LENGTH OF HEARING 3 HRS  
UNAVAILABLE FOR HEARING -----

Reviewed By JK Date 10/09/09

**Attachment to Petition for Special Exception  
filed by New Cingular Wireless PCS, LLC d/b/a AT&T Mobility LLC ("AT&T")  
in reference to 12935 Eastern Avenue Extended, Baltimore, Maryland 21220**

For the purpose of constructing a wireless telecommunications facility on a portion of the property zoned DR2, pursuant to the Baltimore County Zoning Regulations, specifically section 426. See attached Justification Statement and exhibits for additional information. Additionally, the Applicant will present evidence in support of its Petition at the upcoming public hearing.

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# Petition for Variance

to the Zoning Commissioner of Baltimore County for the property  
located at 12935 Eastern Avenue Extended, Baltimore, Maryland 21220  
which is presently zoned DR-2

Deed Reference: 24789 / 478 Tax Account # 2400000407

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 Variance from Section(s)

See Attached

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty.)

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

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded 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:

New Cingular Wireless PCS, LLC

Name - Type or Print

Signature

7150 Standard Drive

(410) 818-6459

Address

Telephone No.

Hanover

Maryland

21076

City

State

Zip Code

## Attorney For Petitioner:

Jason M. St. John

Name - Type or Print

Signature

Saul Ewing, LLP

Company

500 East Pratt Street

(410) 332-8898

Address

Telephone No.

Baltimore

Maryland

21202

City

State

Zip Code

## Legal Owner(s):

Terri L. Stowars

Name - Type or Print

Signature

Name - Type or Print

Signature

2221 Westbridge Road

(410) 935-4580

Address

Telephone No.

Timonium

Maryland

21093

City

State

Zip Code

## Representative to be Contacted:

Linda A. Flannery-Liebermann

Name

9200 Berger Road

(410) 926-6528

Address

Telephone No.

Columbia

Maryland

21046

City

State

Zip Code

Case No. 2010 0127 SPXA

Office Use Only

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Estimated Length of Hearing 3 HRS  
Unavailable For Hearing

REV 8/20/07

Date 2-1-10

Reviewed by VL Date 10/09/09

By pr



**Attachment to Petition for Variance**  
**filed by New Cingular Wireless PCS, LLC d/b/a AT&T Mobility LLC ("AT&T")**  
**in reference to 12935 Eastern Avenue Extended, Baltimore, Maryland 21220**

Under 426.6.A.1 and 426.9C.2, to allow the proposed tower within the wireless telecommunications facility a northern setback of at least 149' in lieu of the required 200', a southern setback of at least 185' in lieu of the required 200', an eastern setback of at least 106' in lieu of the required 200', and to allow a telecommunications facility on a lot of 2.49 acres in lieu of the required 3 acres.

Special circumstances or conditions that are peculiar to the land or structure that is subject to the requested variances include, but are not limited to, (1) the size and shape of the property, (2) the current use of the property, (3) the proposed use on the property, (4) the location of the property within the applicant's area of radio frequency need, and limitations placed on the applicant's ability to meet that radio frequency need, (5) the current uses of the adjacent and surrounding properties, (6) the size and shape of adjacent and surrounding properties, and (7) the existing buffer of natural and mature vegetation on and surrounding the property. The requested variances will be in strict harmony with the spirit and intent of the Baltimore County Zoning Regulations. See attached Justification Statement and exhibits. Additionally, the Applicant will present evidence in support of its Petition at the upcoming public hearing.

0127



ISO 9001:2000 CERTIFIED

ENGINEERS • PLANNERS • SCIENTISTS • CONSTRUCTION MANAGERS

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0127

**ZONING DESCRIPTION  
TWIN RIVER PROPERTY  
TAX MAP 84, PARCEL 44  
15<sup>TH</sup> ELECTION DISTRICT  
BALTIMORE COUNTY, MARYLAND**

Beginning at a point on the southeasterly side of Eastern Avenue Extended, 30 feet wide at the distance of 304.3 feet southwesterly of the centerline of Oliver Beach Road, 30 feet wide, thence the following courses and distances around the property:

- 1) South 56 degrees 26 minutes 52 seconds East 361.01 feet
- 2) South 34 degrees 01 minutes 24 seconds West 300.00 feet
- 3) North 56 degrees 26 minutes 52 seconds West 361.01 feet, thence along Eastern Ave Extended
- 4) North 34 degrees 01 minutes 24 seconds East 300.00 feet to the point of beginning.

As recorded in Deed Liber 24789, Folio 478.

Being Lots 103, 104 and 105 as laid out on the Plat of Twin River Beach, Section "B" as recorded among the Land Records of Baltimore County Plat Book W.P.C. No. 8, folio 11. Containing 108,303 square feet or 2.49 acres of land more or less. Also known as 12935 Eastern Avenue Extended and located in the 15<sup>th</sup> Election District of Baltimore County.



*C. Allen Pugh*  
9/30/09

# 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 2010 0127 SPHXA

Petitioner: STOWARS

Address or Location: 12935 EASTERN AVENUE EXTENDED  
BALTIMORE, MD 21220

PLEASE FORWARD ADVERTISING BILL TO

Name: BECHTEL C/O LINDA LIEBERMANN

Address: 9200 BERGER ROAD  
COLUMBIA, MD 21046

Telephone Number: (410) 926-6528



BALTIMORE COUNTY, MARYLAND  
OFFICE OF BUDGET AND FINANCE  
MISCELLANEOUS CASH RECEIPT

No. 157971

Date: 4/24/09

| Fund | Dept | Unit | Sub Unit | Rev     | Sub  | Dept Obj | BS Acct | Amount |
|------|------|------|----------|---------|------|----------|---------|--------|
|      |      |      |          | Source/ | Rev/ |          |         |        |
| 001  | 806  | 3000 |          | 6150    |      |          |         | 200.00 |
|      |      |      |          |         |      |          |         |        |
|      |      |      |          |         |      |          |         |        |
|      |      |      |          |         |      |          |         |        |
|      |      |      |          |         |      |          |         |        |
|      |      |      |          |         |      |          |         |        |

Total: 200.00

Rec

From: RECHISEL COMM.

For:

SPHXA 12435 Eastern Ave Ext

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

CASHIER'S  
VALIDATION

# 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: # 2010-0127-SPHXA

12935 Eastern Avenue, Extended

S/east side of Eastern Avenue, Extended; 304.3 feet

s/west of Oliver Beach Road

15th Election District - 6th Councilmanic District

Legal Owner(s): Terri L. Stowers

Contract Purchaser: New Cingular Wireless, PCS, LLC

**Special Hearing:** to determine the proposed telecommunications facility as not conflicting with section 102.2 and 104 BCZR regarding separation of uses and non-conformity of the existing community building use. **Special Exception:** for the purpose of constructing a wireless telecommunications facility on a portion of the property zoned DR-2. **Variance:** to allow the proposed tower within the wireless telecommunications facility a northern setback of at least 149 feet in lieu of the required 200 feet, a southern setback of a least 185 feet in lieu of the required 200 feet, an eastern setback of at least 106 feet in lieu of the required 200 feet, and to allow a telecommunications facility on a lot of 2.49 acres in lieu of the required 3 acres.

Hearing: Thursday, December 10, 2009 at 9:00 a.m. in Room 104, Jefferson Building, 105 West Chesapeake 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) 887-4386.

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

IT/11/902 Nov. 24

222414

## CERTIFICATE OF PUBLICATION

11/26/2009

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 11/24/2009.

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

J. Wilkinson

LEGAL ADVERTISING



ISO 9001:2000 CERTIFIED

ENGINEERS • PLANNERS • SCIENTISTS • CONSTRUCTION MANAGERS

8161 Maple Lawn Boulevard • Suite 150 • Fulton, MD 20759 • Phone 410-/92-8086 • Fax 301-/25-4680

0127

To: Gregory Rapisarda, Esquire  
Saul Ewing LLP  
Lockwood Place—Suite 800  
500 East Pratt Street  
Baltimore, Maryland 21202

Date: 10/08/2009

Re: Twin Rivers  
KCI Job No. 16082137.08

Via: Courier

- ☒ We are submitting ☒ Herewith ☐ Under separate cover  
☐ We are forwarding  
☐ We are returning  
☐ We request

| No. | Description             |
|-----|-------------------------|
| 4   | S/S Zoning Descriptions |
|     |                         |
|     |                         |
|     |                         |
|     |                         |
|     |                         |
|     |                         |

- ☒ In accordance with your request ☒ For your use  
☐ For your review ☐ Please call when ready  
☐ For processing ☐ Please return to this office  
☐ Plans reviewed and accepted ☐ Approval Requested  
☐ Plans reviewed and accepted as notes ☐ Conference requested at your convenience  
☐ For revision by you

Should you require additional information, please contact me at your earliest convenience.

Sincerely,

KCI Technologies, Inc.

Nicholas A. Barrick, LEED AP  
Designer, EIT



# CERTIFICATE OF POSTING

RE Proposed 2010-0127-SPHXA

Petitioner/Developer:         
New Cingular Wireless, PCS, LLC

Date of Hearing/closing: December 10, 2009

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

Attn: Kristin Matthews:

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were  
12935 Eastern Avenue, Extended

The sign(s) were posted on November 25 2009  
(Month, Day, Year)

Sincerely,

*Robert Black* Nov28 2009

\_\_\_\_\_  
(Signature of Sign Poster) (Date)

SSG Robert Black

\_\_\_\_\_  
(Print Name)

1508 Leslie Road

\_\_\_\_\_  
(Address)

Dundalk, Maryland 21222

\_\_\_\_\_  
(City, State, Zip Code)

(410) 282-7940

\_\_\_\_\_  
(Telephone Number)

# ZONING NOTICE

CASE # 2010-0127-SPHXA

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

Room 104, JEFFERSON BUILDING  
PLACE: 105 WEST CHESAPEAKE AVE TOWSON 21204

DATE AND TIME: THURSDAY, DECEMBER 10, 2009 AT 9:00 <sup>A.M.</sup>

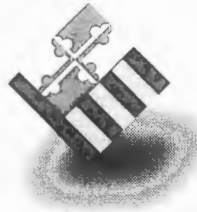
REQUEST: SPECIAL HEARING TO DETERMINE THE PROPOSED

TELECOMMUNICATIONS FACILITY IS NOT CONFLICTING WITH SECTION 102.2  
AND 104 B.C.Z.R. REGARDING SEPARATION OF USES AND NON-COMFORMITY  
OF THE EXISTING COMMUNITY BUILDING USE. SPECIAL EXCEPTION FOR  
THE PURPOSE OF CONSTRUCTING A WIRELESS TELECOMMUNICATIONS FACILITY  
ON A PORTION OF THE PROPERTY ZONED DR-2. VARIANCE TO ALLOW THE  
PROPOSED TOWER WITHIN THE WIRELESS TELECOMMUNICATIONS FACILITY A NORTHERN  
SETBACK OF AT LEAST 119 FEET IN LIEU OF THE REQUIRED 200 FEET, A SOUTHERN  
SETBACK OF AT LEAST 180 FEET IN LIEU OF THE REQUIRED 200 FEET. AN EASTERN  
SETBACK OF AT LEAST 106 FEET IN LIEU OF THE REQUIRED 200 FEET, AND  
TO ALLOW A TELECOMMUNICATIONS FACILITY ON A LOT OF 2.19 ACRES  
IN LIEU OF THE REQUIRED 3 ACRES. ( ) LIEU OF THE REQUIRED 200 FEET, AND  
OTHER CONDITIONS ARE SOMETIMES NECESSARY.  
TO CONFIRM HEARING CALL 887-3391

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

HANDICAPPED ACCESSIBLE





**BALTIMORE COUNTY**  
MARYLAND

JAMES T. SMITH, JR.  
County Executive

TIMOTHY M. KOTROCO, Director  
Department of Permits and  
Development Management  
November 12, 2009

**NOTICE OF ZONING HEARING**

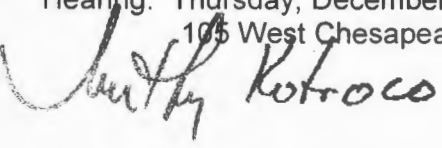
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

**CASE NUMBER: 2010-0127-SPHXA**

12935 Eastern Avenue, Extended  
S/east side of Eastern Avenue, Extended; 304.3 feet s/west of Oliver Beach Road  
15<sup>th</sup> Election District – 6<sup>th</sup> Councilmanic District  
Legal Owners: Terri L. Stowars  
Contract Purchaser: New Cingular Wireless, PCS, LLC

Special Hearing to determine the purposed telecommunications facility as not conflicting with section 102.2 and 104 BCZR regarding separation of uses and non-conformity of the existing community building use. Special Exception for the purpose of constructing a wireless telecommunications facility on a portion of the property zoned DR-2. Variance to allow the proposed tower within the wireless telecommunications facility a northern setback of at least 149 feet in lieu of the required 200 feet, a southern setback of at least 185 feet in lieu of the required 200 feet, an eastern setback of at least 106 feet in lieu of the required 200 feet, and to allow a telecommunications facility on a lot of 2.49 acres in lieu of the required 3 acres.

Hearing: Thursday, December 10, 2009 at 9:00 a.m. in Room 104, Jefferson Building,  
105 West Chesapeake Avenue, Towson 21204

  
Timothy Kotroco  
Director

TK:klm

C: Jason St. John, Saul Ewing, LLP, 500 East Pratt Street, Baltimore 21202  
Terri L. Stowars, 2221 Westridge Road, Timonium 21093  
Jennifer Van Riper, New Cingular Wireless, 7150 Standard Dr., Hanover 21076  
Linda Flannery-Liebermann, 9200 Berger Road, Columbia 21046

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WED., NOVEMBER 25, 2009.**  
(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, November 24, 2009 Issue - Jeffersonian

Please forward billing to:

Bechtel c/o Linda Liebermann  
9200 Berger Road  
Columbia, MD 21046

410-926-6528

---

## 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: 2010-0127-SPHXA**

12935 Eastern Avenue, Extended

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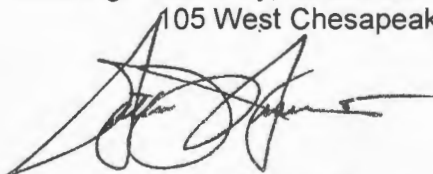
15<sup>th</sup> Election District – 6<sup>th</sup> Councilmanic District

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Hearing: Thursday, December 10, 2009 at 9:00 a.m. in Room 104, Jefferson Building,  
105 West Chesapeake 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**

**MARYLAND**

JAMES T. SMITH, JR.  
*County Executive*

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

December 2, 2009

Jason M. St. John  
Saul Ewing, LLP  
500 East Pratt St.  
Baltimore, MD 21202

Dear: Jason M. St. John

RE: Case 2010-0127-SPHXA, 12935 Eastern Avenue

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 09, 2009. 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:lnw

Enclosures

c: People's Counsel  
Terri L. Stowars; 2221 Westridge Rd.; Timonium, MD 21093  
New Cingular Wireless PCS, LLC; 7150 Standard Dr.; Hanover Md 21076  
Linda Flannery- Liebermann; 9200 Berger Rd.; Columbia, MD 21046

TB 12/10  
9am

**BALTIMORE COUNTY, MARYLAND**

**Inter-Office Correspondence**



**RECEIVED**

**DEC 11 2009**

**ZONING COMMISSIONER**

TO: Timothy M. Kotroco  
FROM: Dave Lykens, DEPRM - Development Coordination  
DATE: December 11, 2009  
SUBJECT: Zoning Item # 10-127-SPHXA  
Address 12935 Eastern Avenue Extended  
(Stowars Property)

Zoning Advisory Committee Meeting of October 19, 2009

X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

Additional Comments:

Reviewer: Regina Esslinger

Date: November 17, 2009



**BALTIMORE COUNTY, MARYLAND**  
**INTEROFFICE CORRESPONDENCE**

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

**FROM:** Dennis A. Kennedy, Supervisor  
Bureau of Development Plans  
Review

**SUBJECT:** Zoning Advisory Committee Meeting  
For November 2, 2009  
Item Nos. 10-092, 124, 125, 127,  
128, 129, 130, and 133

**DATE:** October 21, 2009

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

DAK:CEN:kmt

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-11.02.2009 -NO COMMENTS.doc



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

Beverley K. Swaim-Staley, Secretary  
Neil J. Pedersen, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 10-30-2009

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

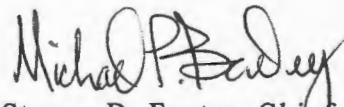
RE: Baltimore County  
Item No. 2010-0127-SPHXA  
12935 EASTERN EXTENDED AVE  
NEW CINGULAR WIRELESS PCS, LLC  
VARIANCE- SPECIAL HEARING,  
SPECIAL EXCEPTION

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. 2010-0127-SPHXA.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-5593 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.sha.maryland.gov](http://www.sha.maryland.gov)

RE: PETITION FOR SPECIAL HEARING \* BEFORE THE  
SPECIAL EXCEPTION & VARIANCE \*  
12935 Eastern Avenue Extended; SE/S \* ZONING COMMISSIONER  
Eastern Ave Extd, 304.3' SW Oliver Beach Rd \*  
15<sup>th</sup> Election & 6<sup>th</sup> Councilmanic Districts \* FOR  
Legal Owner(s): Terri L. Stowars \*  
Contract Purchaser(s): New Cingular \* BALTIMORE COUNTY  
Wireless PCS, LLC \*  
Petitioner(s) \* 10-127-SPHXA

\* \* \* \* \*

**ENTRY OF APPEARANCE**

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party 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.

RECEIVED

OCT 28 2009

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

*Carole S. Demilio*

CAROLE S. DEMILIO  
Deputy People's Counsel  
Jefferson Building, Room 204  
105 West Chesapeake Avenue  
Towson, MD 21204  
(410) 887-2188

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 28<sup>th</sup> day of October, 2009, a copy of the foregoing Entry of Appearance was mailed to Linda Flannery-Lieberman, 9200 Berger Road, Columbia, MD 21046 and Jason St. John, Esquire, Saul Ewing, LLP, 500 East Pratt Street, Baltimore, MD 21202, Attorney for Petitioner(s).

*Peter Max Zimmerman*

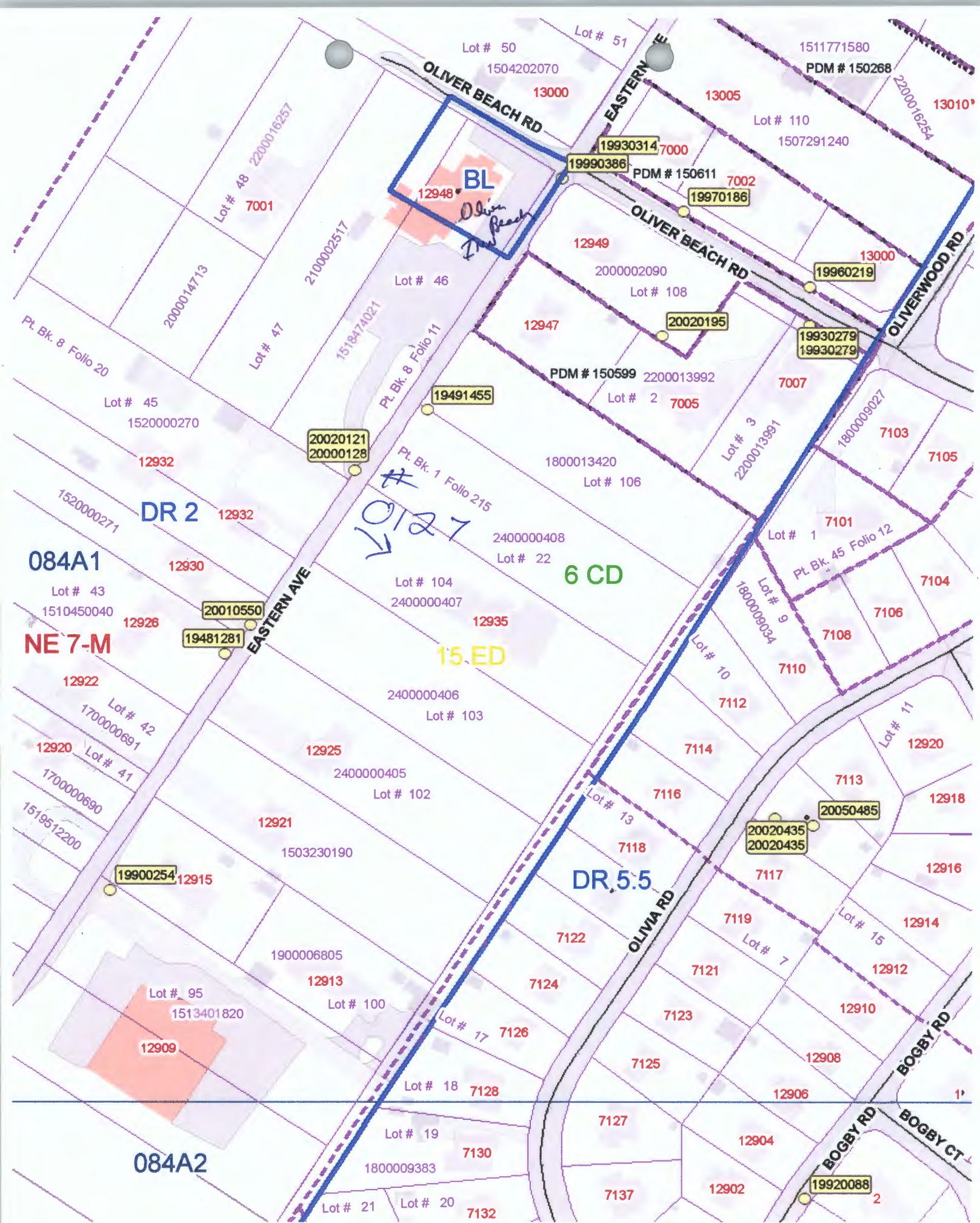
PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County



CASE NAME \_\_\_\_\_  
CASE NUMBER 10-127-SPHX  
DATE 12/10/09

[illegible]





084A1

NE 7-M

DR 2

6 CD

15 ED

DR 5.5

084A2

BL

0127

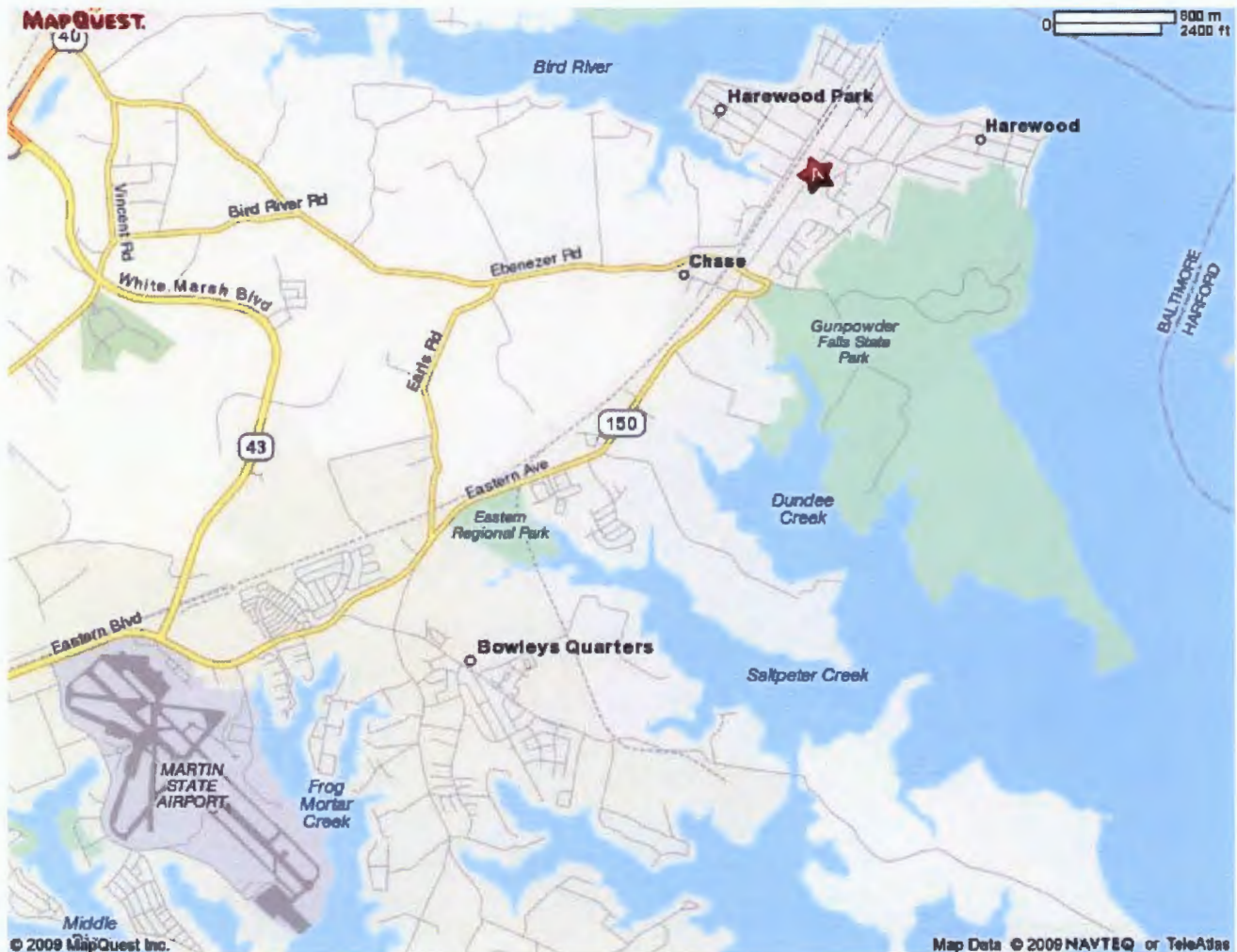


**MAPQUEST.**

Sorry! When printing directly from the browser your directions or map may not print correctly. For best results, try clicking the Printer-Friendly button.

