

**IN RE: PETITION FOR SPECIAL
EXCEPTION**

SW side of Middletown Road; 1361 feet
NW of the c/l of Beckleysville Road
6th Election District
3rd Councilmanic District
(20234 Middletown Road)

Jon Charles and L. Diane Meadowcroft
Legal Owners

Cellco Partnership
Lessee

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY

* **Case No. 2011-0097-X**

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Special Exception filed by Jon Charles Meadowcroft, Sr. and L. Diane Meadowcroft, the legal owners of the subject property, and Brian Stover, Real Estate and Zoning Manager, on behalf of Cellco Partnership d/b/a Verizon Wireless, the proposed lessee (hereinafter "Verizon" or "Petitioner"). Petitioner is requesting a Special Exception to use the property for a wireless telecommunications tower, 155 feet in height, and related facilities pursuant to Sections 1A01.2.C.28, 426 and 502 of the Baltimore County Zoning Regulations ("B.C.Z.R."). The subject property and requested relief are more fully described on the 3-page site plan which was marked and accepted into evidence as Petitioner's Exhibits 1A through 1C.

David H. Karceski, Esquire and Christopher Mudd, Esquire with Venable, LLP appeared at the requisite public hearing as attorneys for Verizon. Also appearing in support of the requested relief were: Jon Charles Meadowcroft, the property owner; Jose Espino, a Verizon Wireless Radio Frequency ("RF") Engineer; Michael McGarity, Director of Wireless Services for Daft McCune Walker Inc. ("DMW"), the engineering firm responsible for preparation of the

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site plan for this property; Mitchell Kellman, Director of Zoning Services for DMW; Charles Ryan with SCE Engineering, tower development consultants for Verizon; and Paul Dugan, President of Millennium Engineering, the consulting firm who confirmed compliance of Verizon's proposed tower with Federal Communication Commission ("FCC") electromagnetic safety regulations.

After introducing Verizon's team of witnesses, Mr. Karceski indicated that there are many local community members who, while not in attendance, were in support of Verizon's special exception request. Specifically, it was explained that Mr. Meadowcroft, who owns and operates an automobile service garage on a portion of the subject property, spent the weeks leading up to the hearing date informing residents of Freeland about the wireless telecommunications tower proposed for his property. As a result of these conversations Mr. Meadowcroft collected ninety-eight (98) letters of support for the proposed tower on his property, which were marked collectively and accepted into evidence as Petitioner's Exhibit 2.

Additionally, two interested citizens, Reb Scavone and Jeff Lambert, appeared at the hearing. Mr. Scavone resides on a historic property, known as the "Middletown Lodge," located at 20220 Middletown Road in close proximity to the subject property. He addressed this Commission and had a few questions for Verizon's experts, but, as discussed below, indicated that he does not object to the special exception relief requested by Verizon. Mr. Lambert also offered no objections or testimony of any kind.

I. Introduction

The subject Petition consists of a request to construct a 155-foot tall wireless telecommunications facility, which Verizon proposes as a monopole structure, as well as related equipment that will be clustered together in a compound next to the monopole. The facility is

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proposed to be constructed on a 26.44 acre parcel located in northern Baltimore County, west of and adjacent to Middletown Road and north of Beckleysville Road. Specifically, the monopole is proposed to be located 550 feet from Middletown Road and over 1300 feet from Beckleysville Road.

As shown on the first page of the site plan and the aerial photograph that was marked and accepted into evidence as Petitioner's Exhibit 10, a small portion of the subject property, immediately adjacent to Middletown Road, is zoned B.L.-C.R. and improved with buildings serving Mr. Meadowcroft's business, but the remaining majority of the property is zoned R.C.2 and is unimproved. The tower is to be located on the R.C.2 zoned portion of the property. While there are some fields and open land on that portion of the property, a review of the aerial photograph shows that existing conditions on the property will help shield the tower from view from surrounding properties. For example, there is a cluster of existing buildings and improvements along this section of Middletown Road in front of the proposed tower location; there is significant tree cover on the northern and western boundaries of the property; and the monopole and related equipment are proposed to be located adjacent to an existing mature tree line to the south. Additionally, there are changes in grade from the surrounding roads such that the tower and equipment will be situated below grade from the roads; specifically, the ground elevation at the proposed tower location is eighteen (18) to twenty (20) feet lower than the road surface of Middletown Road, as shown on page 2 of the site plan (Petitioner's Exhibit 1A). Petitioner submitted photographs of the subject property from various vantage points that help demonstrate the natural screening this site provides, which were marked and accepted into evidence as Petitioner's Exhibits 13A through 13F.