**12935 Eastern Ave**

Middle River, MD 21220-1231



All rights reserved. Use subject to License/Copyright

Directions and maps are informational only. We make no warranties on the accuracy of their content, road conditions or route suitability. You assume all risk of use. MapQuest and its suppliers shall not be liable to you for any loss or delay resulting from use of MapQuest. Your use of MapQuest means you agree to our [Terms of Use](#)



Case No.: 2010-127-SPHXA

Exhibit Sheet

Petitioner/Developer

Protestant

|              |                                                           |                                                              |
|--------------|-----------------------------------------------------------|--------------------------------------------------------------|
| No. 1        | Linda Flannery - Lieberman<br>resume                      | 13- zoning Description                                       |
| No. 2        | 2 aerial photographs                                      | 14- summary regarding EAA<br>notice and no need for lighting |
| No. 3        | 5 page site plan                                          |                                                              |
| No. 4        | photos of adjacent property<br>to line                    |                                                              |
| No. 5        | ATI propagation Map of<br>existing coverage w/out tower   |                                                              |
| No. 6<br>A+B | search ring map and<br>aerial photo w/ ring superimposed  |                                                              |
| No. 7        | Tower Review Committee<br>Report                          |                                                              |
| No. 8        | Photos - simulations w/<br>balloon test                   |                                                              |
| No. 9        | letter of support from<br>nearby neighbor                 |                                                              |
| No. 11       | ATI propagation map showing<br>proposed coverage w/ tower |                                                              |
| No. 10       | resume of Shashikant Sene                                 |                                                              |
| No. 12       | resume of Bruce<br>Weston                                 |                                                              |

# **Linda Flannery-Liebermann**

705 Station Crossing Road, Odenton, MD 21113

410-926-6528

laflanne@bechtel.com

---

## **Wireless Experience:**

Experience includes: project management of site acquisition and construction, co-location management, contract review and property management. Over 12 years of local site development work has yielded sites that meet time, quality and economic considerations.

## **Wireless Career History:**

### **Bechtel Communications, Inc. (11/07 - Current)**

- Site acquisition management for the AT&T new site build program in Maryland.
- Responsible for site development from search ring issuance to construction hand-off. Scope includes contractor management during site selection, leasing, design, environmental compliance, zoning, and permitting.

### **General Dynamics (10/05-11/07)**

- Project management for Sprint new site build & consolidation programs in DC and Maryland.
- Responsible for supervising the site acquisition management team from search ring to construction hand-off. Scope includes internal and vendor management during site selection, leasing, design, environmental compliance, zoning, and permitting.

### **Wireless Enterprises, Inc. (2/05-4/05)**

- Short-term project auditing AT&T files for leasing, zoning and construction documents. Summarized lease terms and verified package completeness.

### **Insite Services, Inc. (2/00-9/02)**

- Project management of Verizon PCS installations on Crown sites included: plan review, scope of work development and management of construction.
- Project management for Crown build-to-suit contract included: permitting, developing and constructing raw land sites.
- Project management for Metricom co-locations on Crown sites. Services included licensing, managing A&E services, bidding, awarding and managing construction services for multi-site build program.
- Prime lease renegotiations for existing tower sites.

### **AT&T Wireless Services (2/97-2/00)**

- Managed consultant teams in the acquisition of raw land and existing structure sites from search ring issuance through permitting.
- Managed co-location of AT&T tower sites to local wireless carriers.
- Secured co-locations on existing tower sites and utility power towers, including direct leasing related ground spaces.

### **Nextel Communications (6/94-2/97)**

- Coordinated co-location on tower sites.
- Coordinated co-location of Nextel tower sites to local wireless carriers.
- Drafted lease amendments and licenses.
- Property management of Baltimore/Washington and Philadelphia site portfolio.

## **Education:**

Mount St. Mary's College, Emmitsburg, MD / 1983-1987/ B.S. Accounting

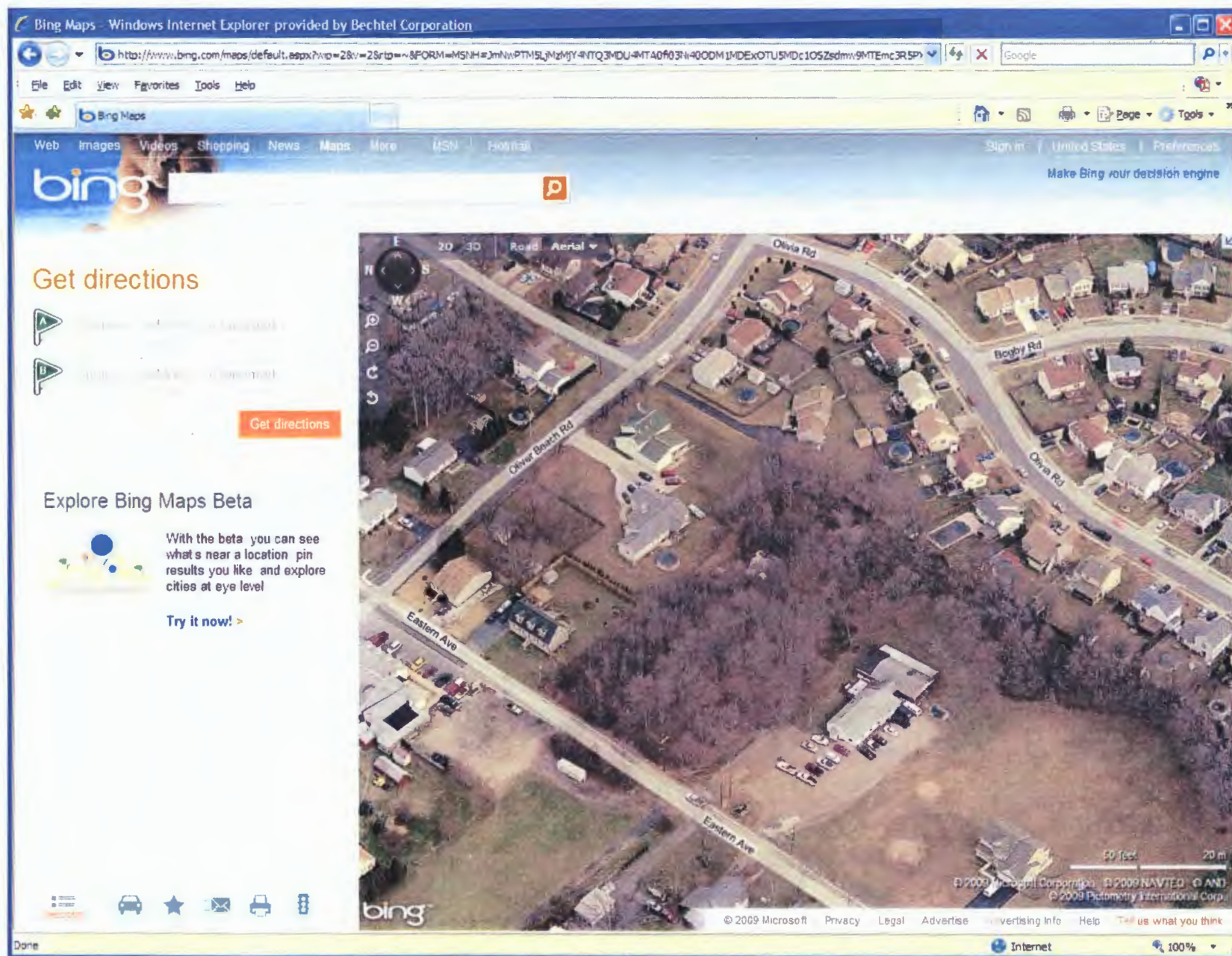
Stephen F. Austin State University, Nacogdoches, TX / 1982-1983

Anne Arundel Community College, Arnold, MD / 1991-1994 / Paralegal Studies

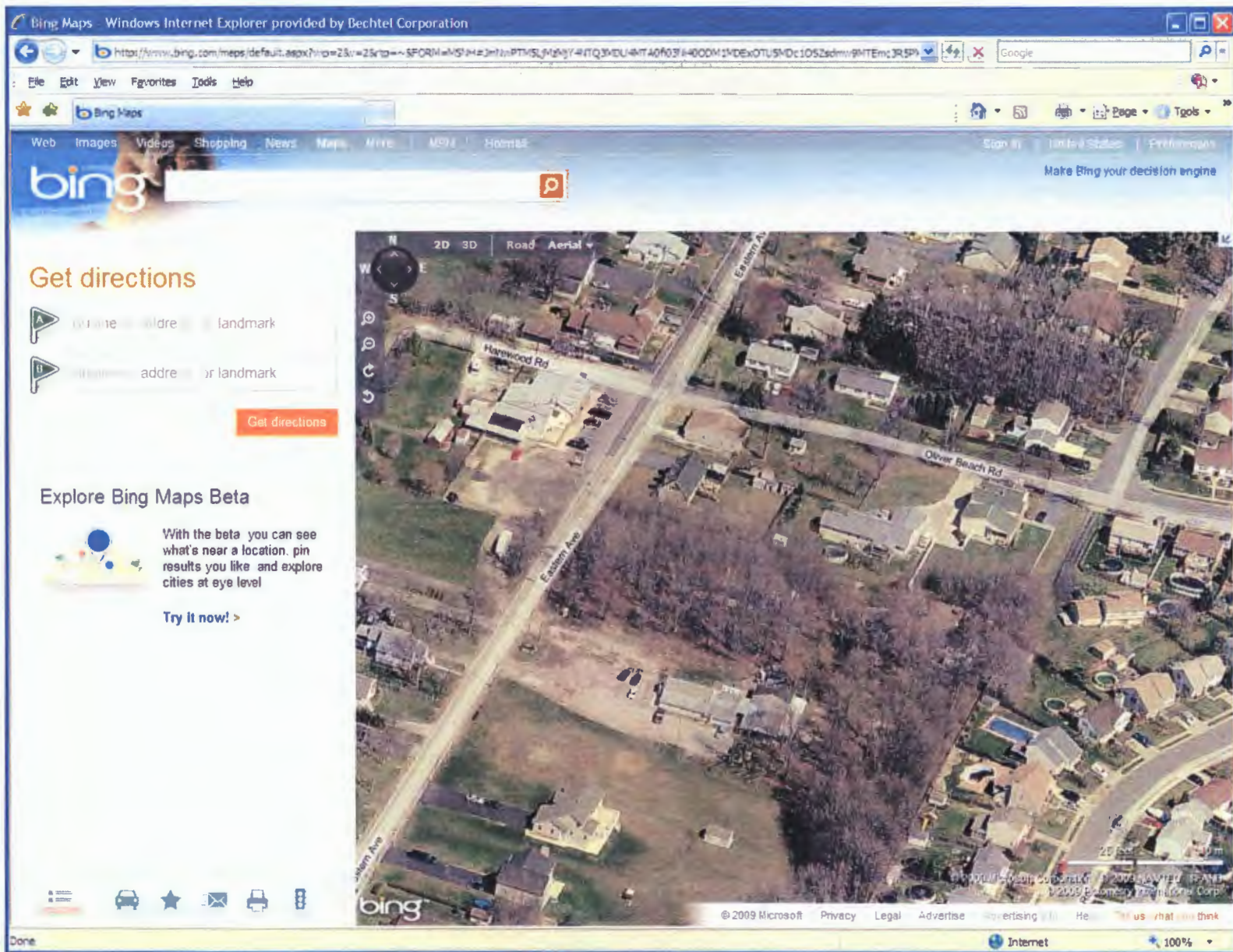
**EXHIBIT**

tabbies













Photos of entrance to Lot 106, north of Bengies-Clare Democratic Club

Photo by Gregory Repiszka - taken 12/7/09

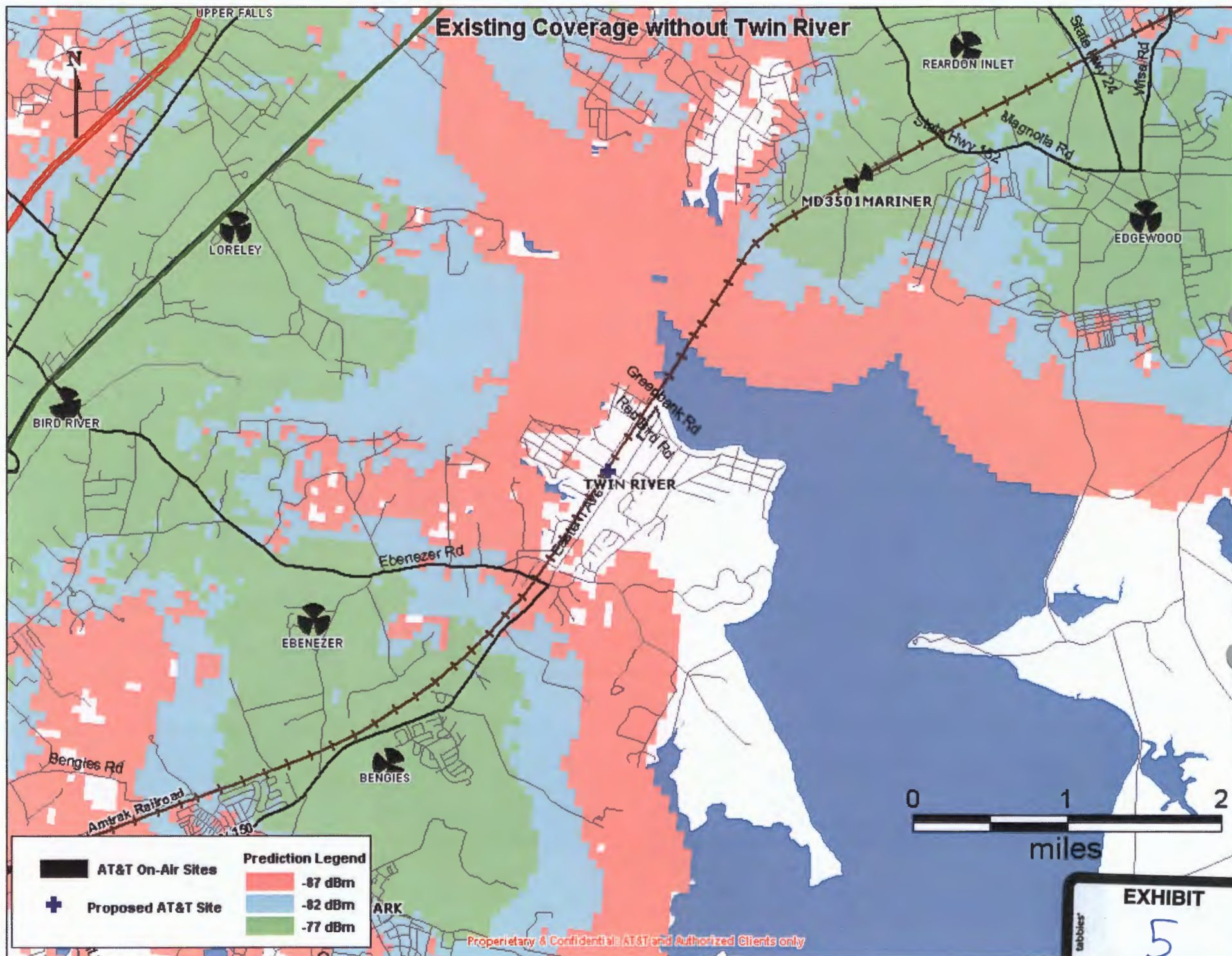
EXHIBIT

4

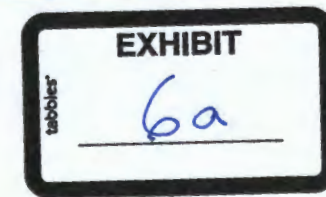














**BALTIMORE COUNTY, MARYLAND**  
**Interoffice Correspondence**

**DATE:** July 28, 2009

**TO:** Colleen Kelly  
Department of Permits and Development Management

**FROM:** Tower Review Committee *Richard A. Butler*

**SUBJECT:** New Tower – AT&T Mobility – 12935 Eastern Avenue Extended

The Tower Review Committee (TRC) met on June 30, 2009, and had a follow-up discussion on an application submitted by AT&T Mobility on October 28, 2008. The committee is making the following advisory comments to the Development Review Committee (DRC) in accordance with section 426.4 of the Baltimore County Zoning Regulations in reference to the proposed construction of a new 120-foot stealth monopole with six 55" high panel antennas at the 116' and 106" levels. The structure is proposed as a permanent replacement to the 80' high temporary tower presently located on the property owned by Terri L. Stowars.

- *Antennas should be placed on existing towers, buildings, and structures, including those of public utilities, where feasible.*

Findings: Information submitted by AT&T, as well as the Tower Review Committee's (TRC) site visits, revealed that the only existing structures in the area of the proposed site are Amtrak's electric catenary line towers that run alongside the rail lines; however, AT&T explained that Amtrak's strict requirements would cause serious limitations on AT&T's ability to access to the site as needed.

Therefore, we feel that AT&T has provided all requested information to the Tower Review Committee (TRC) to successfully demonstrate that no other accessible co-location opportunities exists at or near this location that would suffice in providing their requested coverage of the intended area. The total height of AT&T's proposed new stealth monopole structure is 120-feet, including all appurtenances.

- *If a tower must be built, the tower should be: Constructed to accommodate at least three providers.*

Findings: AT&T has shown, in the drawings submitted to the TRC, that their monopole design includes four bays on a slimline monopole structure, with each bay being capable of accommodating three antennas. AT&T plans to take the top two bays, leaving the bottom 2 bays available for other wireless service providers.





**SUBJECT:**New Tower – AT&T Mobility – 12935 Eastern Avenue Extended – 07/28/09

➤ *Erected in a medium or high intensity commercial zone when available.*

Findings: This area is located in a DR2, BL & DR5.5 density residential/business local zoned commercial area. The monopoles placement on the property does not meet the County's 200' setback from a residential property line. The distance to the perimeter of the property line is only 110'. Antennas on the monopole may require a height of at least 120' to meet AT&T's coverage objective, which would result in a setback insufficiency of 90'. Consequently, variance approval and a special exception hearing will be required.

➤ *Located and designed to minimize its visibility from residential and transitional zone.*

Findings: Based on the site survey and information presented, we find that the stealth monopole will likely be visible to many area residents; however, the slimline design of the monopole and equipment area screening may minimize its visual impact in the community.

### **Conclusion**

By a unanimous decision of the Tower Review Committee, it was agreed that the advisory comments provided above be forwarded to the Development Review Committee for further processing. It is the recommendation of the committee, that the monopole with antennas at the 116' and 106' levels as proposed, along with its appurtenances would meet AT&T's target coverage objectives, as well as all of the requirements of Section 426, while allowing needed emergency and non-emergency communications for the citizens of the area.

### **Additional Information**

An Application Evaluation, complete with recommendations, from Columbia Telecommunications Corporation is attached.

### **Tower Review Committee**

Richard A. Bohn, Tower Coordinator  
Curtis Murray , Office of Planning  
Harry Wujek, Community Member TRC  
Richard Sterba, OIT Representative

CC: Robert Stradling, Director, Baltimore County Office of Information Technology  
Donald Rascoe, Department of Permits and Development Management  
Sabrina Chase, Baltimore County Office of Law  
Bob Hunnicutt, Columbia Telecommunications  
William O'Brien, T-Mobile

Karen Dunne  
13237 East Greenbank Road  
Middle River, Maryland 21220

William J. Wiseman, III  
Baltimore County  
Zoning Commissioner  
105 West Chesapeake Avenue, Suite 103  
Towson, Maryland 21204

RE: Support for proposed AT&T Tower at Bengies Democratic Club

Dear Commissioner Wiseman,

I am writing to express my support for the proposed 122' wireless tower that is proposed at the Democratic Club at 12935 Eastern Avenue. I am unable to attend the upcoming hearing but I live less than 1/2 mile from the proposed site and fully support its approval. I understand that this tower will allow AT&T and other carriers to install antennas and this will allow us to have better wireless coverage in this area. We are in need of wireless coverage, and I have lost calls and have been unable to make and receive calls from within my home as a result of poor coverage. Wireless coverage is necessary for emergency reasons as well as for the convenience of our personal and business lives. I welcome and support this tower and hope you will approve it.

Thank you.

*Karen Dunne*

EXHIBIT

tabbies

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**Shashikanth Sena**  
**RF Engineer**  
senashashi@yahoo.com  
817-797-5452 (M)

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**Professional Summary:**

- Over 6 years of experience in GSM and UMTS Design and Optimization, In-building RF Design and Optimization.
- Extensive Design and Optimization experience on NOKIA and Lucent equipment.
- Good understanding of frequency planning, RF propagation and Optimization concepts in GSM, UMTS, and CDMA technologies.
- Hands on experience with Actix Analyzer, Wizard, Atoll, TEMS, MapInfo, Nokia OSS, DVCF, Planet EV etc.

**Education:**

Bachelor of Engineering Degree, Electronics & Communication, Univ. of Madras, India.

Masters' Degree in Electrical Engineering, University of Texas at Arlington, Arlington, Texas.

**Professional Experience:**

RF Engineer (3G/2G Design)  
WFI / LCC International Inc.

November 2004 – Current  
AT&T Wireless, Baltimore-Washington

**UMTS Design/Optimization**

- Designed over 200 2G and 3G Macro sites, 50 Inbuilding Sites (Senate, Smithsonian etc.) and 2 Outdoor DAS solutions. Site Design and Dimensioning included analyzing Second carrier trigger sites based on existing network, Antenna type, Azimuth, Tilt, Traffic analysis and T1s required per sector using Altarro/Atoll.
- Managed drive-test teams to perform CW testing using TEMS. Analyzed the data and performed Model Tuning. Worked with AT&T Managers in finalizing the Models for both 3G and 2G.
- Involved in optimization activities of the UMTS network as it is deployed and integrated. Optimization duties include defining/optimizing the UMTS neighbor list including IRAT Nbrs (MAHO and DAHO), reducing pilot pollution by fixing overshooting sites, recommending new sites in coverage holes etc, identifying and conducting routine network parameter audit to find and fix discrepancies, troubleshooting sites with hardware issues and opening tickets, optimizing PS IRAT and PS cell reselection issues.
- Worked in a team involved in identifying and fixing existing RF issues after the network launch. Duties included opening trouble tickets and worked on the tickets based on end user perspective across the entire market, reporting performance KPI's on a day to day basis.
- Identifying the daily top ten worst performing cells by doing a health check based on the service measurements and work on these cells to improve the performance.
- Analyzing both CS & PS UMTS drive test data and optimizing the network to meet the KPI targets. (RRC Access, setup, Active Failures, RAB drops, Failures, conversational, streaming, interactive and background classes) by looking into the layer 3 messages using TEMS.



**Shashikanth Sena**  
**RF Engineer**  
senashashi@yahoo.com  
817-797-5452 (M)

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**In-Building Design/Optimization**

- Preparing RF Design Sheets for AT&T inbuilding sites and integrating them to Cingular network and adding Lucent UMTS equipment to these sites. Duties included traffic monitoring, radio projection on Nokia equipment, updating link budgets, datafill, creating Plumbing Diagrams for Nokia and Lucent equipment, working closely with DAS vendors while commissioning the site, providing technical support to construction crew and testing the site post integration.
- Performing feasibility tests for GSM and UMTS coverage at customer complaint locations including Cingular stores, proposing the best coverage solution – BDA or Minicell, providing all the necessary design info, commissioning and testing the new inbuilding sites.
- Troubleshooting inbuilding sites based on customer complaints and OSS statistics. Working closely with Performance Engineers and DAS vendors to resolve the problem in providing good coverage and retainability.
- Attended training and obtained working knowledge in Cingular's new Design and Optimization tools – Atoll and Altaro.

**GSM Design**

- Performing all activities in new site design starting from creating Search Rings, Candidate Evaluation, assisting Site Acquisition personnel in scrubbing search rings, Site visits, performing Transmitter tests, creating Link Budgets, creating RF Design Sheets and Data Fill.
- Creating load sets for Optimized-DVCF and obtaining Erlang, TRX and Cabinet Projections for 2006 and 2007 trimesters out of the DVCF Output.
- Preparing ROI, Coverage, Capacity and Drive Test justifications for 2006 and 2007 Build and Acquisition sites.
- Prepared, Coverage and Capacity justifications for annual Budget Meetings and was actively involved in finalizing the Search Rings
- Involved in preparing Coverage/Capacity justifications and testified at County offices for Zoning Hearings.
- Creating EWOs for TDMA sites to clear up T1's for UMTS. This involved analyzing the number of radios required by interpreting the TDMA traffic data, deleting the extra radios and fitting all the required radios on one T1 thus clearing the second T1 for UMTS.

**Optimization Engineer - Conditional Acceptance Project**  
**Mobilecomm Professionals Inc.,**  
**Cingular/Nokia, Connecticut**  
**Cingular/Nokia, King of Prussia, PA**

**March 2004 – September 2004**  
**December 2003 – March 2004**

- Performed Nokia's Conditional Acceptance (CA) for Cingular Wireless, Connecticut.
- Duties include organizing daily drive tests (TEMS, DTI and GPRS), mobile handset testing and continuous technical support to all drive test teams.
- Obtaining daily BSC parameter dumps for all the clusters from NDW, preparing checklists and data fill for all clusters.
- Coordinating with Cingular contact person regarding daily CA activities, post-processing all the drive data (both DL and UL) using Actix Analyzer and related Macros.
- Made parameter & hardware changes for clusters not meeting target KPI.
- Preparing final reports for all the clusters and meeting with Cingular representatives for the final CA certificate.
- Extensive use of TEMS, Nemo Outdoor, MapInfo, Wizard and Actix.

## **Shashikanth Sena**

### **RF Engineer**

senashashi@yahoo.com

817-797-5452 (M)

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- Performed DTI coverage comparison between GSM and TDMA.
- Obtaining daily Alarm and BSC reports from Nokia NDW and Nokia OSS.
- Processed UL Trace Viewer and DL drive data and created plots for RxLev and RxQual.
- Performed extensive data fill, created Cluster Summary reports and final CA reports for all BSC's.
- Created best server plots for TDMA and GSM using Wizard.
- Processed the TDMA scan data and prepared exclusion zones using MapInfo and Actix for future coverage comparison with GSM.
- Optimized the values of handover control parameters and Power Control Parameters.
- Monitoring NDW and Daily alarm reports.

#### **Associate Engineer**

**Mobilecomm Professionals Inc.,**

**Pre-launch Optimization – Cingular/Nokia, Connecticut      June 2003 – December 2003**

**Pre-launch Optimization – Cingular/Nokia, King of Prussia      December 2002 – April 2003**

- Performed drive testing & acceptance for Cingular's Connecticut market after overlay of GSM.
- Drive testing using TEMS & Nemo Outdoor, post-processing the drive test data using Actix Analyzer and reporting the KPI to RF Engineers.
- Monitoring Network performance through Nokia Network Doctor.
- Trouble-shooting sources of interference and recommending solutions to Senior RF Engineers and Operations & Maintenance group.
- Involved with sensitivity tests and calculation of MOS scores.
- Analyzed dropped calls, handover failures, blocked calls and access failures using ACTIX Analyzer.
- Cluster testing through drive tests for data collection using TEMS Investigation software and monitoring dropped calls, blocked calls, origination failures, handoff features, FER And C/I to identify the possible Co-channel interferers.
- Estimating system performance by measuring the SQI, KPI and GPRS performance prediction in terms of throughput and block error rate.

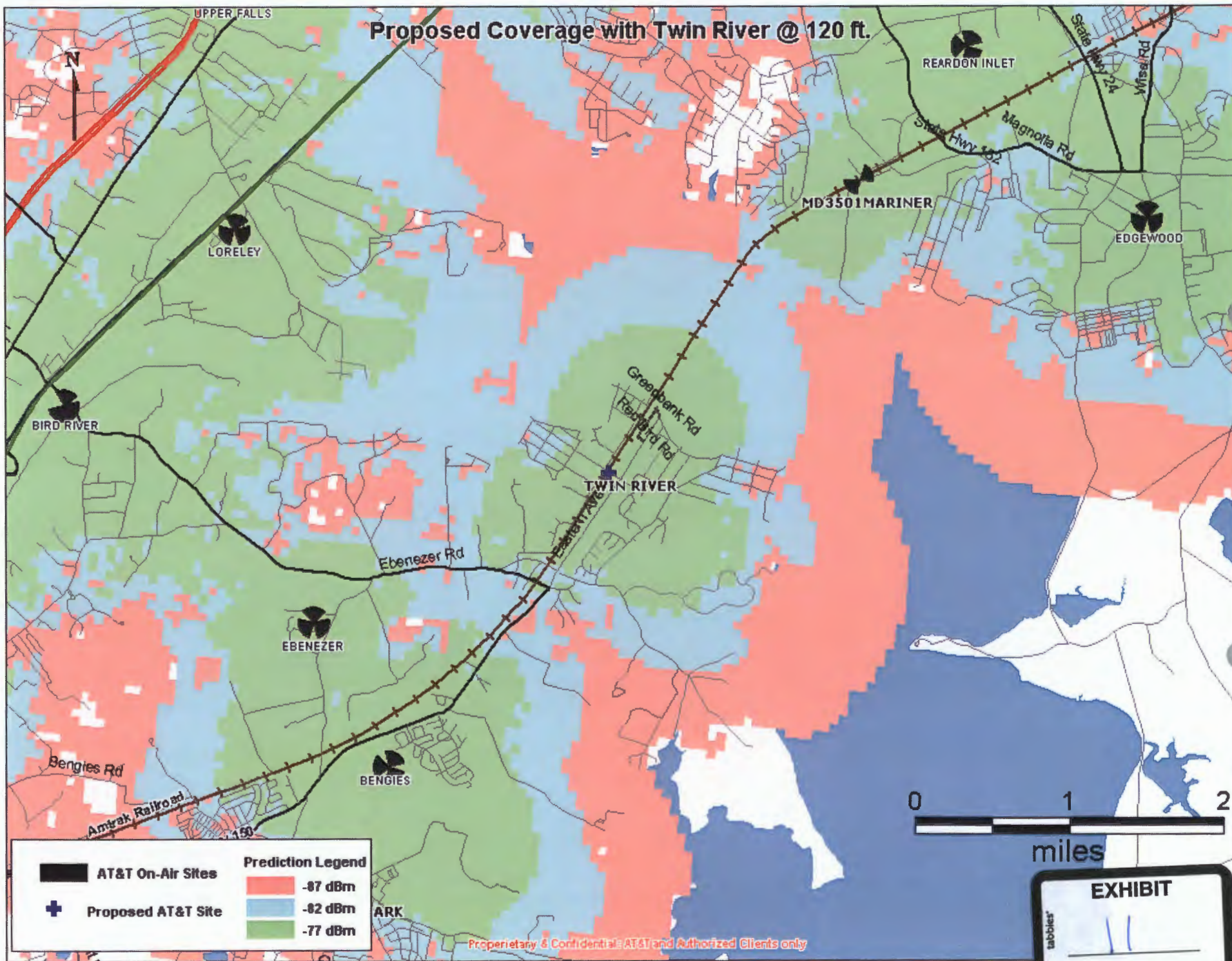
#### **Training:**

- WFI training in CDMA, UMTS, EvDO, In-Building RF Engineering, WiMax
- Cingular Wireless training in Atoll, Altaro, Wizard, Planet EV
- WFI training in GSM, GPRS, TDMA, EDGE
- Course work in Wireless Communications, RF Circuit Design, Fiber Optics
- Course work in Microwave Systems, Digital Communications, Digital Signal Processing, Analog/Digital VLSI, VHDL, Silicon IC Fabrication, Computer Networks

#### **Skills/Computer Literacy:**

- Wireless Tools: Wizard, MapInfo, Actix Analyzer, ADS, Nokia NDW, Nokia OSS, DVCF, Forsk-Atoll, Arieso-Altaro, Spectrum Analyzer, Planet EV
- Operating Systems: Windows XP, UNIX
- Network Management Systems: Nokia NMS
- Applications: MS Office
- Programming: C, C++, PERL, FORTRAN, Visual Basic
- CAD Tools: Pspice, Hspice, Cadence, VHDL/Verilog and Mentor Graphics
- Drive Test Tools: TOM/SAM 2.2.2, TEMS 4.0.1, TEMS Edge 1.01, Nemo Outdoor, Nemo Handy







**BRUCE S. WESTON**  
**Project Engineer**

**EXPERIENCE SUMMARY**

Bruce Weston has more than 30 years of engineering experience, including over 12 years in telecommunications projects with Bechtel. He has performed and managed wireless site design and equipment installation, preparation of engineering specifications, guidelines, and standardized work processes for wireless and fiber networks.

**WORK HISTORY—Telecommunications**

**PROJECT ENGINEER Bechtel—**

Mr. Weston has been the Project Engineer for markets in Boston and currently in the Washington-Baltimore Market for the AT&T Wireless Project. Mr. Weston manages and oversees the design of wireless sites by several Architectural-Engineering firms who are subcontracted by Bechtel.

Mr. Weston has been the Project Engineering Manager for the Modeo Project and TerreStar Project having overall responsibility for the management of site engineering. In addition, Mr. Weston in his role and the Bechtel "Engineer in Responsible Charge" oversees the designs of wireless sites in a many of the states in the Northeast, Mid-Atlantic, and Southeast regions of the US for multiple communications projects. The designs include site development, foundations for wireless equipment, and wireless antenna installation on monopoles, self-supported towers and guyed towers. The designs also qualify existing building structures for equipment installation on rooftops. The designs follow IBC, BOCA, AISC, ACI, EIA, NEC codes and other local building codes.

**SENIOR ENGINEER—Bechtel**

Mr. Weston was Regional Engineering Supervisor for the Metromedia Fiber Network project. He created outside plant engineering specifications, procedures, guidelines, and standardized work processes. He performed feasibility inspections and final layout design for inside plant, fiber junction facilities; and was the single point of contact for project field offices and the client.

Before that, he supported the infrastructure portion of telecommunications projects on the Telecom GIU Manager of Engineering's Staff. He designed building modifications for the Viatel Switch/NOC facility in New Jersey, including producing drawings for permitting and construction. He developed and issued the standard engineering details, model drawings, and specifications for the Tritel PCS Project. He also provided training and technical information transfer for the Infocom/Nextel Project (wireless), and worked on fiber optic terminal building studies and cable route studies in the US and South America.

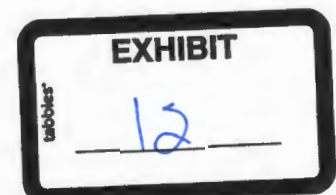
**PRODUCTION ENGINEERING SUPERVISOR—Bechtel**

Mr. Weston designed wireless transmission sites, including site development, foundations, and antenna installation on monopoles, self supported towers, and guyed towers.

**WORK HISTORY—Other**

**CIVIL ENGINEERING—Bechtel**

Mr. Weston held positions of increasing responsibility in civil engineering and contracts administration on power plant projects ranging from a resource recovery facility to nuclear and fossil fueled plants. His roles included working as a construction engineer, contracts administrator, and civil design engineer. As a construction engineer and contracts administrator his duties included the inspection of concrete and building structural steel installation, site development, developing heavy equipment rigging plans, and concrete shoring designs. As a design engineer and group lead, he developed work packages, and coordinated with other engineering disciplines, to prepare designs for power plant construction and modification to existing plants.



## **EDUCATION**

BSCE, Civil Engineering, University of Lowell, Lowell, Massachusetts

(currently: University of Massachusetts at Lowell)

## **REGISTRATION/CERTIFICATION**

Registered Professional Engineer in Mississippi, Michigan, Pennsylvania, Minnesota, Arizona, Florida, Alabama, Maryland, Virginia, District of Columbia, New York, Vermont, West Virginia, Ohio, Delaware, New Hampshire, Kentucky, Georgia, Tennessee

(Registered professional engineer since 1982)





ISO 9001:2000 CERTIFIED

ENGINEERS • PLANNERS • SCIENTISTS • CONSTRUCTION MANAGERS

8161 Maple Lawn Boulevard • Suite 150 • Fulton, MD 20759 • Phone 410-792-8086 • Fax 301-725-4680

**ZONING DESCRIPTION  
TWIN RIVER PROPERTY  
TAX MAP 84, PARCEL 44  
15<sup>TH</sup> ELECTION DISTRICT  
BALTIMORE COUNTY, MARYLAND**

Beginning at a point on the southeasterly side of Eastern Avenue Extended, 30 feet wide at the distance of 304.3 feet southwesterly of the centerline of Oliver Beach Road, 30 feet wide, thence the following courses and distances around the property:

- 1) South 56 degrees 26 minutes 52 seconds East 361.01 feet
- 2) South 34 degrees 01 minutes 24 seconds West 300.00 feet
- 3) North 56 degrees 26 minutes 52 seconds West 361.01 feet, thence along Eastern Ave Extended
- 4) North 34 degrees 01 minutes 24 seconds East 300.00 feet to the point of beginning.

As recorded in Deed Liber 24789, Folio 478.

Being Lots 103, 104 and 105 as laid out on the Plat of Twin River Beach, Section "B" as recorded among the Land Records of Baltimore County Plat Book W.P.C. No. 8, folio 11. Containing 108,303 square feet or 2.49 acres of land more or less. Also known as 12935 Eastern Avenue Extended and located in the 15<sup>th</sup> Election District of Baltimore County.



*C. Allen Paugh*  
9/30/05

\*\*\*\*\*  
\* Federal Airways & Airspace \*  
\* Summary Report \*  
\*\*\*\*\*

File: TWIN\_RIVER

Location: Baltimore, MD  
Distance: 11.3 Statute Miles  
Direction: 3° (true bearing)

76°-21'-30.9"

Latitude: 39°-22'-15.1" Longitude:

SITE ELEVATION AMSL..... 27 ft.  
STRUCTURE HEIGHT.....122 ft.  
OVERALL HEIGHT AMSL.....149 ft.

NOTICE CRITERIA

FAR 77.13(a) (1): NNR (DNE 200 ft AGL)  
FAR 77.13(a) (2): NNR (DNE Notice Slope)  
FAR 77.13(a) (3): NNR (Not a Traverse Way)  
FAR 77.13(a) (4): NNR (No Expected TERPS® impact with EDG)  
FAR 77.13(a) (4): PNR (Straight-In procedure. Possible TERPS®  
impact. MTN)  
FAR 77.13(a) (5): NNR (Off Airport Construction)

Notice to the FAA is not required at the analyzed location and  
height.

NR = Notice Required  
NNR = Notice Not Required  
PNR = Possible Notice Required

OBSTRUCTION STANDARDS

FAR 77.23(a) (1): DNE 500 ft AGL  
FAR 77.23(a) (2): DNE - Airport Surface  
FAR 77.25(a): DNE - Horizontal Surface  
FAR 77.25(b): DNE - Conical Surface  
FAR 77.25(c): DNE - Primary Surface  
FAR 77.25(d): DNE - Approach Surface  
FAR 77.25(e): DNE - Transitional Surface

VFR TRAFFIC PATTERN AIRSPACE FOR: EDG: WEIDE AHP (ABERDEEN PROVING

Type: AIR RD: 19982 RB: 68.05 RE: 15  
FAR 77.23(a) (1): DNE  
FAR 77.23(a) (2): DNE - Height Less Than 200 feet AGL.  
VFR Horizontal Surface: DNE  
VFR Conical Surface: DNE  
VFR Approach Slope: DNE  
VFR Transitional Slope: DNE

VFR TRAFFIC PATTERN AIRSPACE FOR: MTN: MARTIN STATE

Type: AIR RD: 22848 RB: 223.45 RE: 21  
FAR 77.23(a) (1): DNE  
FAR 77.23(a) (2): DNE - Height Less Than 200 feet AGL.  
VFR Horizontal Surface: DNE  
VFR Conical Surface: DNE  
VFR Approach Slope: DNE  
VFR Transitional Slope: DNE

EXHIBIT

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TERPS DEPARTURE PROCEDURE (FAA Order 8260.3, Volume 4)  
 FAR 77.23(a)(3) Departure Surface Criteria (40:1)  
 DNE Departure Surface

MINIMUM OBSTACLE CLEARANCE ALTITUDE (MOCA)  
 FAR 77.23(a)(4) MOCA Altitude Enroute Criteria  
 The Maximum Height Permitted is 2059 ft AMSL

PRIVATE LANDING FACILITIES

| FACIL     | BEARING  | DISTANCE |
|-----------|----------|----------|
| DELTA ARP | To FACIL | IN N.M.  |
| ELEVATION |          |          |

|      |                                                                         |                                |        |       |
|------|-------------------------------------------------------------------------|--------------------------------|--------|-------|
| 5MD6 | HEL                                                                     | FRANKLIN SQUARE HOSPITAL CENTE | 257.44 | 5.616 |
| -6   | No Impact to Private Landing Facility<br>Structure 6 ft below heliport. |                                |        |       |

AIR NAVIGATION ELECTRONIC FACILITIES

| ANGLE | FAC  | ST          | DIST | DELTA  | ST LOCATION |
|-------|------|-------------|------|--------|-------------|
|       | IDNT | TYPE        | AT   | FREQ   | VECTOR      |
|       |      |             |      |        |             |
| .35   | MTN  | TACAN       | ON   | 9999.9 | 225.74      |
| .35   | MTN  | GLIDE SLOPE | ON   | 0330.2 | 216.82      |
| .36   | BQG  | LOCALIZER   | ON   | 0110.7 | 217.94      |
| .29   | MTN  | LOCALIZER   | ON   | 0110.7 | 235.98      |
| .13   | MTN  | ATCT        | ON   |        | 230.61      |

FCC AM PROOF-OF-PERFORMANCE

NOT REQUIRED: Structure is not near a FCC licensed AM  
 radio station Proof-of-Performance is not required.  
 Please review AM Station Report for details.

Nearest AM Station: WVIE @ 7653 meters.

Airspace® Summary Version 2008.5

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 Airspace®  
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07-23-2008  
 11:27:49



3 INDIVIDUAL  
EXHIBITS  
0127

October 9, 2009

Baltimore County  
Zoning Administrator  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

**Subject: Petition for Special Hearing, Special Exception, and Variances for a Proposed Wireless Telecommunications Tower on a portion of the Property Located at 12935 Eastern Avenue Extended, Baltimore, Maryland 21220**

New Cingular Wireless PCS, LLC, d/b/a AT&T Mobility ("AT&T") is licensed by the Federal Communications Commission (FCC) to provide wireless telecommunications services in the Baltimore market area. An additional site is needed in the Middle River area to provide coverage along Eastern Avenue Extended and Harewood Road. The addition of this site will provide service for the residents of Harewood, Harewood Station, West Twin River and surrounding areas and at the same time ensure overlapping coverage and signal handoff between AT&T's existing "Ebenezer" and "Mariner" sites. The site will also provide coverage to passengers along the Amtrak lines. As shown in the attached propagation studies, there is a significant lack of coverage in the area.

The proposed installation will consist of a 122' stealth tower (flagpole), equipment cabinets on a concrete pad and ancillary equipment located within a 33' 10" x 30" compound at the Bengies-Chase Democratic Club. The tower and compound will have the capacity to support at least 2 additional carriers' equipment. All antennas will be concealed within the tower and the equipment area will be screened by an 8' board on board fence, which will be screened by landscaping. AT&T is seeking a Special Exception, Special Hearing, and Variances for the proposed tower.

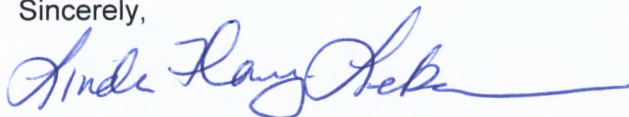
AT&T obtained a list from the Baltimore County Zoning office of 4 community associations in the area of the proposed tower that included: Essex Middle River Chamber of Commerce, Essex Middle River Civic Council Inc., Harewood Park Community League and Windlass Run Improvement Association Inc. AT&T sent a letter and site drawings on March 11, 2009 to each of the community associations, which explained AT&T's proposed build and offered to meet with the groups to answer any questions regarding the proposed project. While none of the community groups requested a meeting, on March 20, 2009, AT&T met with over fifty members of the Bengies-Chase Democratic Club, which leases a portion of the property at 12935 Eastern Avenue Extended, Baltimore, Maryland 21220. Members of all four community associations were present at AT&T's March 20, 2009 presentation at the Bengies-Chase Democratic Club.

As AT&T conducted its search for a site in the area, other locations and existing structures were sought to meet its coverage objectives. The only potential co-location was on Amtrak's catenary line. This co-location was unfeasible because of the low height of the catenary pole, and site access issues. Ultimately, there were no existing structures that are suitable for AT&T's proposed installation. This statement is

supported by the Tower Review Committee report dated July 28, 2009. Additionally, there are no alternative locations in commercial zones.