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Verizon seeks to improve network coverage for its cellular services, due to customer complaints, dropped calls, and company studies and data confirming that Verizon's services are unreliable in this area. See, Petitioner's Exhibits 8 (Search Ring Map), 9 (Area Coverage Gap Map), and 18A & 18B (Propagation Maps). The County's Tower Review Committee ("TRC") confirmed the need for service, as indicated in their report and recommendations that was marked and accepted into evidence as Petitioner's Exhibit 11.

II. The Property and Proposal

This public hearing proceeded by way of a combination of testimony by Petitioner's expert witnesses, which is outlined below, and a proffer by Petitioner's counsel. The property, as illustrated on Petitioner's site plan and the aerial photograph, is irregular in shape and located on the west side of Middletown Road and north of Beckleysville Road. The base of the tower within the equipment compound will be positioned approximately 550 feet west of Middletown Road at a ground level that is approximately eighteen (18) to twenty (20) feet below the elevation of Middletown Road. The monopole will feature platform-mounted antennas for Petitioner at an antenna centerline of 150 feet, and page 3 of the site plan (Petitioner's Exhibit 1C) shows that the tower will also be able to accommodate at least three (3) other cellular providers who may desire to locate on the tower. In fact, Petitioner explained that Baltimore Gas and Electric ("BGE") intends to collocate an antenna on the tower. Petitioner also offered as Petitioner's Exhibit 3 a letter from BGE, which indicated its support for the requested relief because the collocation opportunity will provide BGE with the ability to expand its emergency communications network in this area. Essentially, it was explained that by installing its own antenna on this tower, BGE will be able to fill a gap in network coverage, thus enabling it to

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improve its ability to provide critical communications to its field crews regarding both day-to-day and emergency maintenance needs.

The undersigned is generally familiar with the operations of Verizon Wireless and other wireless communications providers by virtue of the many cases that have come before me under similar requests. Suffice it to say, wireless telecommunications technology has exploded on the public scene and consciousness. Nearly everyone has mobile phone services to provide communications and provide access to online data bases and Internet applications. Many phones are now equipped with complex broadband micro processors capable of all types of applications and functions, not just sending and receiving text messages, e-mails, etc. This communications system would not be possible without the installation of a series of towers throughout the geographic area to be served.

Through the testimony of its RF engineer Jose Espino, whose resume was marked and accepted into evidence as Petitioner's Exhibit 7, Verizon explained that a "gap" exists in its communication network in the Freeland area in northern Baltimore County, which expert testimony was not disputed. This is also documented on the Propagation Maps that were marked and accepted into evidence as Petitioner's Exhibits 18A and 18B. The County's TRC, upon review of Verizon's application, likewise confirmed that this coverage gap exists, as indicated in Petitioner's Exhibit 11. Studies and investigations were undertaken to determine where a tower could be located for the placement of the company's antennas to fill this "gap" and to provide seamless service in the area. As explained by Mr. Espino and Charles Ryan, Petitioner's tower development consultant (*See*, Mr. Ryan's resume as Petitioner's Exhibit 6), Verizon was able to utilize various instruments and technology to identify the boundaries of the area in which a tower would need to be located in order to help fill the "gap," which area they identified as the "search

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ring,” as depicted on the map that was marked and accepted into evidence as Petitioner’s Exhibit 8. They then conducted a thorough investigation within the search ring according to the requirements of Section 426 of the B.C.Z.R. and chose the subject location. Mr. Espino confirmed that in his expert opinion, this location fills the outstanding coverage “gap,” and he also testified that they did consider the site’s physical characteristics, which make it the preferred location for a tower in this area of the County.

From Verizon’s perspective, this site was advantageous, not only in terms of its location within the area of need, but also because of on-site grade changes and other existing site features, including: (i) the size and depth of the property from Middletown Road and Beckleysville Road, (ii) the ability to locate the tower along an existing tree line on the site, and (iii) the fact that there is a significant amount of intervening structures and improvements situated along Middletown Road to the east of the subject property shielding the tower from view along that road, all of which will allow for the monopole to be constructed without having a greater impact on the surrounding locale than if the tower were located elsewhere within the search ring. *See* Petitioner’s Exhibits 13A-13F and 14. Mr. Espino also offered his expert opinion that the monopole’s proposed height of 155 feet is the minimum height necessary to fill the “gap” in Verizon’s communications network.

Mr. Ryan testified that, in accordance with Sections 426.2.A and .2.B of the B.C.Z.R., the proposed monopole would be constructed to accommodate a total of at least three providers and that no existing structures or towers exist in the area that would allow Petitioner to fill the “gap” that now exists in its communication network. He also stated that, while there are small commercially zoned properties in the area, none of these sites are feasible for placement of a tower; they all either lack sufficient area to facilitate the construction of a tower without a

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variance, or lack sufficient area to accommodate a tower altogether. Additionally, all of the commercial zones are located immediately adjacent to Middletown Road, and locating a tower on these sites would place the tower that much closer to the road.

Mr. Ryan further testified regarding Petitioner's efforts to reduce any visual impacts from the tower on adjoining properties and from surrounding roadways. First, he explained that the tower and equipment compound were sited to take advantage of the site's natural screening by positioning it nearby an existing tree stand and in an area where the grade is lower than the surrounding roadways, thereby minimizing the view. He also reiterated Mr. Espino's point that the tower itself has been kept to the minimum height necessary to provide seamless coverage and signal strength for both emergency and non-emergency communications as part of its wireless network in Baltimore County, and, as required, by Verizon's FCC license.

Mr. Ryan also testified that the monopole design will have less visual impact for this particular site, than if Verizon were to use other stealth technology. Mr. Ryan indicated that, even though the tower will be located in close proximity to an existing tree stand, the "monopine" tower design (which disguises the tower as a pine tree) would be ineffective here, because the tower would stand out against the deciduous trees in the area. He presented a photographic example of a monopine tower to demonstrate the ineffectiveness of the "disguise" in a similar situation. *See* Petitioner's Exhibit 15A (photograph of monopine). He also acknowledged that the monopole could be painted blue or another color to help disguise it, and he presented two photographs of blue painted poles in an effort to demonstrate that this measure of disguise would not always be effective, especially on cloudy or gray days. *See* Petitioner's Exhibits 15B and 15C (photographs of blue painted monopoles).

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Ultimately, Mr. Ryan offered his expert opinion that the standard monopole design, when combined with the existing site conditions, would best help to minimize any visual impact of this proposed tower. To support his opinion, Mr. Ryan submitted into evidence as Petitioner's Exhibit 14 balloon test photographs and photographic simulations of the tower taken from various points near or along Middletown Road, including at the intersection of Middletown Road and Freeland Road, which is over 1300 feet from the proposed tower. Additionally, both the TRC in its report and the County's Department of Environmental Protection and Resource Management ("DEPRM") in its Zoning Advisory Committee ("ZAC") comment determined that Verizon has minimized visual impacts. Both determined that the particular location selected by Verizon and the choice to utilize a monopole design would help reduce visual impacts. Based upon the expert testimony, photographic simulations, and the supporting agency comments, I agree that Verizon's proposal successfully minimizes the visual impact of the monopole. Additionally, the undersigned agrees with Mr. Ryan's opinion that the monopole was very well sited on the property and would not have any detrimental effect on the health, safety or general welfare of the surrounding area.

Mr. Ryan also specifically indicated that the tower would not have any impact on a historic property that is in the area. The ZAC comment issued by the Office of Planning referenced Mr. Scavone's Middletown Lodge property, which is on the Baltimore County Final Landmarks List. Planning expressed some concern about the impact of the tower on this historic property. However, Mr. Ryan also noted that over the years, commercial uses have become more prevalent along this stretch of Middletown Road near the Middletown Lodge, and he opined that when considering the addition of these commercial uses, the proposed tower would not have any further impact on that property. He presented an email confirming that the State

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Historic Preservation Officer found there would be no adverse effect on historic properties in the area of the tower. *See*, Petitioner's Exhibit 16. He also noted that just about any potential tower location that could help fill Verizon's coverage gap would be visible from the lodge property. Based on all of this testimony, Mr. Ryan opined that Verizon already had made every effort to find another tower location that would further minimize the impact in the area, consistent with Planning's recommendation, and that this is the best location.