AT&T's proposal is consistent with the letter and intent of the Baltimore County Code and specifically § 426 of the Baltimore County Zoning Regulations, AT&T respectfully requests that its Petitions for Special Hearing, Special Exception, and Variances be granted. If you need further information, please do not hesitate to call me at 410-926-6528.

Sincerely,



Linda Flannery-Liebermann  
Site Acquisition Coordinator  
Bechtel Communications, Consultant to AT&T  
9200 Berger Road  
Columbia, Maryland 21046

**Outline of AT&T's Compliance with Relevant Baltimore County Zoning Regulations**

**§ 426.2 Legislative policy for siting of wireless telecommunications antennas and towers.**

It is the intent of Baltimore County that:

- A. Antennas should be placed on existing towers, buildings and structures, including those of public utilities, where feasible; and
  - ***AT&T investigated multiple properties in the area but none were viable. See Alternate Candidate Locations for Twin River attached as Exhibit A.***
- B. If a new tower must be built, the tower should be:
  - 1. Constructed to accommodate at least three providers;
    - ***The proposed tower will accommodate up to three additional carriers. See attached Zoning Drawings entitled "Compound Plan and Elevation" attached as Exhibit B.***
  - 2. Erected in a medium- or high-intensity commercial zone when available; and
    - ***The tower is proposed in a residential zone due to the fact that there are no viable high intensity or commercial zones in the area.***
  - 3. Located and designed to minimize its visibility from residential and transitional zones.
    - ***The proposed tower is designed to minimize visibility from residential and transitional zones. The proposed tower has been designed to resemble a flagpole in order to minimize the visual impact and is situated next to existing treelines. See attached Photo-simulations attached as Exhibit C.***

**§ 426.3. Exceptions**

The provisions of this section do not apply to:

- A. Antennas or towers serving gas and electric or land-based local telephone public utility needs; or
- B. Antennas used by cable systems operating in accordance with Article 25 of the Baltimore County Code, if located on property owned by the county, state or federal government.
  - **These items do not apply to AT&T's proposal.**

**§ 426.4. Tower Review Committee**

- A. There is a Tower Review Committee in Baltimore County.



B. The Committee shall consist of:

1. A Tower Coordinator, who shall have technical expertise regarding the siting of wireless telecommunications towers and shall serve as committee chairperson;
2. The Director of the Office of Planning or the Director's designee;
3. The Director of the Office of Information Technology or the Director's designee;
4. An at-large citizen representative appointed by the County Council; and
5. Depending on the particular site for a tower, representatives of other governmental agencies as determined by the Tower Coordinator.

C. An applicant for a building permit for an antenna shall submit a duplicate copy of the permit application to the Tower Coordinator.

D. In addition to any other fees required, an applicant for a building permit or a special exception shall pay a separate processing fee to the County. The County Administrative Officer shall establish the amount of the fee.

E. Committee review.

1. Prior to submitting a petition for a special exception or an application for a building permit for a tower, a petitioner or an applicant shall meet with the Committee. The Committee shall meet with the petitioner or the applicant within 45 days after a written request for a meeting is submitted.
2. The petitioner or the applicant shall submit to the Committee:
  - a. Information detailing the maximum number of providers and antennas the proposed tower can support.
  - b. Any other relevant technical information requested by the Committee.
3. The Committee shall review the information submitted by the petitioner or the applicant and evaluate the proposed tower with regard to the legislative policy under Section 426.2.
4. The Committee may provide advisory comments to the Zoning Commissioner or the Code Official concerning the proposed tower.

- ***See attached Tower Review Committee Approval attached as Exhibit D.***

**§ 426.5. Location and height restrictions for wireless telecommunications towers and antennas.**

In this section, the following words have the meanings indicated:

A. "R" means by right.

B. "SE" means by special exception.

C. The column for antennas refers to antennas located on a tower, building or structure legally existing prior to the installation of the antenna even if the tower, building or structure was approved by special exception.

- ***The panel antennas are H-54".5" x W-10.3" x D-5.9" which is less than the allowable size in a DR zoning district.***

D. The height of a tower is measured from the base of the tower to the tip of the tower or the tip of the highest antenna on the tower, whichever distance is greater.

- ***AT&T is seeking a special exception for the proposed 122' tower in a DR2 residential zone.***

#### **§ 426.6. Setback requirements for wireless telecommunications towers.**

##### **A. Setbacks.**

1. A tower shall be set back at least 200 feet from any other owner's residential property line.

- ***AT&T seeks a setback variance for the proposed tower from the surrounding residentially zoned property lines. The proposed setback from Eastern Avenue Extended which runs along the front property line is 151'. The proposed setbacks from the side property lines are 108' and 187'. See Zoning Drawings page titled "Site Plan" attached as Exhibit B.***

2. A structure housing equipment for a tower shall meet the minimum setback requirements from any other owner's property or zone line.

- ***AT&T's equipment will meet the minimum setback requirements.***

3. Notwithstanding the provisions of Section 102.2 of these regulations, if multiple structures housing equipment for a tower are located on the same owner's property, a yard or setback is not required between the structures.

- ***AT&T's equipment will be located on the same owner's property as the tower. See Zoning Drawings page titled "Overall Site Plan" attached as Exhibit B.***

##### **B. Except as required by the Federal Aviation Administration:**

1. Stroboscopic lights are not permitted on a tower.

- ***No lighting is proposed as part of AT&T's application pursuant to an Airspace Report attached as Exhibit E.***

2. The tower, antenna and supporting lines shall be neutral in color.

- ***The proposed tower color is white. The proposed antenna and supporting lines will be located on the interior of the tower. See Zoning Drawings page titled "Compound Plan and Elevation" attached as Exhibit B.***

##### **C. If a tower is located in a residential or transitional zone, any structure housing equipment for the tower shall be:**

1. Screened in accordance with the Landscape Manual, Class "A" screening requirements.

2. Faced with a material compatible with buildings or structures surrounding the tower.

- ***The proposed landscaping and board on board fencing matches the aesthetics of the existing screening at this facility. See Zoning Drawings page titled "Landscape Plan" attached as Exhibit B.***

D. Upon completion of a tower and every five years after the date of completion, the owner of the tower shall submit to the Code Official written certification from a professional engineer verifying that the tower and any structure housing equipment for the tower meets all applicable Building Code and safety requirements.

- ***AT&T agrees to comply with this section of the code.***

E. The owner of a tower shall submit annually to the Tower Coordinator written certification of the number of providers and antennas on the tower.

- ***AT&T agrees to comply with this section of the code.***

#### **§ 426.7. Security bond.**

A. An applicant for a building permit for a tower shall provide:

1. A security bond in an amount not to exceed \$40,000 and a term not to exceed 25 years; or
2. A fee not to exceed \$5,000.

B. The Administrative Officer shall determine the form and amount of the bond or fee in accordance with § 3-1-202 of the Baltimore County Code.

C. The Code Official may use the bond or fee to procure repair of unsafe or hazardous conditions under Section 426.8 or removal of a tower under Section 426.10 in accordance with § 3-6-402 of the Baltimore County Code.

- ***AT&T agrees to comply with this section of the code.***

#### **§ 426.8. Unsafe or hazardous conditions.**

A. The owner of a tower and any structure housing equipment for the tower shall maintain the tower and any structure in good working condition and correct any unsafe or hazardous conditions, which may include:

1. Conditions caused by vandalism.
2. Flaking or worn exterior paint.
3. Illegal or improper occupancy of the tower or structure.

B. The provisions of this section shall be enforced in accordance with Article 3, Title 6 of the Baltimore County Code.

- ***AT&T agrees to comply with this section of the code.***



**§ 426.9. Additional conditions for towers permitted by exception.**

Towers permitted by special exception shall meet the requirements of this section.

A. A petitioner shall have the burden of demonstrating that:

1. The petitioner has made a diligent attempt to locate the antenna on an existing tower or nonresidential building or structure;
- ***The only structures of height found in the AT&T search area were Amtrak catenary poles. The poles are located on either side of the Amtrak train line that runs parallel to Eastern Avenue Extended. The poles are not viable for AT&T's use due to access issues. See additional details in the Alternate Candidate Locations for Twin River attached as Exhibit A.***
2. Due to the location, elevation, engineering, technical feasibility or inability to obtain a lease or ownership of a location elsewhere, the construction of a tower at the proposed location is warranted;
- ***AT&T investigated multiple properties in the area but none were viable. See Alternate Candidate Locations for Twin River attached as Exhibit A.***
3. To the extent technically feasible, the tower has been designed to accommodate antennas of at least two other providers; and
- ***The tower has been designed to accommodate up to three additional providers. See attached Zoning Drawings entitled "Compound Plan and Elevation" attached as Exhibit B.***
4. The height of the tower is no higher than what is required to enable present and future co-location of other providers.
- ***The height of the proposed tower is not higher than what it required for AT&T. The height will also support future co-location of other providers. See attached Coverage Plots pages attached as Exhibit F which depict: AT&T's current coverage gap; potential and deficient coverage with an 80' tower; potential and deficient coverage with a 100' tower; and proposed and acceptable coverage with a 120' structure.***
- 

B. The Zoning Commissioner shall review the petitioner's submittal with regard to the legislative policy under Section 426.2.

C. In a residential or transitional zone, a tower shall meet the following additional requirements:

1. A petitioner shall have the burden of demonstrating that:
  - a. There is no available, suitable site for the tower in a medium or high intensity commercial zone, identifying with particularity any sites considered; or
- ***There are suitable sites in a medium or high intensity commercial zone. Please see Alternate Candidate Locations for Twin River attached as Exhibit A.***

b. Due to topographical or other unique features, the proposed site is more consistent with the legislative policy under Section 426.2 than a site in an available medium or high intensity commercial zone.

- ***The proposed site is more consistent with the legislative policy under § 426.2 than a site in an available medium or high density commercial zone. Please see Alternate Candidate Locations for Twin River attached as Exhibit A.***

2. A tower in an R.C. Zone shall be located on a lot of at least five acres. In all other residential or transitional zones, a tower shall be located on a lot of at least three acres.

- ***The existing tower is located on 2.49 acres in a DR2 residential zone. AT&T is seeking a variance for the proposed tower to be located on a residentially zoned lot that is under 3 acres.***

3. In granting a special exception, the Zoning Commissioner, or Board of Appeals upon appeal, shall impose conditions or restrictions as provided in Section 502.2. In addition, the Commissioner shall require that the tower be disguised as a structure or natural formation, such as a flagpole, steeple or tree, which is found, or likely to be found, in the area of the tower unless the Commissioner finds that the requirement is not reasonable or advisable for the protection of properties surrounding the tower.

#### **§ 426.10. Removal of towers.**

A. The Code Official may issue a citation to the owner for removal of a tower, including all aboveground structures, equipment and paving, if:

1. The Code Official determines that the tower has not been in actual and continuous use for 12 consecutive months;
2. The owner has failed to correct an unsafe or hazardous condition under Section 426.8 within the time prescribed in a correction notice issued by the Code Official; or
3. The owner has notified the Code Official that use of the tower has terminated.

B. A special exception for the operation of a tower becomes void upon a final order of the Code Official for removal of the tower.

C. The provisions of this subsection shall be enforced in accordance with Article 3; Title 6 of the Baltimore County Code. The provisions of this subsection shall be enforced in accordance with Article 3, Title 6 of the Baltimore County Code.

D. Failure to comply with order.

1. The Code Official may procure compliance in accordance with § 3-6-402 of the Baltimore County Code, if the owner fails to comply with a final order to remove the tower.

2. Expenses for removal of a tower which exceed the amount of any security bond posted under Section 426.7 shall become a lien on the property of the owner.

- ***AT&T agrees to comply with this section of the code.***

#### **§ 426.11. Variances.**

The Zoning Commissioner, and Board of Appeals upon appeal, may grant a variance to a height or area requirement, including any setback, for a tower or structure housing equipment for a tower in accordance with Section 307 of these regulations.

- ***Petitioner requests variances under B.C.Z.R. sections 426.6.A.1 and 426.9C.2 to allow the proposed tower within the wireless telecommunications facility a northern setback of 151' in lieu of the required 200', a southern setback of 187' in lieu of the required 200', an eastern setback of 108' in lieu of the required 200', and to allow a telecommunications facility on a lot of 2.49 acres in lieu of the required 3 acres.***

#### **§ 500.7 Petitions for public hearing; notice.**

The said Zoning Commissioner shall have the power to conduct such other hearings and pass such orders thereon as shall, in his discretion, be necessary for the proper enforcement of all zoning regulations, subject to the right of appeal to the County Board of Appeals as hereinafter provided...

- ***AT&T is requesting a special hearing, if necessary, to confirm that, under B.C.Z.R. section 102.2, the telecommunications facility is a distinct and separate use from the existing conforming or nonconforming community building and that the proposed special exception area will have no overlapping use with the existing conforming or nonconforming community building on the property.***

§ 102.2 No yard space or minimum area required for a building or use shall be considered as any part of the yard space or minimum area for another building or use

- ***The proposed telecommunications facility special exception use will be is a distinct and separate use from any existing use and that the proposed special exception area will have no overlapping use with any existing conforming or nonconforming use on the property***



**EXHIBIT A**  
**Alternate Candidate Locations for Twin River**

- 1) Amtrak Rawland: The site proposed, N 39 22 41.7, W 76 21 17.8, Sylvan Avenue, was an Amtrak-owned, DR 2 zoned site adjacent to an Amtrak power substation; although the site was adjacent to an industrial type of use, there was a insufficient space to construct a tower and equipment compound; the adjacent single residential properties were approximately 6,800 square feet with a probable tower setback of 40 to 50 feet; the site was rejected for zoning reasons.
- 2) Amtrak Co-location: The site is for the proposed installation of antennas on a approximate 70' Amtrak power pole on the rapid rail line with access from Harewood Road, N 39 22 21.41, W 76 21 36.5, the DR 2 zoned site was rejected since AT&T could not meet the FCC's requirements for E-911 Phase 2 compliance at this location on the Amtrak high speed rail line.
- 3) Oliver Beach Elementary School: The Baltimore County elementary school with adjacent County park site is located at 12012 Cunningham Cove Road, N 39 22 8.86, W 76 21 74.1, the DR 5.5 zoned site easily met the minimum setback and lot size requirements of the County zoning regulations; the Baltimore County Schools Facilities Director has informed us that the Board was not interested in leasing a tower site at Oliver Beach Elementary school.
- 4) Gunpowder Falls State Park: The RC 20 zoned site, N 39 21 50.8, W 76 21 25.5, is located in a heavily wooded and environmentally sensitive State park with large areas in the Chesapeake Bay Critical Area and with extensive wetlands and floodplain area; there is no precedent for leasing wireless transmission sites to private carriers on State Parks and this site is not a viable candidate..
- 5) Harewood Food Market: The site is located at 6924 Harewood Road., N 39 22 23.33, W 76 21 37.5. The size of this parcel is 22,500 sq. ft. and it is zoned BL. This fully developed site was not selected because it is much smaller than our primary candidate and would require setback variances that would far exceed those required for our proposed site.
- 6) Oliver Beach Inn: The site is located at 12948 Eastern Avenue, N 39 22 10.35, W 76 21 35.89. The size of this parcel is 38,459 sq. ft., and it is zoned BL. This fully developed site was not selected because it is much smaller than our primary candidate and would require setback variances that would far exceed those required for our proposed site.

**EXHIBIT B**  
**Zoning Drawings (5 pages)**

**12 full size copies are attached to this package**

**EXHIBIT C**  
**Photo-simulations**

**(See Attached 9 Pages)**



## LEGEND

**PHOTO #1-** VIEW LOOKING SOUTHEAST  
FROM ADJACENT PROPERTY ALONG  
EASTERN AVE.

**PHOTO #2-** VIEW LOOKING NORTHEAST  
TOWARD SITE FROM EASTERN AVE.

**PHOTO #3-** VIEW LOOKING NORTH  
TOWARD THE SITE FROM OLIVIA RD

**PHOTO #4-** VIEW LOOKING SOUTH  
TOWARD SITE FROM THE INTERSECTION  
OF BOGBY RD & OLIVIA RD

**PHOTO #5-** VIEW LOOKING SOUTHEAST  
TOWARD SITE FROM THE INTERSECTION  
OF HAREWOOD DR & PRINCETON RD

**PHOTO #6-** VIEW LOOKING NORTHEAST  
TOWARD SITE FROM SAND DOLLAR WAY &  
HAREWOOD ROAD

**PHOTO #7-** VIEW LOOKING WEST TOWARD  
SITE FROM CUNNINGHILL COVE RD

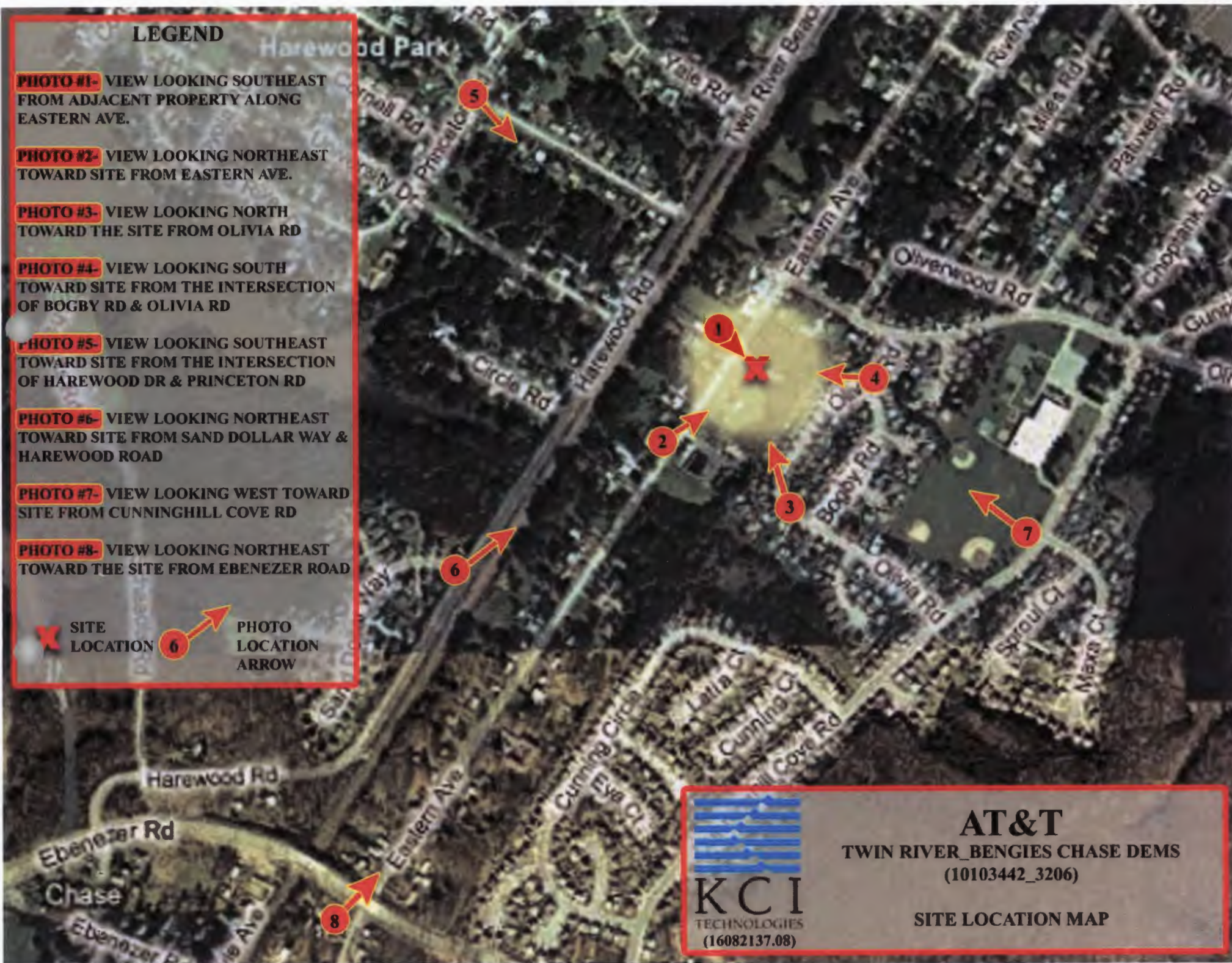
**PHOTO #8-** VIEW LOOKING NORTHEAST  
TOWARD THE SITE FROM EBENEZER ROAD



SITE  
LOCATION



PHOTO  
LOCATION  
ARROW



**AT&T**

**TWIN RIVER\_BENGIES CHASE DEMS**  
(10103442\_3206)

**SITE LOCATION MAP**



**PROPOSED AT&T  
STEALTH FLAGPOLE**

**EXISTING CELL  
ON WHEELS**

**EXISTING CONDITIONS**

**BALLOON**

**PHOTO #1**



**AT&T**  
**TWIN RIVER\_BENGIES CHASE DEMS**  
**(10103442\_3206)**  
**VIEW LOOKING SOUTHEAST FROM ADJACENT**  
**PROPERTY ALONG EASTERN AVENUE**



**PROPOSED AT&T STEALTH  
FLAGPOLE**

**EXISTING CELL  
ON WHEELS**

**EXISTING CONDITIONS**

**BALLOON**

**PHOTO #2**



**AT&T**  
**TWIN RIVER\_BENGIES CHASE DEMS**  
**(10103442\_3206)**  
**VIEW LOOKING NORTHEAST TOWARDS SITE**  
**FROM EASTERN AVE.**



A wide-angle photograph of a residential street, Olivia Rd, looking north. The street is lined with large, mature trees and several houses. A dark-colored car is parked on the right side of the road. In the distance, a tall, thin, white flagpole is visible against the sky. A line points from the text label to the flagpole.

**PROPOSED AT&T  
STEALTH FLAGPOLE**

**EXISTING CONDITIONS**

An inset photograph showing a different view of the same residential street. It shows a curve in the road with several cars parked along the side. A line points from the text label to a small, dark object in the sky.

**BALLOON**

**PHOTO #3**



**AT&T**  
**TWIN RIVER\_BENGIES CHASE DEMS**  
**(10103442\_3206)**  
**VIEW LOOKING NORTH TOWARD THE**  
**SITE FROM OLIVIA RD**



**PROPOSED AT&T  
STEALTH FLAGPOLE**

**EXISTING CONDITIONS**

**BALLOON**

**PHOTO #4**



**AT&T**  
**TWIN RIVER\_BENGIES CHASE DEMS**  
**(10103442\_3206)**  
**VIEW LOOKING SOUTH TOWARD SITE FROM THE**  
**INTERSECTION OF BOGBY RD & OLIVIA RD**



**PROPOSED AT&T STEALTH  
FLAGPOLE BEHIND  
EXISTING VEGETATION**



**EXISTING CONDITIONS**

**PHOTO #5**



**AT&T**  
**TWIN RIVER\_BENGIES CHASE DEMS**  
**(10103442\_3206)**  
**VIEW LOOKING SOUTHEAST TOWARD SITE FROM**  
**THE INTERSECTION OF HAREWOOD DR &**  
**PRINCETON RD**



**PROPOSED AT&T STEALTH  
FLAGPOLE BEHIND  
EXISTING VEGETATION**

**PHOTO #6**



**AT&T**  
**TWIN RIVER\_BENGIES CHASE DEMS**  
**(10103442\_3206)**  
**VIEW LOOKING NORTHEAST TOWARD SITE FROM**  
**THE SAND DOLLAR WAY & HAREWOOD ROAD**



**PROPOSED AT&T  
STEALTH FLAGPOLE**

**EXISTING CONDITIONS**

**BALLOON**

**PHOTO #7**



**AT&T**  
**TWIN RIVER\_BENGIES CHASE DEMS**  
**(10103442\_3206)**  
**VIEW LOOKING WEST TOWARDS THE SITE FROM**  
**CUNNINGHILL COVE RD**



**PROPOSED AT&T STEALTH  
FLAGPOLE BEHIND EXISTING  
VEGETATION**

**PHOTO #8**



**AT&T**  
**TWIN RIVER\_BENGIES CHASE DEMS**  
**(10103442\_3206)**  
**VIEW LOOKING NORTHEAST FROM**  
**EBENEZER RD**



**EXHIBIT D**  
**Tower Review Committee Approval**

**BALTIMORE COUNTY, MARYLAND**  
**Interoffice Correspondence**

**DATE:** July 28, 2009  
**TO:** Colleen Kelly  
Department of Permits and Development Management  
**FROM:** Tower Review Committee *Richard A. Baker*  
**SUBJECT:** New Tower – AT&T Mobility – 12935 Eastern Avenue Extended

The Tower Review Committee (TRC) met on June 30, 2009, and had a follow-up discussion on an application submitted by AT&T Mobility on October 28, 2008. The committee is making the following advisory comments to the Development Review Committee (DRC) in accordance with section 426.4 of the Baltimore County Zoning Regulations in reference to the proposed construction of a new 120-foot stealth monopole with six 55" high panel antennas at the 116' and 106" levels. The structure is proposed as a permanent replacement to the 80' high temporary tower presently located on the property owned by Terri L. Stowars.