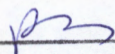
Further, Mr. Scavone, the owner of the Middletown Lodge property, had but one concern which related to the safety of living near a wireless telecommunications tower. Other than this concern, which as explained in greater detail below, was adequately addressed by Verizon's expert Paul Dugan, Mr. Scavone indicated that he did not oppose the requested special exception relief because he recognized the need for cellular phone coverage in the area.

Verizon next called Mitchell Kellman, Petitioner's zoning specialist (*See* Mr. Kellman's resume as Petitioner's Exhibit 4). Mr. Kellman discussed his familiarity with the project and personal knowledge of the site from multiple prior visits. As did Mr. Ryan, Mr. Kellman reviewed the character of the surrounding land uses, including agricultural operations, commercial uses, and residential uses, the tower's distance to Middletown Road and Beckleysville Road, and the changes in elevation from the base of the tower site to the surrounding roads.

As Mr. Kellman explained, and as shown on Petitioner's site plan, the closest adjacent residential property to the subject site is 207 feet to the southeast, which is in excess of the 200-foot setback requirement for a tower from any other residential property line. It is for this reason and by virtue of this proposal meeting all other applicable setback regulations of the B.C.Z.R. that Petitioner is able to propose a variance-free site plan for this Commissioner's consideration.

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Next, Mr. Kellman examined the proposal in the context of Sections 1A01.2.C, 426, 502.1 and 502.7 of the B.C.Z.R., which are the sections of the Zoning Regulations that govern the approval and construction of wireless communications facilities. In summary, Mr. Kellman testified that the tower and associated equipment compound will not have a negative impact on the primary agricultural uses in the vicinity, a required finding for this special exception use in the R.C.2 Zone. In particular, he noted that the subject property is located fairly close to existing residential and commercial uses and is to be placed on property that is *not* subject to an agricultural preservation easement, and in fact is not actively farmed, which makes it a more desirable location for the tower. He pointed out that this fact was also a key component of the ZAC comment issued by DEPRM, which effectively found the proposed site to be an appropriate location for the tower, because it will reduce urban sprawl by being placed closer to existing residential and commercial uses, rather than an open field that may be subject to an agricultural preservation easement.

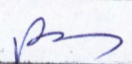
Mr. Kellman then testified that, with respect to each required finding under Section 502.1, the proposed special exception use, at this particular location, will not result in any of the adverse impacts listed and that at this location, particularly given its placement along a stand of mature trees, the significant setback from the surrounding roads, the existing topography between the tower location and the roads, and the existence of commercial and residential buildings situated between Middletown Road and the tower, the monopole would actually be less impactful than at other locations elsewhere in the zone and, more specifically, within the search ring identified by Verizon's RF engineer.

With regard to the requirement of Section 502.7.B of the B.C.Z.R. that the proposed tower not interfere with or be detrimental to the scenic viewshed elements if located within a

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scenic viewshed, Mr. Kellman confirmed that although there are scenic routes in the Freeland area, he was not able to determine from a review of the *Master Plan 2020*, the Baltimore County Code, or the Comprehensive Manual of Development Policies ("CMDP") that the tower would, in fact, impact any documented scenic viewshed "elements." However, with the efforts made by Verizon in locating the tower and its use of the monopole design, Mr. Kellman indicated that, in his professional opinion, Petitioner had nevertheless complied with the spirit, intent, and legislative purpose as set out in the relevant B.C.Z.R. sections and that there would be no impact on the County's scenic resources. He also addressed the concerns expressed in Planning's ZAC comment regarding visibility from scenic roadways by confirming that, consistent with Planning's recommendation, Verizon has already taken every effort to locate the tower in a location that would further minimize its impact from scenic roadways and that he, like Mr. Ryan, agreed that this is the best location.

As indicated, two community members appeared at the hearing. Mr. Scavone was the only person to speak and after indicating that he did not oppose the request, he expressed some concerns about the safety of living so close to a wireless telecommunications tower. Verizon's expert, Mr. Dugan, explained how the technology works and presented a report, marked and accepted into evidence as Petitioner's Exhibit 17, demonstrating that the electromagnetic emissions generated by the proposed tower will be far less than that permitted by the FCC. Mr. Scavone asked a few specific questions regarding the technology, which Mr. Dugan answered, and ultimately Mr. Scavone indicated that he was satisfied with Mr. Dugan's explanation and again confirmed that he did not object to the requested zoning relief.