- *Antennas should be placed on existing towers, buildings, and structures, including those of public utilities, where feasible.*

Findings: Information submitted by AT&T, as well as the Tower Review Committee's (TRC) site visits, revealed that the only existing structures in the area of the proposed site are Amtrak's electric catenary line towers that run alongside the rail lines; however, AT&T explained that Amtrak's strict requirements would cause serious limitations on AT&T's ability to access to the site as needed.

Therefore, we feel that AT&T has provided all requested information to the Tower Review Committee (TRC) to successfully demonstrate that no other accessible co-location opportunities exists at or near this location that would suffice in providing their requested coverage of the intended area. The total height of AT&T's proposed new stealth monopole structure is 120-feet, including all appurtenances.

- *If a tower must be built, the tower should be: Constructed to accommodate at least three providers.*

Findings: AT&T has shown, in the drawings submitted to the TRC, that their monopole design includes four bays on a slimline monopole structure, with each bay being capable of accommodating three antennas. AT&T plans to take the top two bays, leaving the bottom 2 bays available for other wireless service providers.

- *Erected in a medium or high intensity commercial zone when available.*

**Findings:** This area is located in a DR2, BL & DR5.5 density residential/business local zoned commercial area. The monopoles placement on the property does not meet the County's 200' setback from a residential property line. The distance to the perimeter of the property line is only 110'. Antennas on the monopole may require a height of at least 120' to meet AT&T's coverage objective, which would result in a setback insufficiency of 90'. Consequently, variance approval and a special exception hearing will be required.

- *Located and designed to minimize its visibility from residential and transitional zone.*

**Findings:** Based on the site survey and information presented, we find that the stealth monopole will likely be visible to many area residents; however, the slimline design of the monopole and equipment area screening may minimize its visual impact in the community.

### **Conclusion**

By a unanimous decision of the Tower Review Committee, it was agreed that the advisory comments provided above be forwarded to the Development Review Committee for further processing. It is the recommendation of the committee, that the monopole with antennas at the 116' and 106' levels as proposed, along with its appurtenances would meet AT&T's target coverage objectives, as well as all of the requirements of Section 426, while allowing needed emergency and non-emergency communications for the citizens of the area.

### **Additional Information**

An Application Evaluation, complete with recommendations, from Columbia Telecommunications Corporation is attached.

### **Tower Review Committee**

Richard A. Bohn, Tower Coordinator  
Curtis Murray, Office of Planning  
Harry Wujek, Community Member TRC  
Richard Sterba, OIT Representative

CC: Robert Stradling, Director, Baltimore County Office of Information Technology  
Donald Rascoe, Department of Permits and Development Management  
Sabrina Chase, Baltimore County Office of Law  
Bob Hunnicutt, Columbia Telecommunications  
William O'Brien, T-Mobile



## EXHIBIT E

### Airspace Report

\*\*\*\*\*  
\* Federal Airways & Airspace \*  
\* Summary Report \*  
\*\*\*\*\*

File: TWIN\_RIVER

Location: Baltimore, MD  
Distance: 11.3 Statute Miles  
Direction: 3° (true bearing)

Latitude: 39°-22'-15.1" Longitude:

76°-21'-30.9"

SITE ELEVATION AMSL..... 27 ft.  
STRUCTURE HEIGHT.....122 ft.  
OVERALL HEIGHT AMSL.....149 ft.

#### NOTICE CRITERIA

FAR 77.13(a) (1): NNR (DNE 200 ft AGL)  
FAR 77.13(a) (2): NNR (DNE Notice Slope)  
FAR 77.13(a) (3): NNR (Not a Traverse Way)  
FAR 77.13(a) (4): NNR (No Expected TERPS® impact with EDG)  
FAR 77.13(a) (4): PNR (Straight-In procedure. Possible TERPS®  
impact. MTN)  
FAR 77.13(a) (5): NNR (Off Airport Construction)

Notice to the FAA is not required at the analyzed location and  
height.

NR = Notice Required  
NNR = Notice Not Required  
PNR = Possible Notice Required

#### OBSTRUCTION STANDARDS

FAR 77.23(a) (1): DNE 500 ft AGL  
FAR 77.23(a) (2): DNE - Airport Surface  
FAR 77.25(a): DNE - Horizontal Surface  
FAR 77.25(b): DNE - Conical Surface  
FAR 77.25(c): DNE - Primary Surface  
FAR 77.25(d): DNE - Approach Surface  
FAR 77.25(e): DNE - Transitional Surface

#### VFR TRAFFIC PATTERN AIRSPACE FOR: EDG: WEIDE AHP (ABERDEEN PROVING

Type: AIR RD: 19982 RB: 68.05 RE: 15  
FAR 77.23(a) (1): DNE  
FAR 77.23(a) (2): DNE - Height Less Than 200 feet AGL.  
VFR Horizontal Surface: DNE  
VFR Conical Surface: DNE  
VFR Approach Slope: DNE  
VFR Transitional Slope: DNE

#### VFR TRAFFIC PATTERN AIRSPACE FOR: MTN: MARTIN STATE

Type: AIR RD: 22848 RB: 223.45 RE: 21  
FAR 77.23(a) (1): DNE  
FAR 77.23(a) (2): DNE - Height Less Than 200 feet AGL.  
VFR Horizontal Surface: DNE  
VFR Conical Surface: DNE  
VFR Approach Slope: DNE  
VFR Transitional Slope: DNE

TERPS DEPARTURE PROCEDURE (FAA Order 8260.3, Volume 4)  
 FAR 77.23(a) (3) Departure Surface Criteria (40:1)  
 DNE Departure Surface

MINIMUM OBSTACLE CLEARANCE ALTITUDE (MOCA)  
 FAR 77.23(a) (4) MOCA Altitude Enroute Criteria  
 The Maximum Height Permitted is 2059 ft AMSL

| PRIVATE LANDING FACILITIES |       |     |      | BEARING  | DISTANCE |
|----------------------------|-------|-----|------|----------|----------|
| FACIL                      |       |     |      |          |          |
| DELTA ARP                  | IDENT | TYP | NAME | To FACIL | IN N.M.  |
| ELEVATION                  |       |     |      |          |          |

|                                                                         |      |     |                                |        |       |
|-------------------------------------------------------------------------|------|-----|--------------------------------|--------|-------|
| -6                                                                      | SMD6 | HEL | FRANKLIN SQUARE HOSPITAL CENTE | 257.44 | 5.616 |
| No Impact to Private Landing Facility<br>Structure 6 ft below heliport. |      |     |                                |        |       |

| AIR NAVIGATION |      | ELECTRONIC FACILITIES |      |        |        |       |                      |
|----------------|------|-----------------------|------|--------|--------|-------|----------------------|
| ANGLE          | FAC  | ST                    | DIST | DELTA  |        |       |                      |
|                | IDNT | TYPE                  | AT   | FREQ   | VECTOR | (ft)  | ELEVA ST LOCATION    |
|                | MTN  | TACAN                 | ON   | 9999.9 | 225.74 | 20836 | +129 MD MARTIN       |
| .35            | MTN  | GLIDE SLOPE           | ON   | 0330.2 | 216.82 | 22565 | +138 MD MARTIN STATE |
| .35            | BQG  | LOCALIZER             | ON   | 0110.7 | 217.94 | 22519 | +140 MD MARTIN STATE |
| .36            | MTN  | LOCALIZER             | ON   | 0110.7 | 235.98 | 23090 | +116 MD MARTIN STATE |
| .29            | MTN  | ATCT                  | ON   |        | 230.61 | 23333 | +51 MD MARTIN STATE  |
| .13            |      |                       |      |        |        |       |                      |

FCC AM PROOF-OF-PERFORMANCE  
 NOT REQUIRED: Structure is not near a FCC licensed AM  
 radio station Proof-of-Performance is not required.  
 Please review AM Station Report for details.

Nearest AM Station: WVIE @ 7653 meters.

Airspace® Summary Version 2008.5

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 Airspace®  
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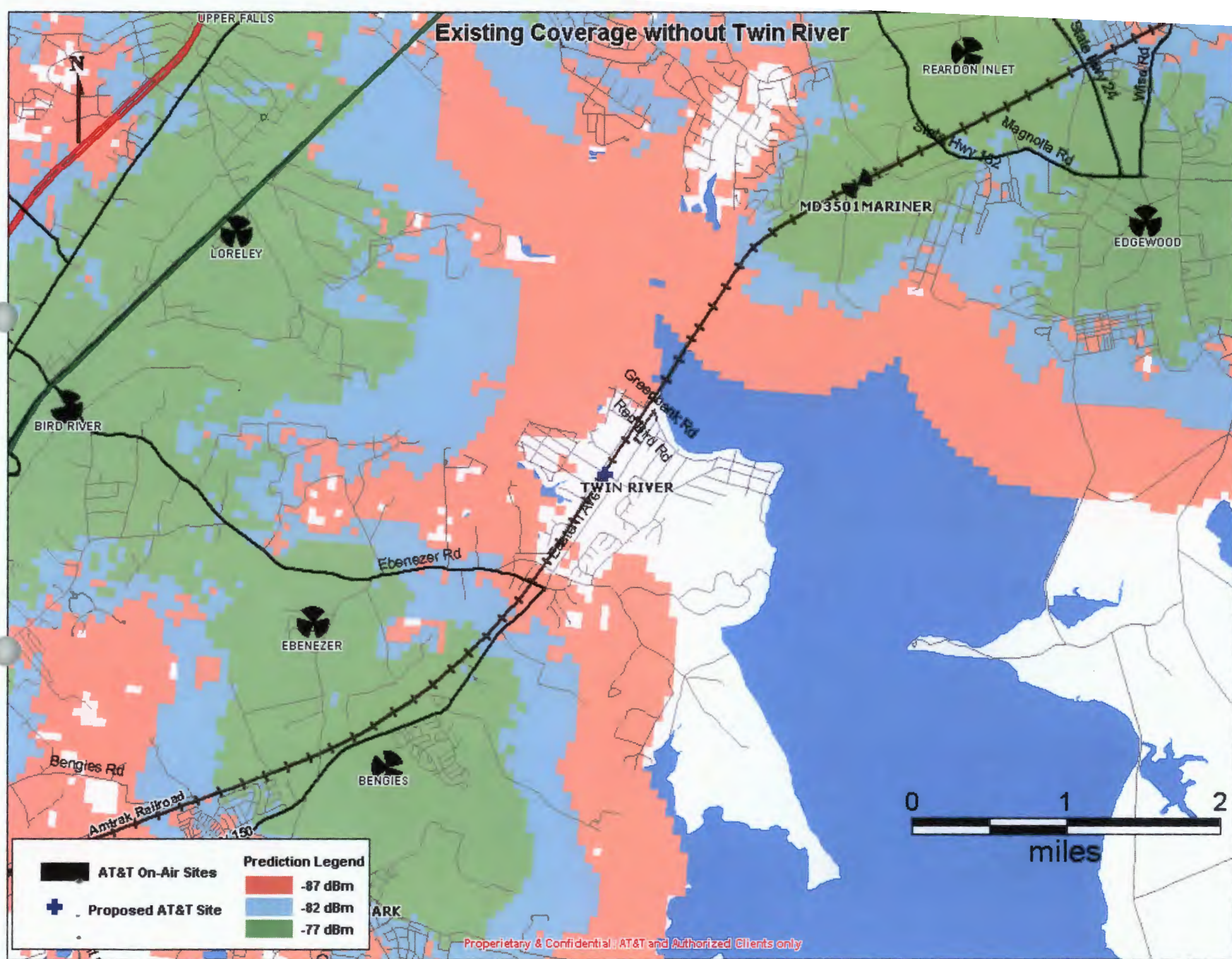
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**EXHIBIT F**  
**Coverage Plots**

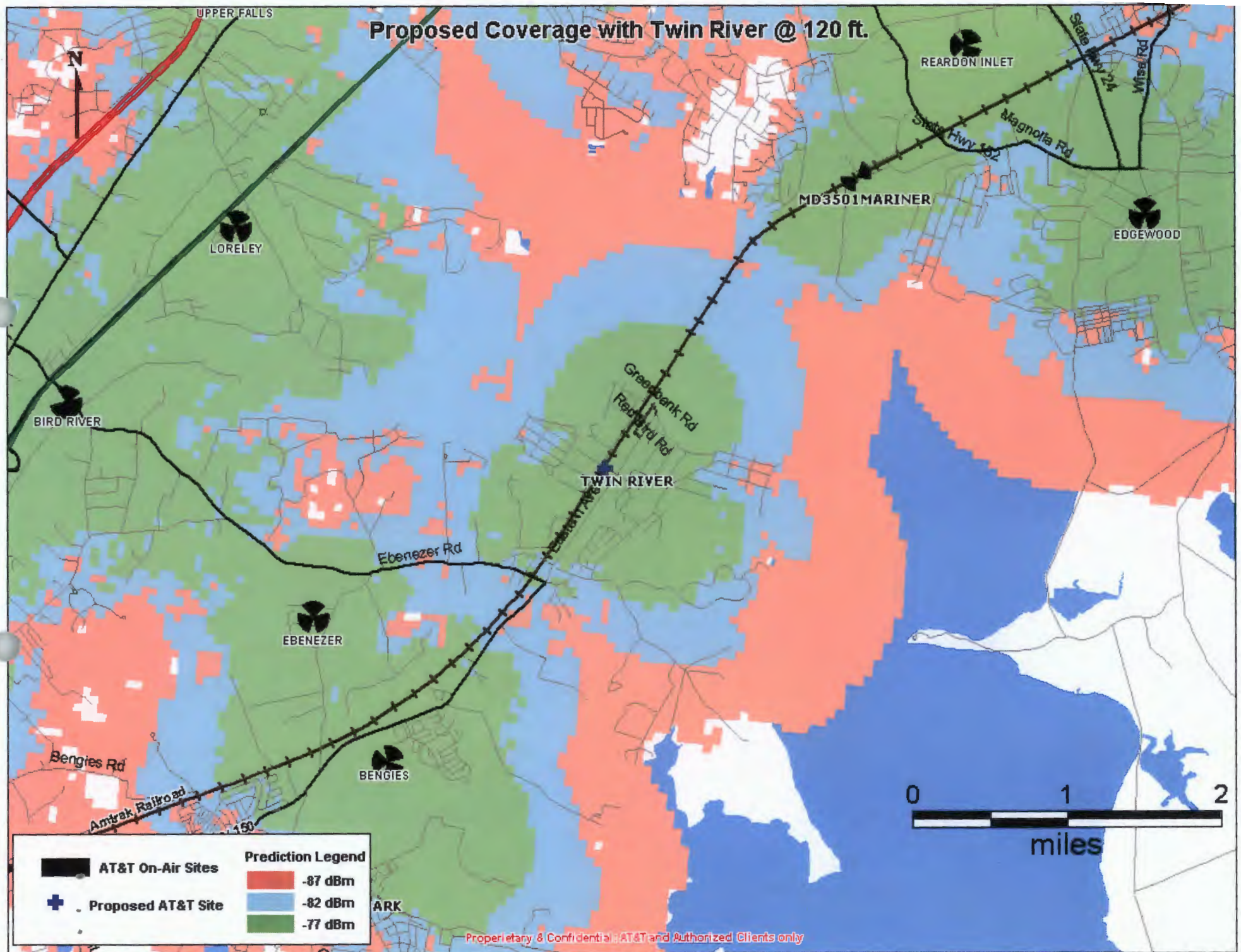
**(See Attached 4 Pages)**

# Existing Coverage without Twin River





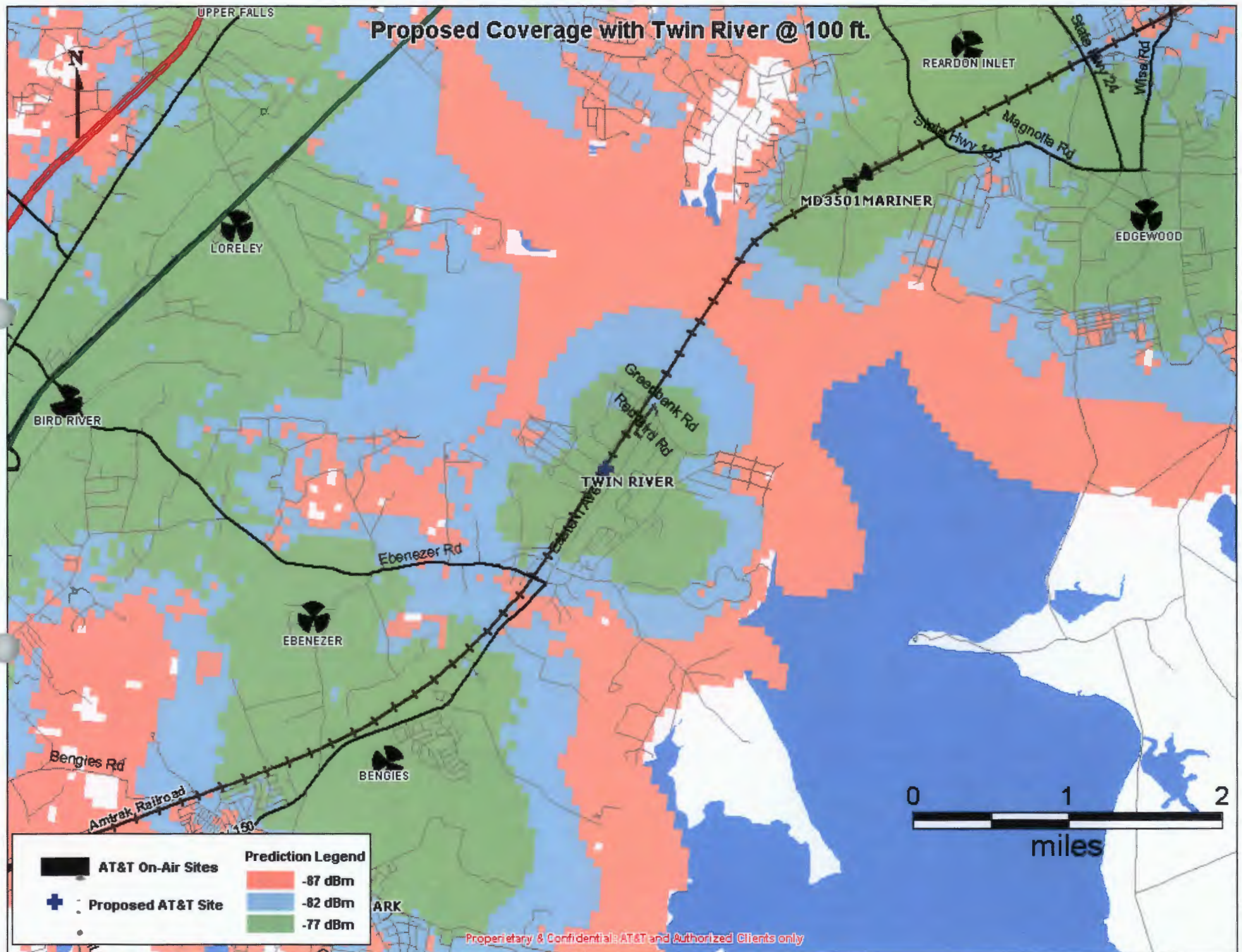
# Proposed Coverage with Twin River @ 120 ft.



Proprietary & Confidential AT&T and Authorized Clients only

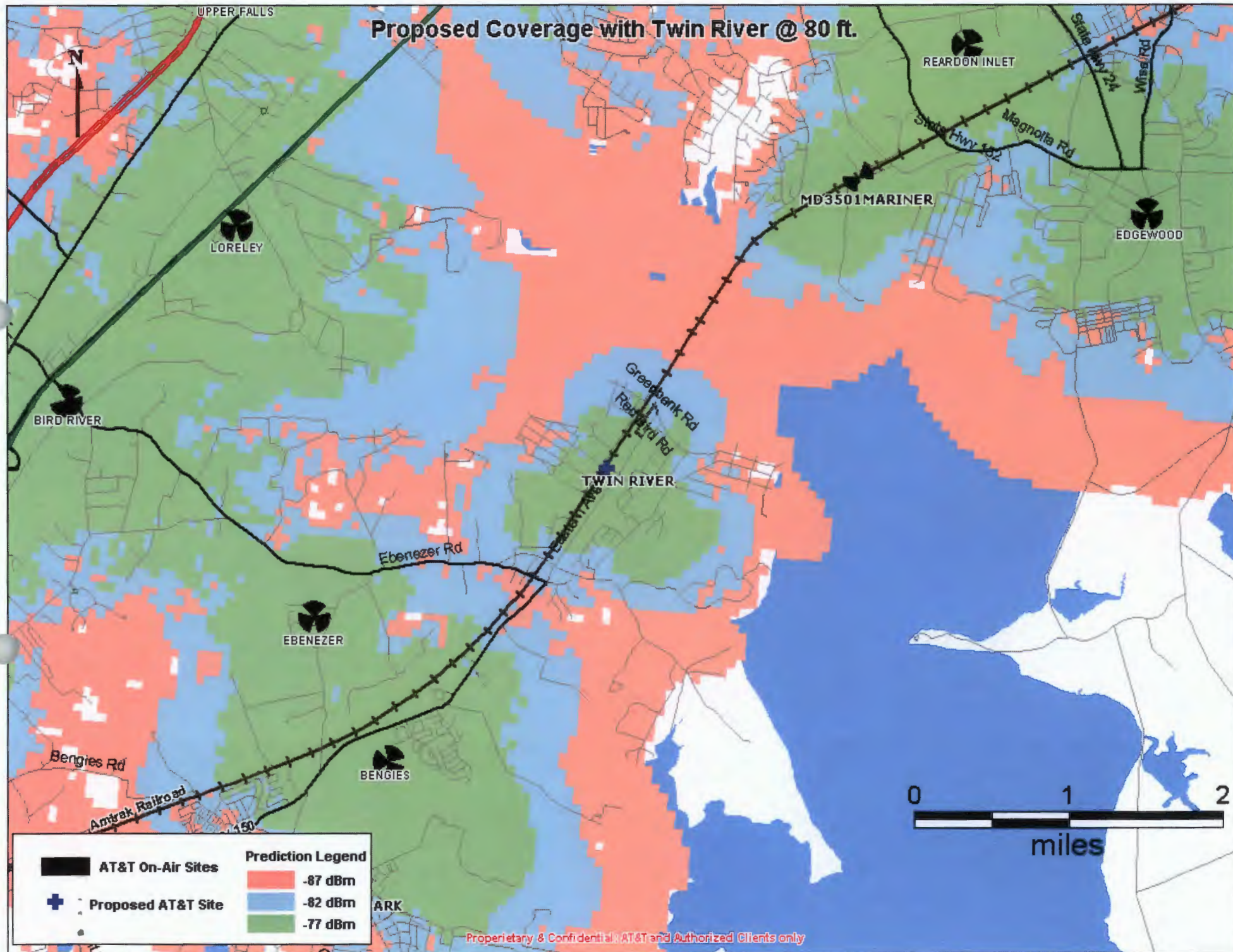


Proposed Coverage with Twin River @ 100 ft.