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III. Opinion

After having considered all of the testimony and numerous exhibits received in this case, I find that Verizon has met its burden of proof with regard to all applicable requirements of the B.C.Z.R., including those contained in Sections 1A01.2.C, 426, 502.1, and 502.7, as well as satisfying this Deputy Zoning Commissioner that the proposed monopole cell tower will not be detrimental to the scenic routes in the area or the scenic viewsheds, pursuant to the CMDP.

In order for me to approve the proposed wireless telecommunications tower, I must first find that Verizon has demonstrated compliance with Section 1A01.2.C of the B.C.Z.R., which requires a finding that the proposed special exception use would not be detrimental to the primary agricultural uses in the vicinity. Given that (i) the location selected for the tower and equipment compound area is not in active farming; (ii) the facility will be located along a mature stand of trees and nearby existing residential and commercial uses, (iii) as DEPRM found in its ZAC comment, the facility will not perpetrate urban sprawl within the agricultural preservation area, and (iv) the tower is unmanned and will, therefore, not impede any farming activities in the area, I easily find that the tower will have no negative impact on the primary agricultural uses in the vicinity.

Moving to the specific required findings under Section 426 of the B.C.Z.R. for a new tower, Verizon is required to demonstrate that it has made a diligent attempt to locate antennas on an existing tower or structure or, if not possible, why the new tower is warranted. Verizon must also demonstrate that the tower will be constructed to accommodate at least two other providers in addition to Petitioner and, in doing so, that it kept the height of the tower to the minimum height required. Based on the evidence and testimony presented before me by Mr. Ryan and Mr. Espino, I find that Verizon has demonstrated that the new tower is warranted and

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that it will accommodate three other providers in addition to the Petitioner's location on the tower, at the lowest height possible. In fact, BGE already plans to collocate on Verizon's tower, and has expressed its support for the requested special exception. *See*, Petitioner's Exhibit 3. It is also important to note that the TRC made a recommendation confirming that Verizon's proposed monopole at a height of 155 feet satisfies all of the requirements of Section 426.2. *See*, Petitioner's Exhibit 11.

Because R.C. zones are considered "residential" zones, Verizon must also demonstrate that no medium or high intensity commercially zoned sites were available or that locating the tower at the proposed location is more consistent with legislative policy due to topographical or other unique features. Based on the testimony of Mr. Ryan and Mr. Espino, I find that an appropriate search was conducted and that, while there are commercial sites in the area, it would be impractical to locate the tower on these sites because of their small size, the inability to meet setbacks, and that fact that due to the proximity of the commercial zones to Middletown Road, it would require the tower to be located much closer to that road.

Next, Verizon must demonstrate that the general requirements of Section 502.1 of the B.C.Z.R. for all special exceptions have been met by the proposal. Having considered the expert testimony and opinions of Mr. Ryan and Mr. Kellman on this issue, I find that the proposed monopole does in fact meet all of the requirements of Section 502.1. The proposed cell tower and related equipment will have little or no impact on any of the conditions outlined in Section 502.1. It is to be expected that special exception uses may result in some impact on surrounding properties. *See, People's Counsel for Baltimore County v. Loyola College in Maryland*, 406 Md. 54 (2008); *Schultz v. Pritts*, 291 Md. 1 (1981). However, an administrative agency may only deny such a use:

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... where there are facts and circumstances that show that the particular use proposed at the particular location proposed would have any adverse effects above and beyond those inherently associated with such a special exception use irrespective of its location within the zone.

Loyola, 406 Md. at 102 (quoting *Schultz*, 291 Md. at 22-23). Further, the Court of Appeals in *Loyola* recently confirmed that the analysis of an individual case must be focused on the particular locality or "neighborhood" around the proposed site. *Id.* at 101-102. The evidence here shows that the adverse effects of the tower at the proposed site have been minimized to the maximum extent possible and that they will be no greater at the proposed location than if the tower were located at other locations in the neighborhood or locality. *See*, Petitioner's Exhibits 8 & 10.