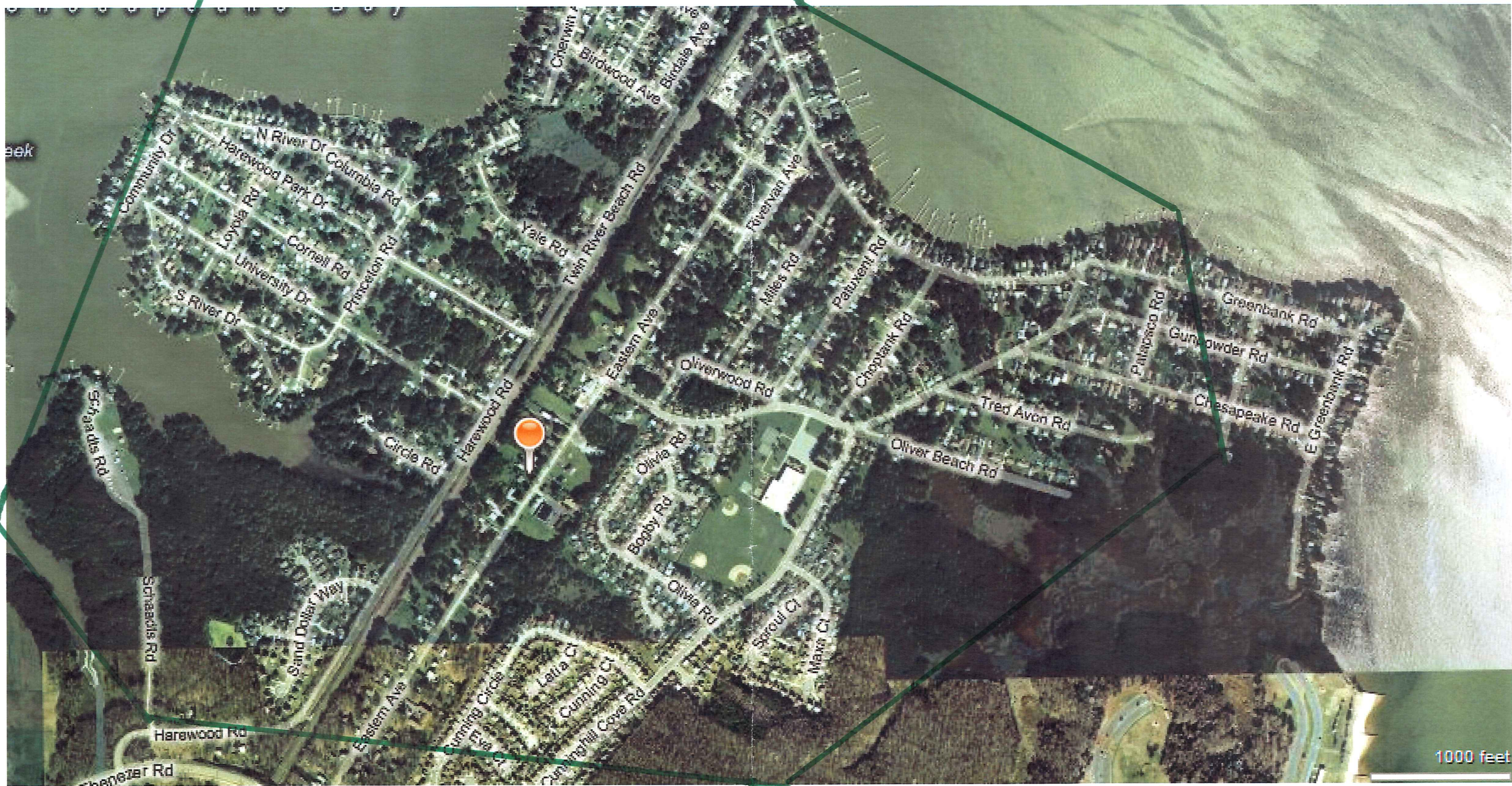




# Proposed Coverage with Twin River @ 80 ft.







1000 feet

EXHIBIT

66

tabbles



## LEGEND

**PHOTO #1-** VIEW LOOKING SOUTHEAST  
FROM ADJACENT PROPERTY ALONG  
EASTERN AVE.

**PHOTO #2-** VIEW LOOKING NORTHEAST  
TOWARD SITE FROM EASTERN AVE.

**PHOTO #3-** VIEW LOOKING NORTH  
TOWARD THE SITE FROM OLIVIA RD

**PHOTO #4-** VIEW LOOKING SOUTH  
TOWARD SITE FROM THE INTERSECTION  
OF BOGBY RD & OLIVIA RD

**PHOTO #5-** VIEW LOOKING SOUTHEAST  
TOWARD SITE FROM THE INTERSECTION  
OF HAREWOOD DR & PRINCETON RD

**PHOTO #6-** VIEW LOOKING NORTHEAST  
TOWARD SITE FROM SAND DOLLAR WAY &  
HAREWOOD ROAD

**PHOTO #7-** VIEW LOOKING WEST TOWARD  
SITE FROM CUNNINGHILL COVE RD

**PHOTO #8-** VIEW LOOKING NORTHEAST  
TOWARD THE SITE FROM EBENEZER ROAD



SITE  
LOCATION



PHOTO  
LOCATION  
ARROW



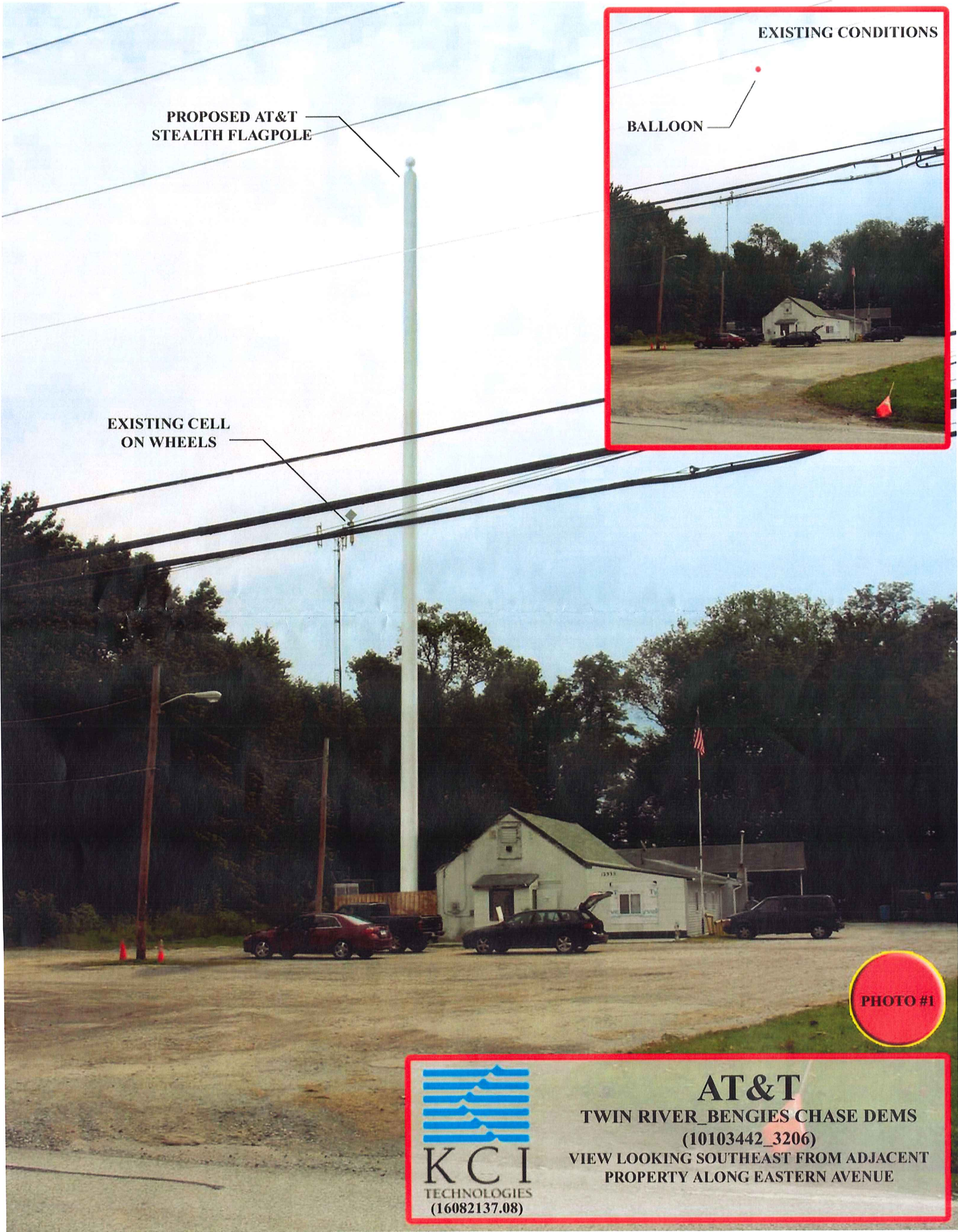
**AT&T**  
TWIN RIVER\_BENGIES CHASE DEMS  
(10103442\_3206)

SITE LOCATION MAP

EXHIBIT

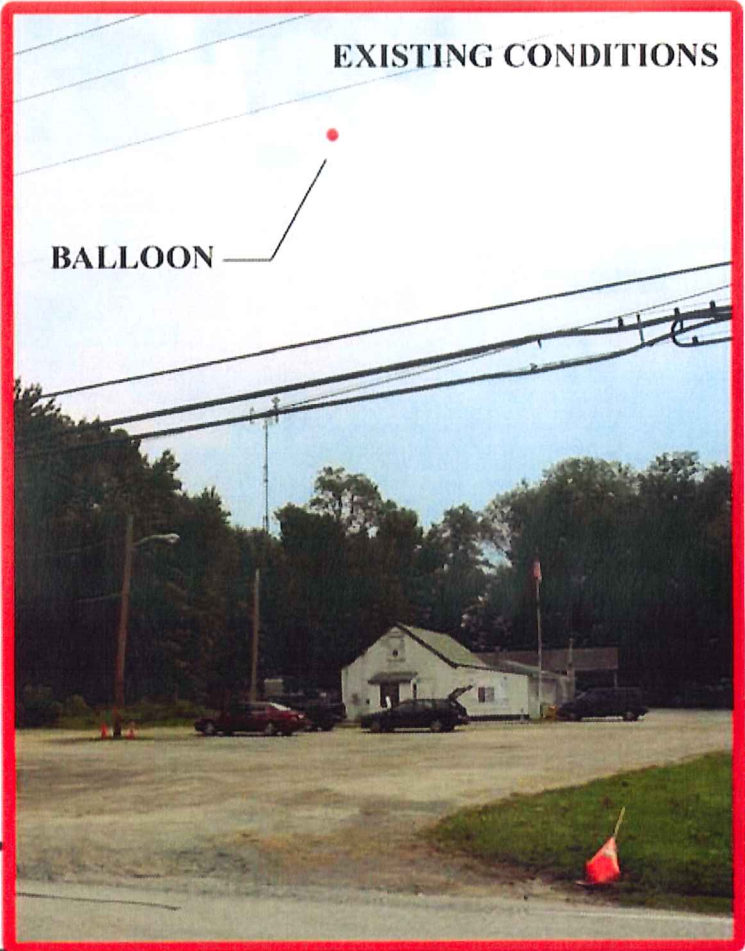
8





PROPOSED AT&T  
STEALTH FLAGPOLE

EXISTING CELL  
ON WHEELS



EXISTING CONDITIONS

BALLOON

PHOTO #1



**AT&T**  
TWIN RIVER\_BENGIES CHASE DEMS  
(10103442\_3206)  
VIEW LOOKING SOUTHEAST FROM ADJACENT  
PROPERTY ALONG EASTERN AVENUE



**PROPOSED AT&T STEALTH  
FLAGPOLE BEHIND EXISTING  
VEGETATION**

**PHOTO #8**



**AT&T**  
**TWIN RIVER\_BENGIES CHASE DEMS**  
**(10103442\_3206)**  
**VIEW LOOKING NORTHEAST FROM**  
**EBENEZER RD**



PROPOSED AT&T  
STEALTH FLAGPOLE

EXISTING CONDITIONS

BALLOON

PHOTO #7



**AT&T**  
TWIN RIVER\_BENGIES CHASE DEMS  
(10103442\_3206)  
VIEW LOOKING WEST TOWARDS THE SITE FROM  
CUNNINGHILL COVE RD



PROPOSED AT&T STEALTH  
FLAGPOLE BEHIND  
EXISTING VEGETATION

PHOTO #6



**AT&T**

**TWIN RIVER\_BENGIES CHASE DEMS  
(10103442\_3206)**

**VIEW LOOKING NORTHEAST TOWARD SITE FROM  
THE SAND DOLLAR WAY & HAREWOOD ROAD**





EXISTING CONDITIONS



(16082137.08)

**AT&T**

**TWIN RIVER\_BENGIES CHASE DEMS**

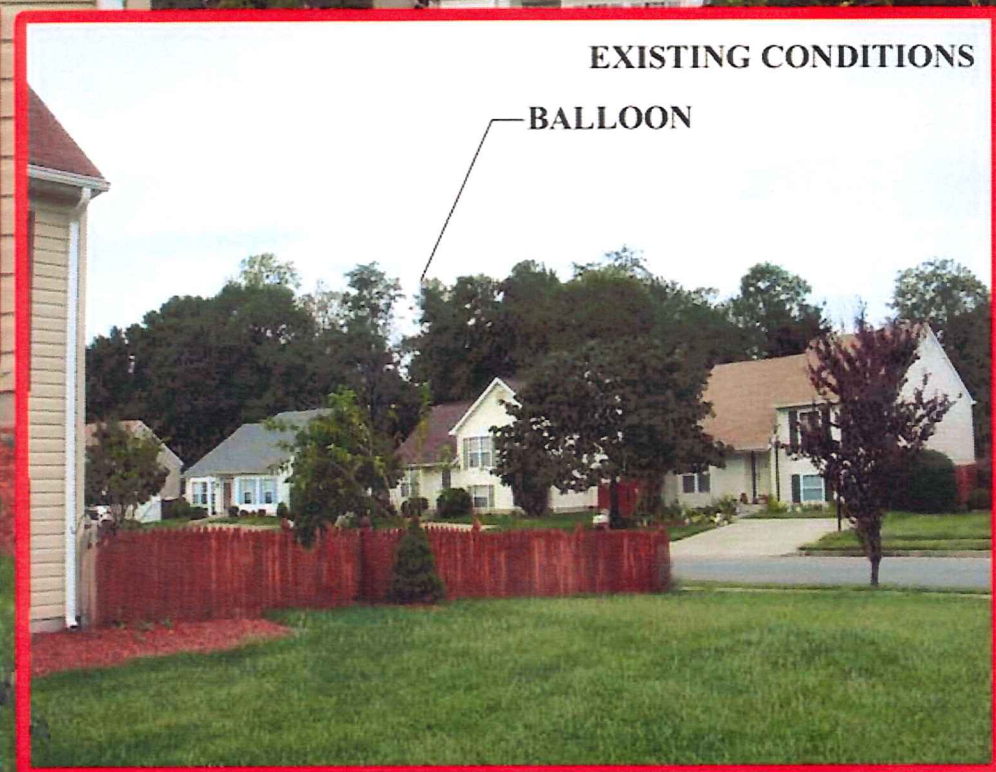
**(10103442\_3206)**

**VIEW LOOKING SOUTHEAST TOWARD SITE FROM  
THE INTERSECTION OF HAREWOOD DR &  
PRINCETON RD**





PROPOSED AT&T  
STEALTH FLAGPOLE



EXISTING CONDITIONS

BALLOON

PHOTO #4



**AT&T**  
TWIN RIVER\_BENGIES CHASE DEMS  
(10103442\_3206)  
VIEW LOOKING SOUTH TOWARD SITE FROM THE  
INTERSECTION OF BOGBY RD & OLIVIA RD





PROPOSED AT&T  
STEALTH FLAGPOLE

EXISTING CONDITIONS

BALLOON

PHOTO #3



**AT&T**  
TWIN RIVER\_BENGIES CHASE DEMS  
(10103442\_3206)  
VIEW LOOKING NORTH TOWARD THE  
SITE FROM OLIVIA RD



PROPOSED AT&T STEALTH  
FLAGPOLE

EXISTING CELL  
ON WHEELS

EXISTING CONDITIONS

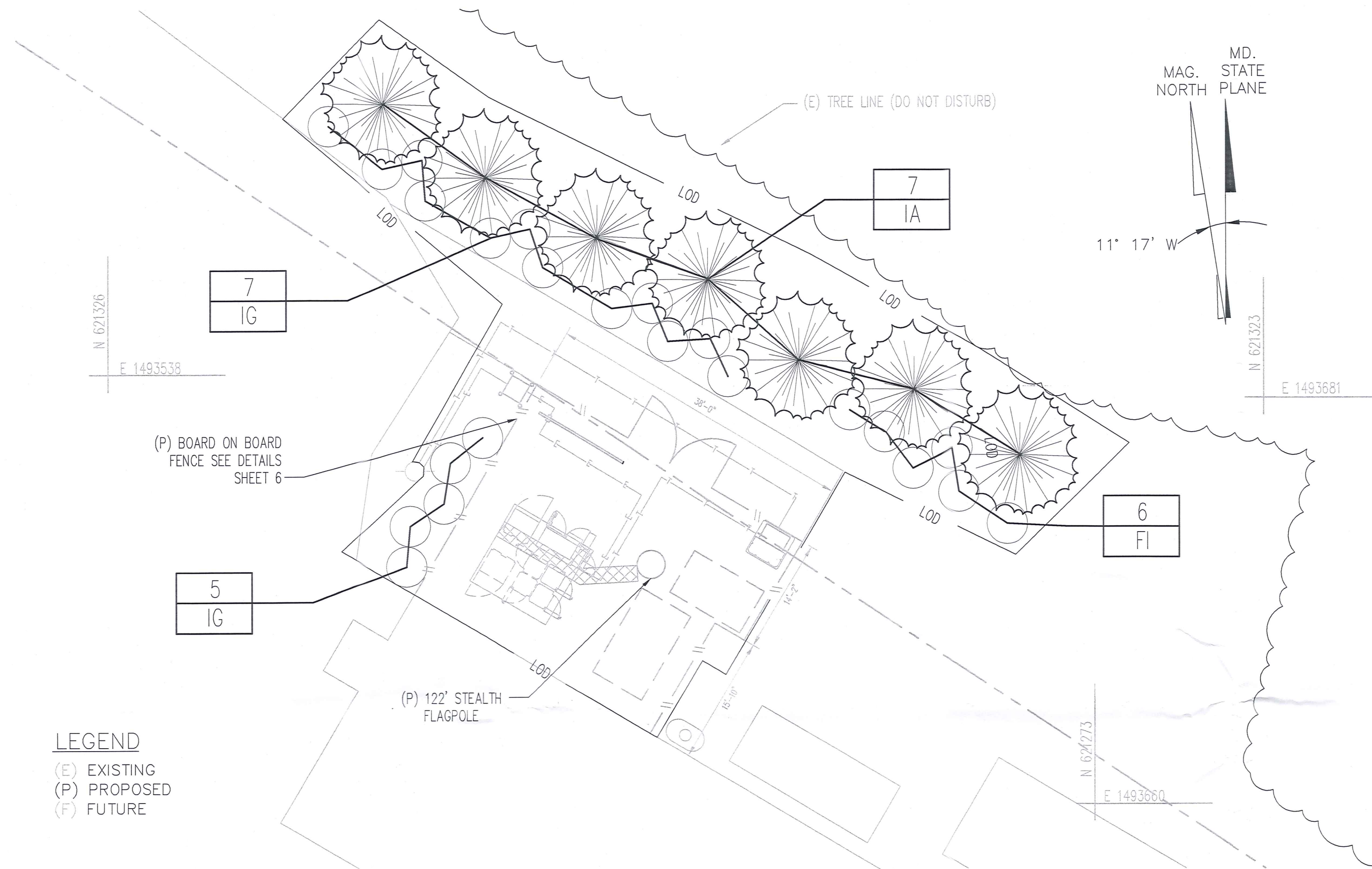
BALLOON

PHOTO #2



**AT&T**  
TWIN RIVER\_BENGIES CHASE DEMS  
(10103442\_3206)  
VIEW LOOKING NORTHEAST TOWARDS SITE  
FROM EASTERN AVE.





LEGEND

- (E) EXISTING
- (P) PROPOSED
- (F) FUTURE

LANDSCAPE PLAN

1" = 20' (11x17)  
1" = 10' (22x34)

PROFESSIONAL CERTIFICATION. I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 25058 EXPIRATION DATE: 11/17/10

PLANT SCHEDULE

| KEY                           | QUANTITY | BOTANICAL/COMMON NAME                      | SIZE        | ROOT      | COMMENTS |
|-------------------------------|----------|--------------------------------------------|-------------|-----------|----------|
| EVERGREEN TREES               |          |                                            |             |           |          |
| IA                            | 7        | ILEX X ATTENUATA "FOSTERI" / FOSTERS HOLLY | 6' HT.      | B&B       |          |
| SHRUBS AND ORNAMENTAL GRASSES |          |                                            |             |           |          |
| FI                            | 6        | FORSYTHIA X INTERMEDIA / BORDER FORSYTHIA  | 18"-24" HT. | CONTAINER |          |
| IG                            | 17       | ILEX GLABRA / INKBERRY HOLLY               | 18"-24" HT. | CONTAINER |          |



PROJECT INFORMATION

CURRENT USE: COMMUNITY BUILDING  
PROPOSED USE: COMMUNITY BUILDING ON A PORTION OF THE PROPERTY AND A TELECOMMUNICATIONS FACILITY ON A PORTION OF THE PROPERTY.  
NAME OF APPLICANT: NEW CINGULAR WIRELESS PCS, LLC dba AT&T MOBILITY  
PRIOR ZONING: 7150 STANDARD DRIVE HANOVER, MD. 21076  
PRIOR HEARINGS: NO PRIOR ZONING PETITIONS HAVE BEEN FILED.  
PRIOR CRC HISTORY: NO PRIOR HEARINGS HAVE BEEN HELD.  
PRIOR DRC HISTORY: NO PRIOR CRC HISTORY  
PRIOR ELECTRICAL PERMITS: NO PRIOR DRC HISTORY  
OTHER PRIOR PERMITS: ELECTRICAL PERMIT #E686373 ISSUED JANUARY 2008  
NAME OF LAND OWNER: NO OTHER PRIOR PERMITTING HISTORY  
NAME OF ENGINEER: STOWARS TERRI L  
2221 WESTRIDGE RD, LUTHERVILLE, TIMONIUM, MD 21093  
KCI TECHNOLOGIES INC.  
8161 MAPLE LAWN BLVD., SUITE 150 FULTON, MD 20759  
(410-792-8086)  
SCOPE OF WORK: UNMANNED TELECOMMUNICATIONS FACILITY INCLUDING NEW OUTDOOR EQUIPMENT AND NEW ANTENNAS ON NEW STEALTH FLAGPOLE  
SITE ADDRESS: 12935 EASTERN AVE. EXTENDED  
BALTIMORE, MD 21220  
ZONE: DR2  
TAX MAP: MAP 84 PARCEL 44  
ELECTION DISTRICT: 15  
COUNCILMANIC DISTRICT: 6  
DEED BOOK & PAGE: 24789/478  
ADC MAP & GRID NUMBER: MAP-30 GRID- K11 & K12  
TAX ID NUMBER: 24 00000407  
OVERALL TOWER HEIGHT: 122' AGL  
AREA OF PROPERTY: 108,303 SQ FT (2.49 ACRES)  
TOTAL DISTURBED AREA: 4,060 SQ FT  
LATITUDE-(NAD 83/07): 39° 22' 15.14" N  
LONGITUDE-NAD 83/07): 76° 21' 31.98" W  
ELEVATION: 27.0' (AMSL)  
JURISDICTION: BALTIMORE COUNTY, MARYLAND  
OTHER PROJECT INFORMATION:  
NOT HISTORIC  
NOT CBCA  
NOT WITHIN FLOODPLAIN  
NOT WITHIN AIRPORT ZONING DISTRICT  
ALL USES/PARKING ARE EXISTING AS SHOWN EXCEPT FOR NEW TOWER, PAD AND COMPOUND.  
EXISTING PUBLIC WATER AND SEWER.

FAR

TOTAL GROSS FLOOR AREA OF EXISTING COMMUNITY BUILDING = 2,244.1 SQ FT  
TOTAL PROPERTY AREA = 108,303 SQ FT  
FAR = 0.02

EXISTING PARKING

TOTAL GROSS FLOOR AREA = 2,244.1 SQ FT  
20 PARKING SPACES REQUIRED FOR EVERY 1,000 SQ FT OF FLOOR AREA  
45 REGULAR PARKING SPACES REQUIRED  
2 HANDICAP PARKING SPACES REQUIRED  
45 REGULAR PARKING SPACES PROVIDED  
2 HANDICAP PARKING SPACES PROVIDED

PROPOSED SPECIAL EXCEPTION AREA

PROPOSED COMPOUND AREA: 1,074 SQFT.  
PROPOSED ACCESS DRIVE INCLUDING PARKING SPACE: 695 SQFT.  
TOTAL PROPOSED SPECIAL EXCEPTION AREA: 1,769 SQFT.

SPECIAL HEARING REQUESTED

PETITIONER REQUESTS A SPECIAL HEARING TO CONFIRM THAT, UNDER B.C.Z.R. SECTION 102.2, THE TELECOMMUNICATIONS FACILITY IS A DISTINCT AND SEPARATE USE FROM THE EXISTING CONFORMING OR NONCONFORMING COMMUNITY BUILDING AND THAT THE PROPOSED SPECIAL EXCEPTION AREA WILL HAVE NO OVERLAPPING USE WITH THE EXISTING CONFORMING OR NONCONFORMING COMMUNITY BUILDING ON THE PROPERTY.

SPECIAL EXCEPTION REQUESTED

PETITIONER IS REQUESTING A SPECIAL EXCEPTION PER SECTION 426.5 OF THE BCZR TO ALLOW A TOWER IN A DR2 ZONE TO HAVE A HEIGHT OF 122'.

VARIANCES REQUESTED

PETITIONER REQUESTS VARIANCES UNDER B.C.Z.R. SECTIONS 426.6.A.1 AND 426.9C.2 TO ALLOW THE PROPOSED TOWER WITHIN THE WIRELESS TELECOMMUNICATIONS FACILITY A NORTHERN SETBACK OF 151' IN LIEU OF THE REQUIRED 200', A SOUTHERN SETBACK OF 187' IN LIEU OF THE REQUIRED 200', AN EASTERN SETBACK OF 108' IN LIEU OF THE REQUIRED 200', AND TO ALLOW A TELECOMMUNICATIONS FACILITY ON A LOT OF 2.49 ACRES IN LIEU OF THE REQUIRED 3 ACRES.

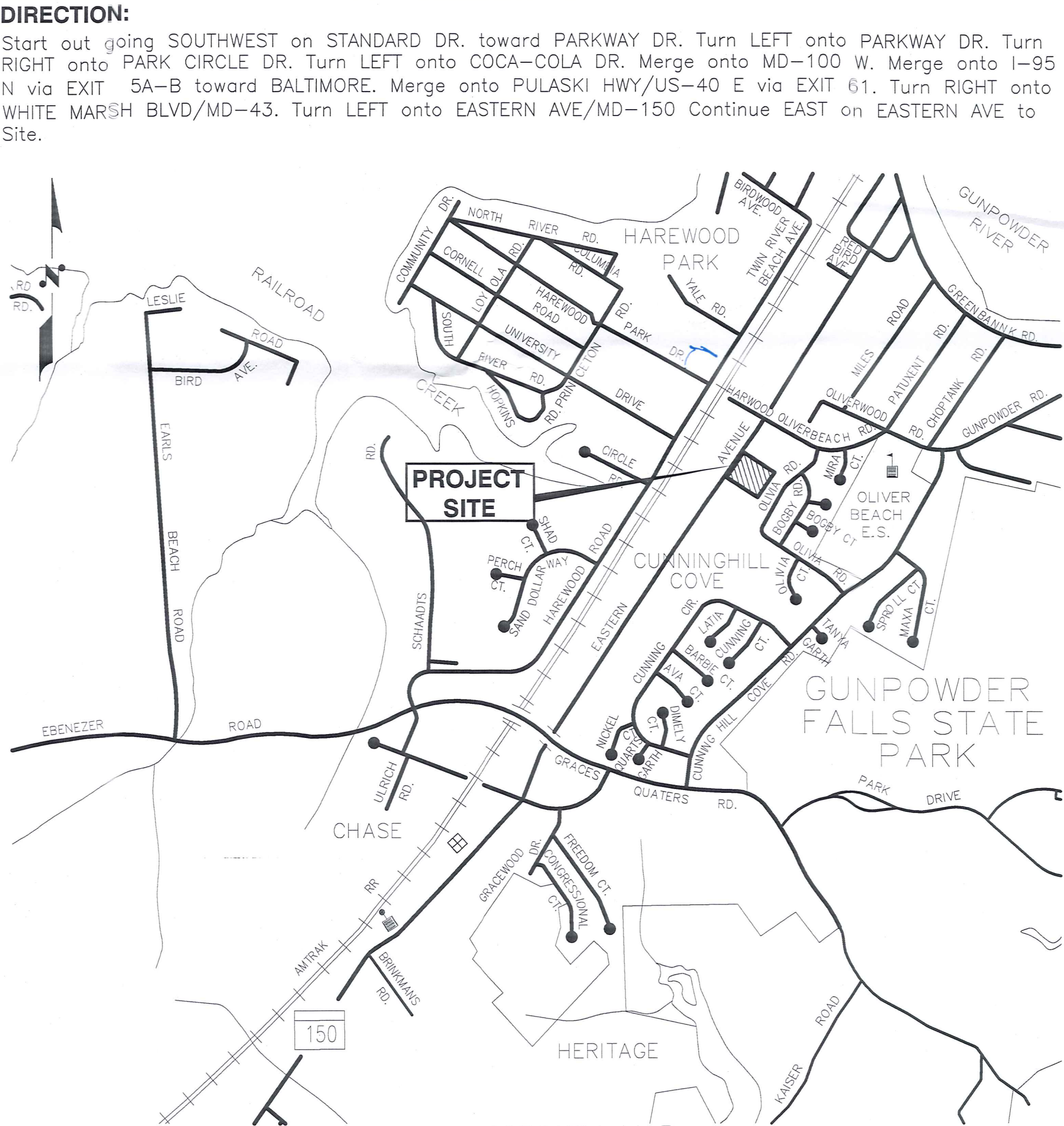


at&t

TWIN RIVER\_BENGIES CHASE DEMS  
10103442\_3206

SITE PLAN/ DRAWINGS TO ACCOMPANY PETITION FOR SPECIAL HEARING/SPECIAL EXCEPTION  
AND PETITION FOR VARIANCES AND TO BE USED AT PUBLIC HEARING

VICINITY MAP



VICINITY MAP

1" = 2000' (11x17)  
1" = 1000' (22x34)

UTILITY INFORMATION

POWER COMPANY: BALTIMORE GAS AND ELECTRIC COMPANY (BGE) PHONE: 1-800-685-0123  
TELCO COMPANY: VERIZON PHONE: 1-800-322-6852

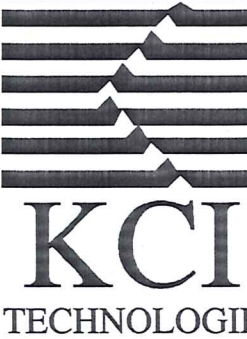
DRAWING INDEX

REV

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|------------------|---------------------------|---|
| 10103442_3206-01 | TITLE SHEET               | 6 |
| 10103442_3206-02 | OVERALL SITE PLAN         | 6 |
| 10103442_3206-03 | SITE PLAN                 | 6 |
| 10103442_3206-04 | COMPOUND PLAN & ELEVATION | 6 |
| 10103442_3206-05 | LANDSCAPE PLAN            | 6 |

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AT&T CONSTRUCTION: \_\_\_\_\_ AT&T RF: \_\_\_\_\_  
AT&T COMPLIANCE: \_\_\_\_\_ BECHTEL CONSTRUCTION: \_\_\_\_\_



ENGINEERS  
PLANNERS  
SCIENTISTS  
CONSTRUCTION MANAGERS  
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Fulton, Maryland 20759  
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TWIN RIVER\_BENGIES CHASE DEMS  
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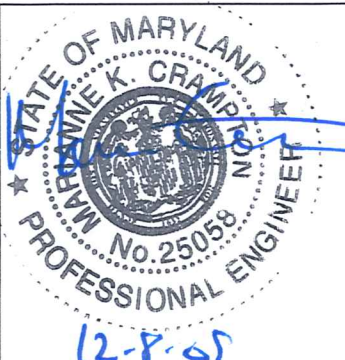
12935 EASTERN AVE. EXTENDED  
BALTIMORE, MARYLAND 21220



at&t

7150 STANDARD DRIVE  
HANOVER, MD 21076

|        |          |                         |               |     |       |
|--------|----------|-------------------------|---------------|-----|-------|
| 6      | 12/08/09 | ISSUED FOR CONSTRUCTION | HMJ           | GJT | MKC   |
| 5      | 9/23/09  | ISSUED FOR ZONING       | HMJ           | GJT | MKC   |
| 4      | 6/16/09  | ISSUED FOR ZONING       | BEW           | GJT | MKC   |
| 3      | 05/14/09 | ISSUED FOR ZONING       | BEW           | GJT | MKC   |
| 2      | 10/03/08 | ISSUED FOR REVIEW       | NLB           | GJT | MKC   |
| NO.    | DATE     | REVISIONS               | BY            | CHK | APP'D |
| SCALE: | AS SHOWN | DESIGNED BY: BEW        | DRAWN BY: BEW |     |       |



AT&T

TITLE SHEET

|           |                  |   |
|-----------|------------------|---|
| 24782-432 | 10103442_3206-01 | 6 |
|-----------|------------------|---|



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10103442\_3206

12935 EASTERN AVE. EXTENDED  
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at&t

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at&t

TWIN RIVER\_BENGIES CHASE DEMS  
10103442\_3206

SITE PLAN/ DRAWINGS TO ACCOMPANY PETITION FOR SPECIAL HEARING/SPECIAL EXCEPTION  
AND PETITION FOR VARIANCES AND TO BE USED AT PUBLIC HEARING

VICINITY MAP

DIRECTION:

Start out going SOUTHWEST on STANDARD DR. toward PARKWAY DR. Turn LEFT onto PARKWAY DR. Turn RIGHT onto PARK CIRCLE DR. Turn LEFT onto COCA-COLA DR. Merge onto MD-100 W. Merge onto I-95 N via EXIT 5A-B toward BALTIMORE. Merge onto PULASKI HWY/US-40 E via EXIT 61. Turn RIGHT onto WHITE MARSH BLVD/MD-43. Turn LEFT onto EASTERN AVE/MD-150 Continue EAST on EASTERN AVE to Site.



VICINITY MAP

1" = 2000' (11x17)  
1" = 1000' (22x34)

UTILITY INFORMATION

POWER COMPANY: BALTIMORE GAS AND ELECTRIC COMPANY (BGE) PHONE: 1-800-685-0123  
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DRAWING INDEX

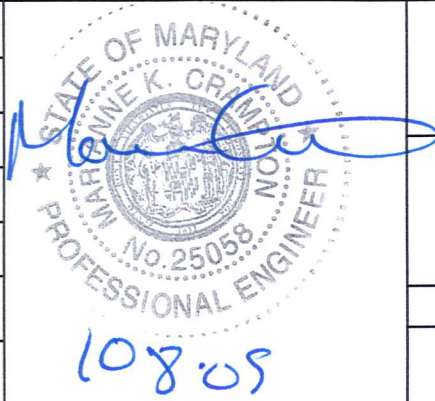
REV

|                  |                           |   |
|------------------|---------------------------|---|
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AT&T CONSTRUCTION: \_\_\_\_\_ AT&T RF: \_\_\_\_\_  
AT&T COMPLIANCE: \_\_\_\_\_ BECHTEL CONSTRUCTION: \_\_\_\_\_

|                 |          |                   |               |     |       |
|-----------------|----------|-------------------|---------------|-----|-------|
| 5               | 9/23/09  | ISSUED FOR ZONING | HMJ           | GJT | MKC   |
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| 3               | 05/14/09 | ISSUED FOR ZONING | BEW           | GJT | MKC   |
| 2               | 10/03/08 | ISSUED FOR REVIEW | NLB           | GJT | MKC   |
| 1               | 09/30/08 | ISSUED FOR REVIEW | BEW           | GJT | MKC   |
| NO.             | DATE     | REVISIONS         | BY            | CHK | APP'D |
| SCALE: AS SHOWN |          | DESIGNED BY: BEW  | DRAWN BY: BEW |     |       |

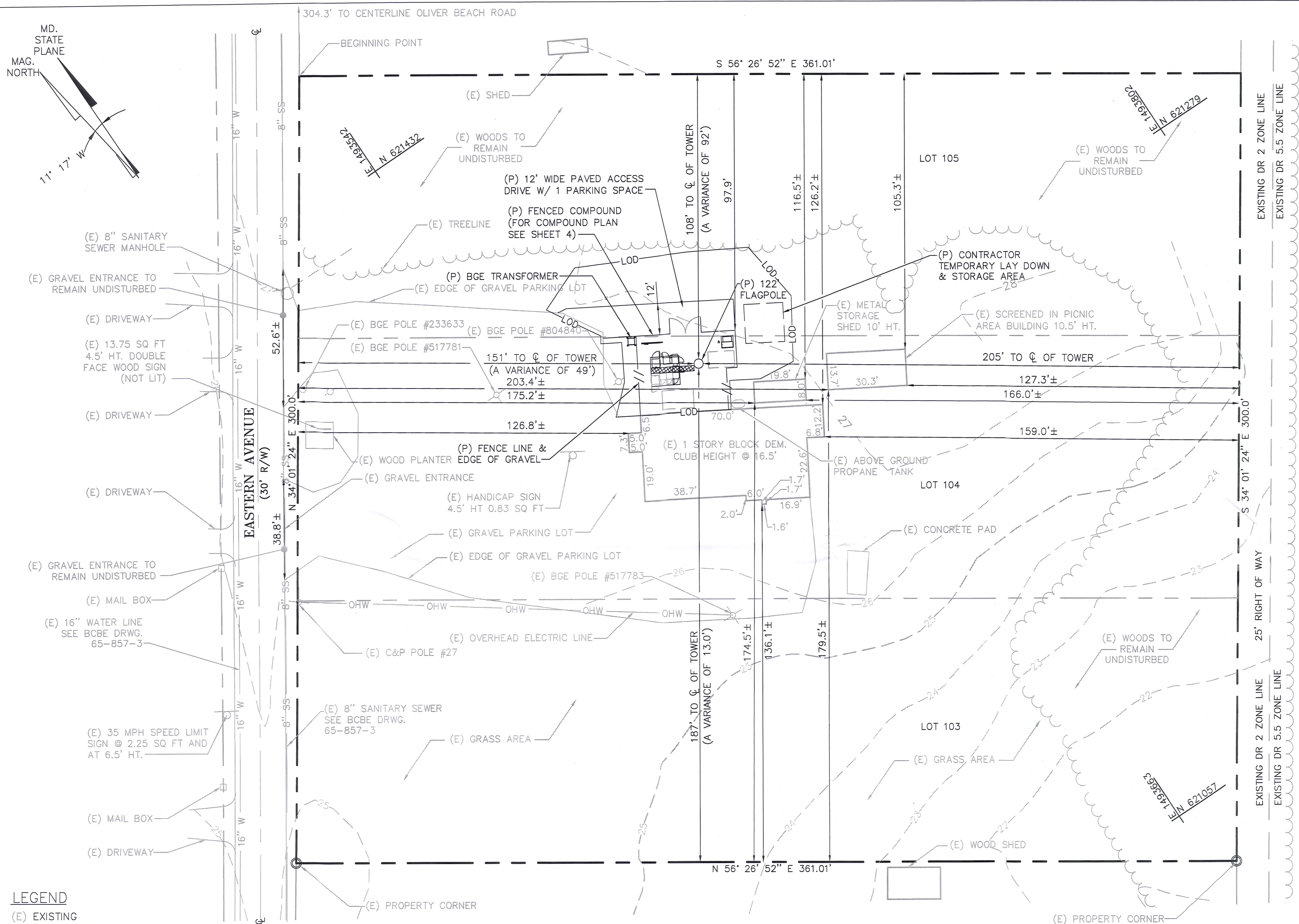


|                |                  |     |
|----------------|------------------|-----|
| AT&T           |                  |     |
| TITLE SHEET    |                  |     |
| DRAWING NUMBER |                  | REV |
| 24782-432      | 10103442_3206-01 | 5   |









**LEGEND**

(E) EXISTING  
(P) PROPOSED  
(F) FUTURE

**LEGEND**

REBAR FOUND  
SANITARY MANHOLE  
LIGHT POLE  
MAIL BOX

SIGN  
INLET  
UTILITY POLE  
TRAVERSE

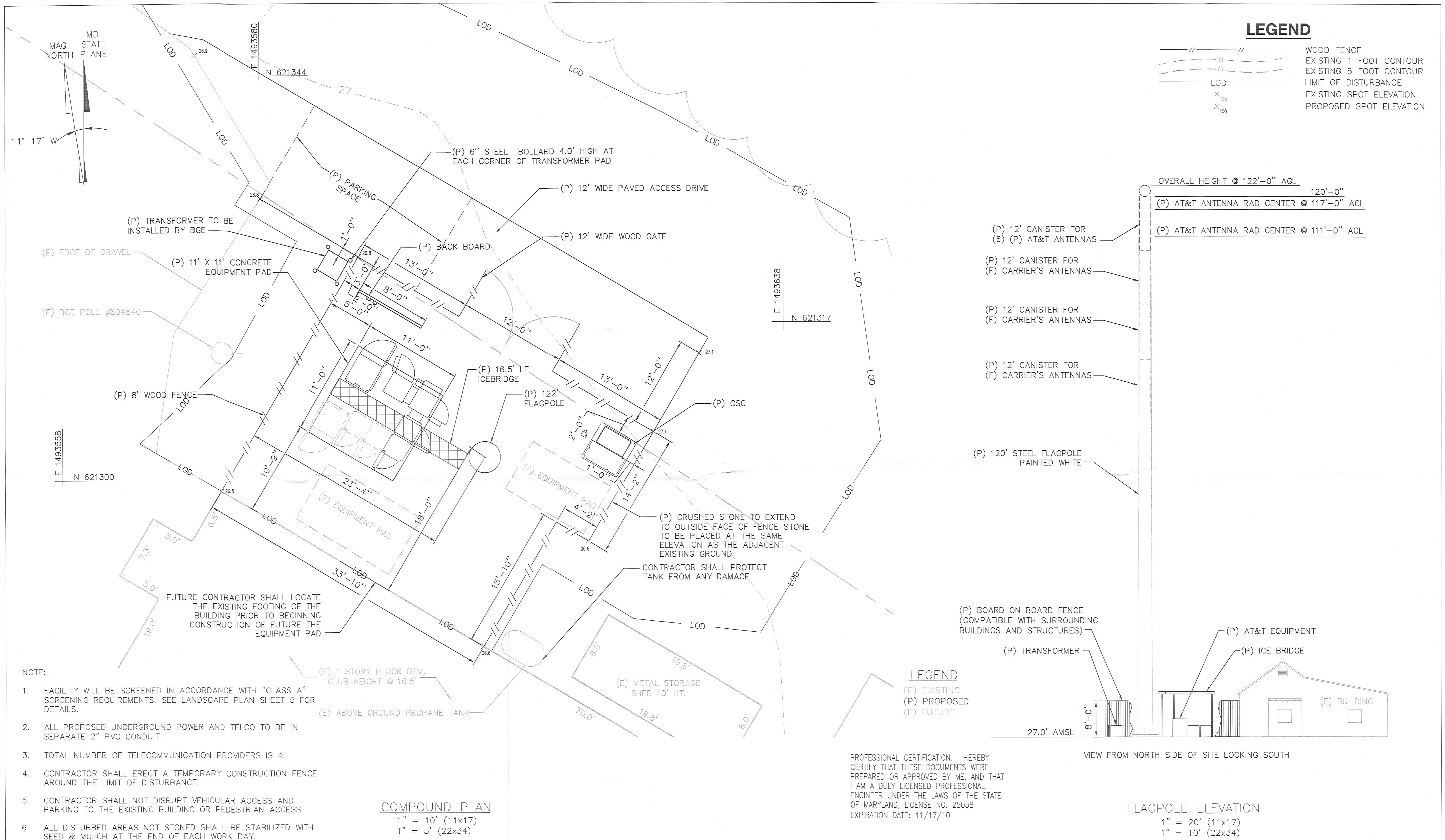
CENTER LINE OF ROAD  
ZONING BOUNDARY  
RIGHT OF WAY LINE  
EXISTING TREELINE  
PROPERTY LINE  
WATER UTILITY LINE  
BURIED ELECTRIC SERVICE LINE  
GAS LINE  
TELEPHONE LINE  
TELEPHONE & ELECTRIC SERVICE  
OVERHEAD UTILITY WIRES  
EXISTING WOOD FENCE  
EXISTING GUARD RAIL  
EXISTING 1 FOOT CONTOUR  
EXISTING 5 FOOT CONTOUR  
LIMIT OF DISTURBANCE  
CHESAPEAKE BAY CRITICAL AREA

**NOTE:**

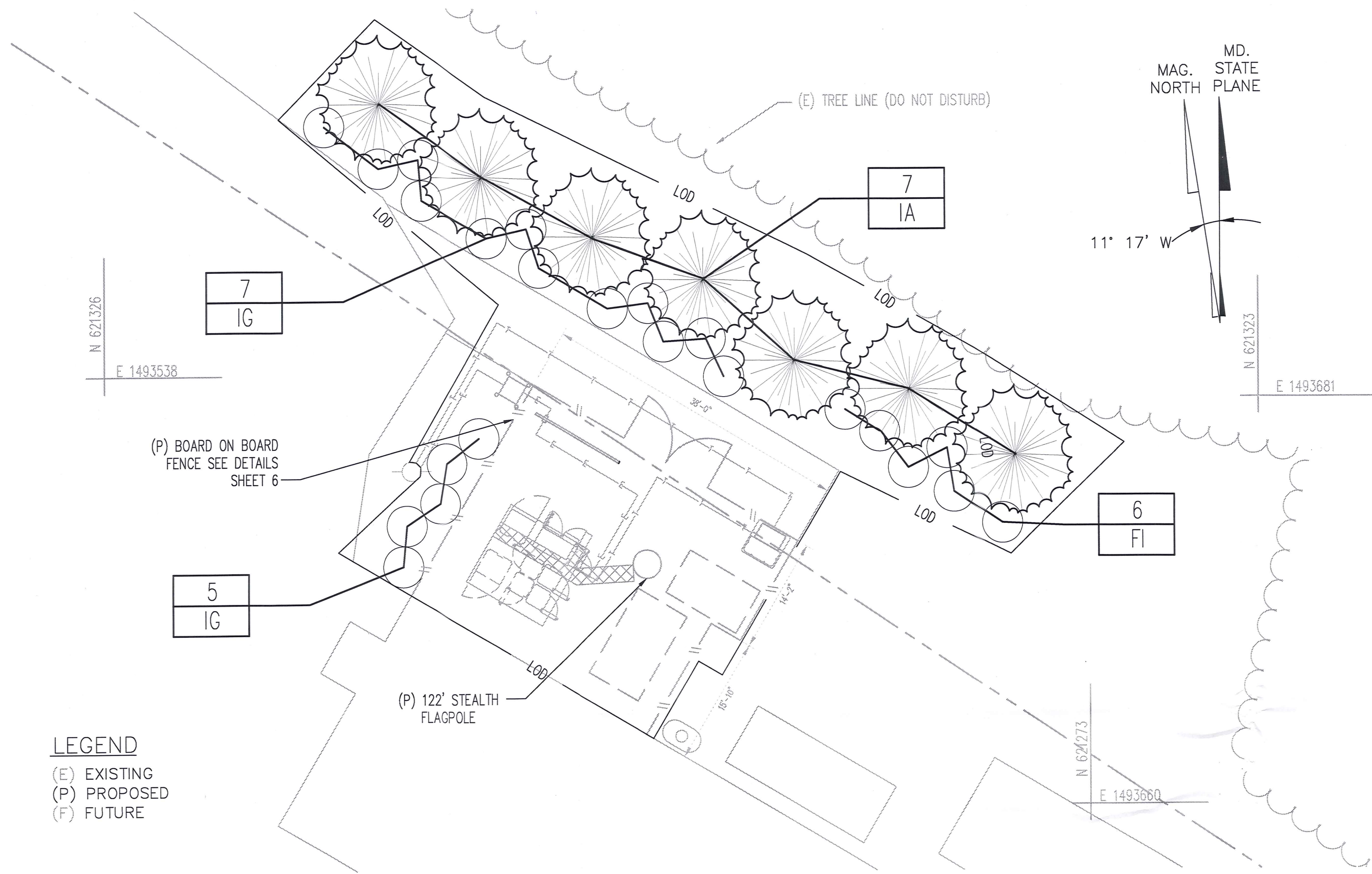
FACILITY WILL BE SCREENED IN ACCORDANCE WITH "CLASS A" SCREENING REQUIREMENTS. SEE LANDSCAPE PLAN SHEET 5 FOR DETAILS.

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LEGEND

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LANDSCAPE PLAN

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1" = 10' (22x34)

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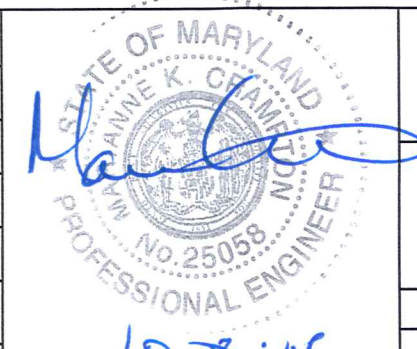
TWIN RIVER BENGIES CHASE DEMS  
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12935 EASTERN AVE. EXTENDED  
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|                 |          |                   |               |     |       |
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AT&T

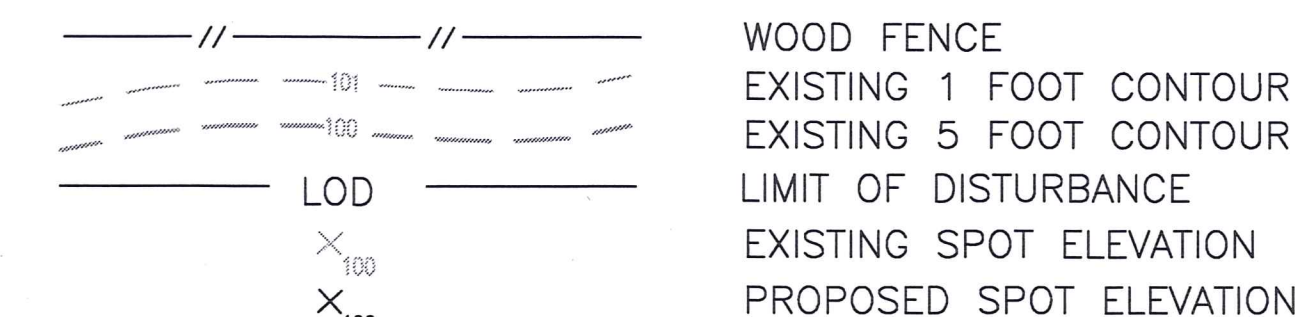
LANDSCAPE PLAN

| DRAWING NUMBER |                  | REV |
|----------------|------------------|-----|
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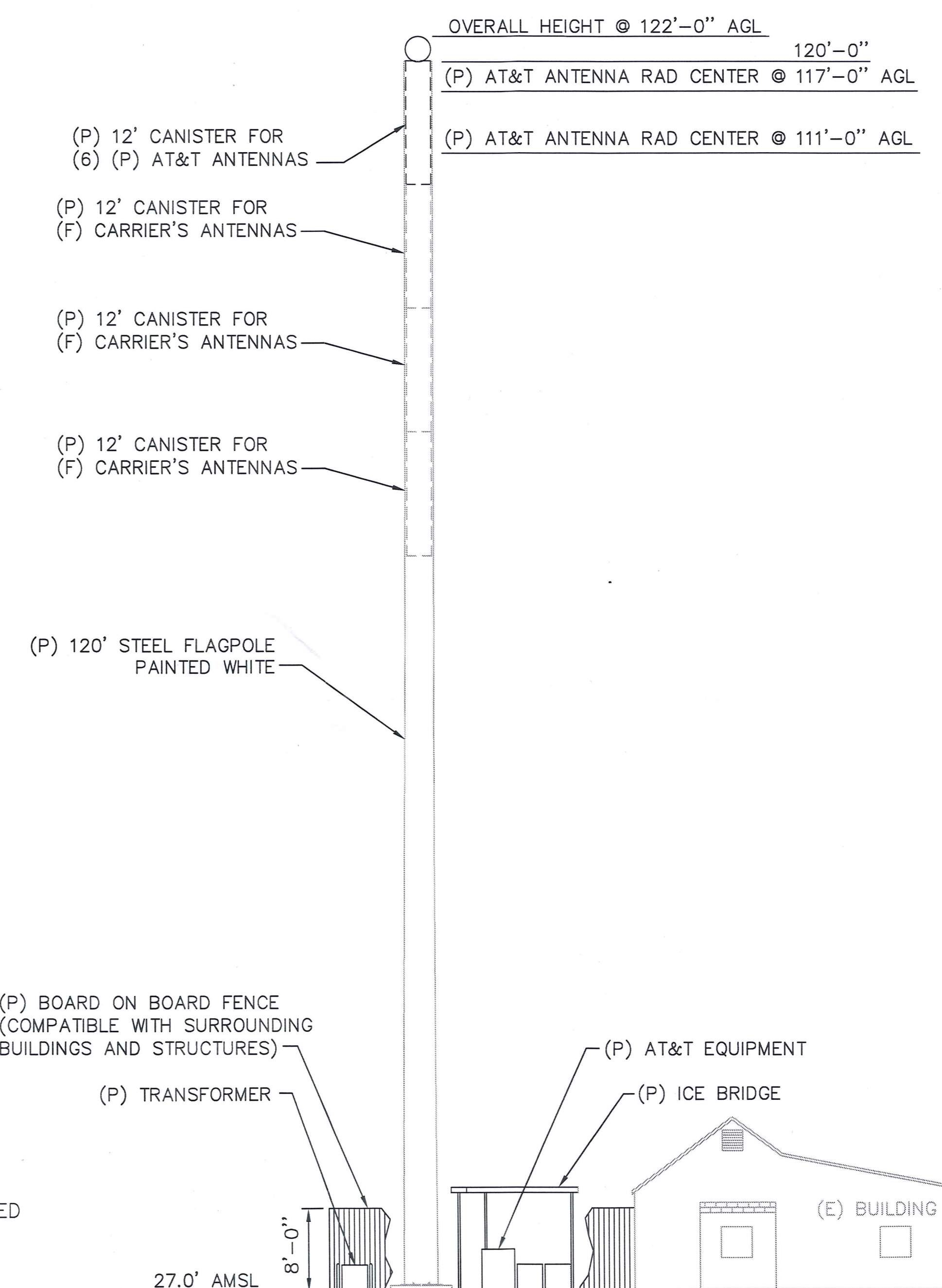
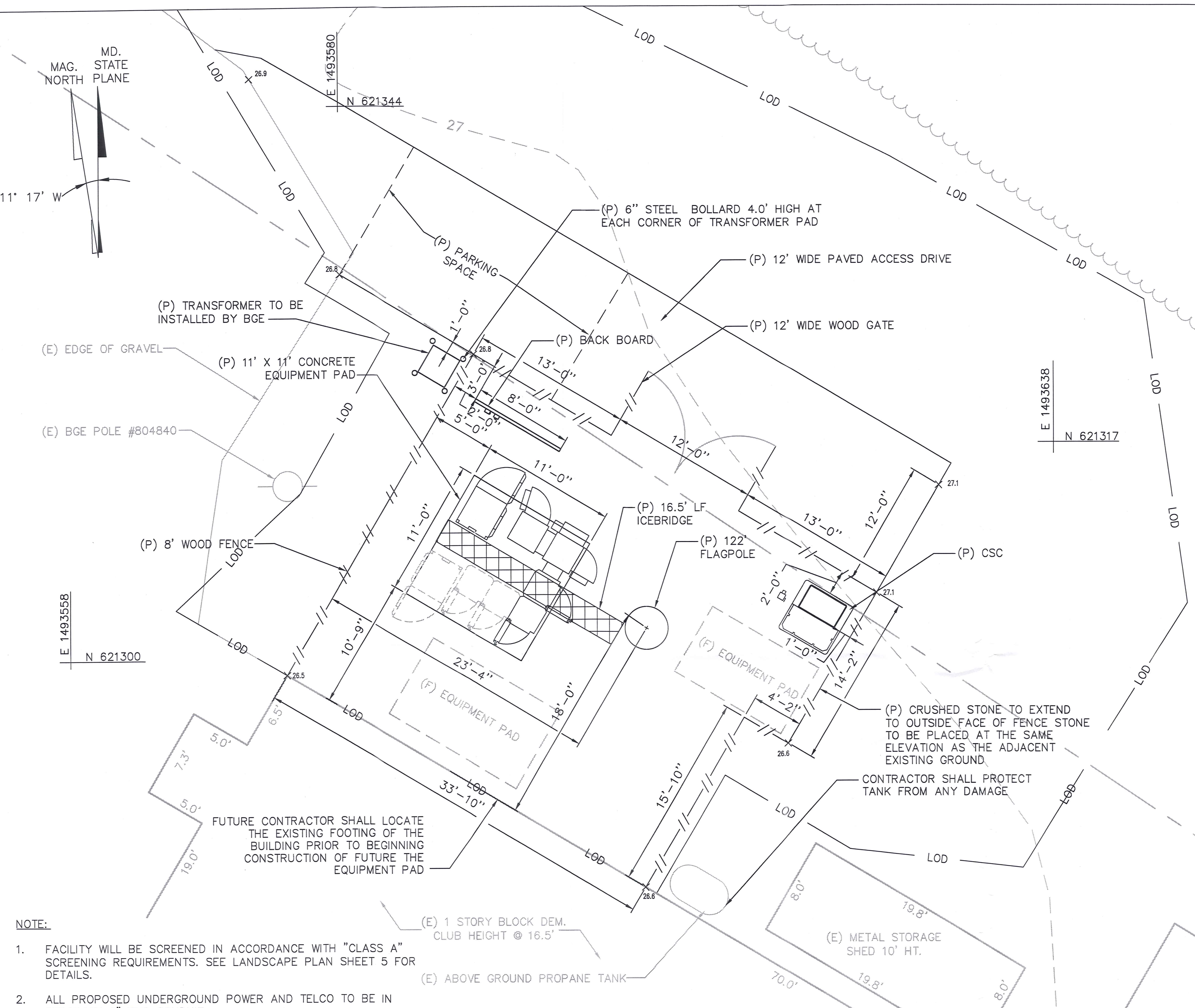
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# LEGEND



WOOD FENCE  
EXISTING 1 FOOT CONTOUR  
EXISTING 5 FOOT CONTOUR  
LIMIT OF DISTURBANCE  
EXISTING SPOT ELEVATION  
PROPOSED SPOT ELEVATION



- NOTE:
1. FACILITY WILL BE SCREENED IN ACCORDANCE WITH "CLASS A" SCREENING REQUIREMENTS. SEE LANDSCAPE PLAN SHEET 5 FOR DETAILS.
  2. ALL PROPOSED UNDERGROUND POWER AND TELCO TO BE IN SEPARATE 2" PVC CONDUIT.
  3. TOTAL NUMBER OF TELECOMMUNICATION PROVIDERS IS 4.
  4. CONTRACTOR SHALL ERECT A TEMPORARY CONSTRUCTION FENCE AROUND THE LIMIT OF DISTURBANCE.
  5. CONTRACTOR SHALL NOT DISRUPT VEHICULAR ACCESS AND PARKING TO THE EXISTING BUILDING OR PEDESTRIAN ACCESS.
  6. ALL DISTURBED AREAS NOT STONED SHALL BE STABILIZED WITH SEED & MULCH AT THE END OF EACH WORK DAY.

COMPOUND PLAN  
1" = 10' (11x17)  
1" = 5' (22x34)

LEGEND  
(E) EXISTING  
(P) PROPOSED  
(F) FUTURE

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VIEW FROM NORTH SIDE OF SITE LOOKING SOUTH

FLAGPOLE ELEVATION  
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1" = 10' (22x34)

**ENGINEERS  
PLANNERS  
SCIENTISTS  
CONSTRUCTION MANAGERS**

8161 Maple Lawn Blvd., Suite 150  
Fulton, Maryland 20759  
(301) 953-1821 (410) 792-8086  
fax: (410) 792-7419  
www.kci.com

**TWIN RIVER BENGIES CHASE DEMS**  
**10103442\_3206**

12935 EASTERN AVE. EXTENDED  
BALTIMORE, MARYLAND 21220

7150 STANDARD DRIVE  
HANOVER, MD 21076

|                 |          |                   |               |     |       |
|-----------------|----------|-------------------|---------------|-----|-------|
| 5               | 9/23/09  | ISSUED FOR ZONING | HMJ           | GJT | MKC   |
| 4               | 6/16/09  | ISSUED FOR ZONING | BEW           | GJT | MKC   |
| 3               | 05/14/09 | ISSUED FOR ZONING | BEW           | GJT | MKC   |
| 2               | 10/03/08 | ISSUED FOR REVIEW | NLB           | GJT | MKC   |
| 1               | 09/30/08 | ISSUED FOR REVIEW | BEW           | GJT | MKC   |
| NO.             | DATE     | REVISIONS         | BY            | CHK | APP'D |
| SCALE: AS SHOWN |          | DESIGNED BY: BEW  | DRAWN BY: BEW |     |       |

**AT&T**

COMPOUND PLAN & ELEVATION

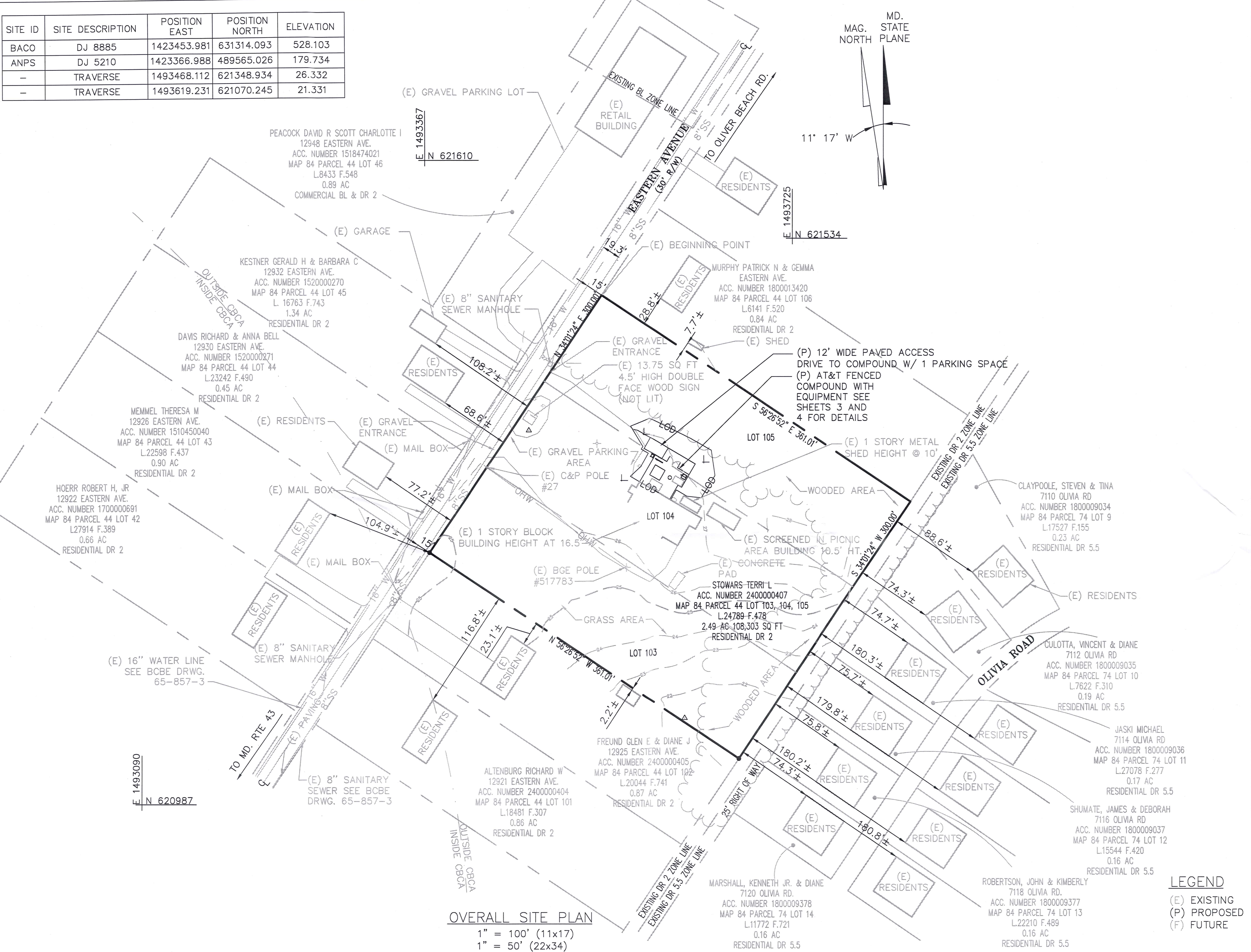
| DRAWING NUMBER |                  | REV |
|----------------|------------------|-----|
| 24782-432      | 10103442_3206-04 | 5   |







| SITE ID | SITE DESCRIPTION | POSITION EAST | POSITION NORTH | ELEVATION |
|---------|------------------|---------------|----------------|-----------|
| BACO    | DJ 8885          | 1423453.981   | 631314.093     | 528.103   |
| ANPS    | DJ 5210          | 1423366.988   | 489565.026     | 179.734   |
| -       | TRAVERSE         | 1493468.112   | 621348.934     | 26.332    |
| -       | TRAVERSE         | 1493619.231   | 621070.245     | 21.331    |



## LEGEND

|                    |                                   |
|--------------------|-----------------------------------|
| ● REBAR FOUND      | ⊥ SIGN                            |
| ⊙ SANITARY MANHOLE | □ INLET                           |
| ○ LIGHT POLE       | ○ UTILITY POLE                    |
| ✉ MAIL BOX         | △ TRAVERSE                        |
| ---                | CENTER LINE OF ROAD               |
| - - - -            | ZONING BOUNDARY                   |
| ~~~~~              | RIGHT OF WAY LINE                 |
| ~~~~~              | EXISTING TREELINE                 |
| ---                | PROPERTY LINE                     |
| ---                | WATER UTILITY LINE                |
| ---                | BURIED ELECTRIC SERVICE LINE      |
| ---                | GAS LINE                          |
| ---                | TELEPHONE LINE                    |
| ---                | TELEPHONE & ELECTRIC SERVICE LINE |
| ---                | OVERHEAD UTILITY WIRES            |
| ---                | EXISTING WOOD FENCE               |
| ---                | EXISTING GUARD RAIL               |
| ---                | EXISTING 1 FOOT CONTOUR           |
| ---                | EXISTING 5 FOOT CONTOUR           |
| ---                | LIMIT OF DISTURBANCE              |
| ---                | CHESAPEAKE BAY CRITICAL AREA      |

## GENERAL NOTES:

- EXISTING SITE INFORMATION OBTAINED FROM THE FOLLOWING SOURCES: FIELD OBSERVATIONS CONDUCTED BY KCI TECHNOLOGIES, INC. ON OR ABOUT 2/28/08.
- BOUNDARY INFORMATION & SITE TOPOGRAPHY WAS OBTAINED FROM RECORD DOCUMENTS, AND SITE SURVEY PERFORMED BY KCI TECHNOLOGIES, INC. ON OR ABOUT 5/20/08 AND 4/21/09. THIS DOES NOT REPRESENT A BOUNDARY SURVEY.
- THE SITE IS OUTSIDE THE CHESAPEAKE BAY CRITICAL AREA.
- PROPERTY SHOWN HEREON LIES WITHIN ZONE X, AN AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS PER FEMA COMMUNITY PANEL No. 2400100455F, EFFECTIVE DATE SEPTEMBER 26, 2008.
- NO NOISE, SMOKE, DUST, OR ODOR WILL RESULT FROM THIS FACILITY.
- THE FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION (THERE IS NO HANDICAP ACCESS REQUIRED).
- THE FACILITY IS UNMANNED AND DOES NOT REQUIRE POTABLE WATER OR SANITARY SEWER SERVICE.
- THIS FACILITY GENERATES, ON AVERAGE, 1 TRIP PER WEEK
- POWER TO THE FACILITY WILL BE MONITORED BY A SEPARATE METER.
- FOR SET BACKS TO THE FLAGPOLE AND THE FLAGPOLE COMPOUND SEE SHEET 3.
- TOTAL NUMBER OF TELECOMMUNICATION SERVICE PROVIDERS TO USE THE SITE IS 3.

## LEGEND

- (E) EXISTING  
(P) PROPOSED  
(F) FUTURE

PROFESSIONAL CERTIFICATION. I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 25058  
EXPIRATION DATE: 11/17/10

TOTAL DISTURBANCE AREA= 4,060 SQUARE FEET

AT&T

OVERALL SITE PLAN

| DRAWING NUMBER |                  | REV |
|----------------|------------------|-----|
| 24782-432      | 10103442_3206-02 | 5   |



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