Lastly, Verizon must demonstrate that the "proposed tower will not interfere with or be detrimental to the scenic viewshed elements." *See*, Section 502.7.B.1 of the B.C.Z.R. Section 502.7.B.2 requires that such determination be made by comparing the "elements" to the proposed tower location and, thus, determining whether "the proposed tower blocks any scenic viewshed elements or is not visually in harmony with any scenic viewshed elements when the elements and the tower can be seen simultaneously." Verizon explained that such a comparison cannot be made without the Baltimore County Planning Board first identifying the particular "visual elements of a scenic viewshed which are of a quality, character, rarity and nature to cause a viewshed to be designated in the Baltimore County Master Plan by the Baltimore County Planning Board." *See*, Section 426.1 of the B.C.Z.R., Scenic Viewshed, Subsection A. It would appear, based on the testimony and evidence presented before me, that the Planning Board did not in fact identify or catalogue any such elements from which a comparison can now be made. As Verizon contends, without such identification, there is no evidence, much less "substantial

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evidence," upon which I can determine that the proposed tower would interfere with or be detrimental to the scenic viewshed elements.

Even without such technical elements having been identified, Mr. Kellman's expert opinion was that the location proposed for the monopole, taking into account its distance from surrounding scenic roads, the on-site grade changes and mature tree cover, and the extensive existing commercial and residential buildings between the tower and the Middletown Road, would not be detrimental to the scenic routes or scenic viewsheds. In support of this opinion, Verizon submitted photo simulations designed to give an indication of the ultimate appearance of the tower from surrounding roadways and properties. *See*, Petitioner's Exhibit 14. While these photo simulations are not exact, they give a general idea of just how visible the tower will be when constructed. Without delving too deeply into the legitimacy of the scenic viewshed elements argument, it is my opinion, based on the totality of the evidence and testimony presented, that the proposed tower will not interfere with or be a detriment to any scenic viewsheds.

IV. Conclusion

Based on the testimony and evidence presented, I am persuaded to grant the special exception for a wireless communications tower on this property. I should also note that Section 426.9.C.3 of the B.C.Z.R. provides me the ability to 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." Based on the evidence presented, both by the uncontradicted testimony of Mr. Ryan and DEPRM's indicated preference for a monopole design, I find that in this particular instance, the best design for the

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By [Signature]

tower is a standard monopole; in my judgment, it would be impracticable and of no aesthetic benefit to require the tower to be disguised as a tree, silo, or other stealth-like structure.

There was also some testimony offered by Mr. Ryan regarding how the equipment shelter could be faced and screened. Because the tower and equipment shelter are to be located in a residential zone, the screening and facing requirements contained Section 426.6.C of the B.C.Z.R. apply to this case. Mr. Ryan indicated that in his opinion, the shelter could be faced with Verizon's standard materials and then screened with wooden board on board fencing. He felt this facing and screening would be most aesthetically pleasing, due to the shelter's location in a field set back a significant distance from other existing uses. While I understand Mr. Ryan's points, this Commission will not consider whether the requirements of Section 426.6.C can be altered. Of course, Mr. Ryan and Verizon, during the permitting process for this tower, may discuss the screening requirements contained in this section with the proper County agency representatives.

Finally, Petitioner specifically requested that I exercise my discretion under Section 502.3 to extend the time in which the requested special exception must be utilized from two years to five years. I will do so.

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 22nd day of December, 2010 that Petitioner's request for a Special Exception to use the property for a wireless telecommunications tower, 155 feet in height, and related facilities pursuant to Sections 1A01.2.C.28, 426 and 502 of the Baltimore County Zoning

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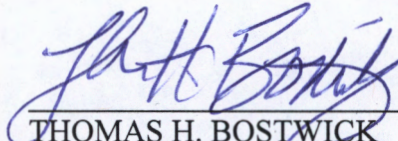
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By rs

Regulations ("B.C.Z.R.") be and is hereby **GRANTED** in accordance with the 3-page site plan accepted into evidence as Petitioner's Exhibits 1A through 1C, and subject to the following conditions:

1. Petitioner may apply for its necessary building or use permits, as applicable, and be granted same upon receipt this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner 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).
3. Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).
4. The time in which Petitioner's special exception must be utilized is hereby extended from two years to five years pursuant to Section 502.3 of the B.C.Z.R.

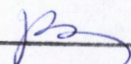
Any appeal of this decision must be made within thirty (30) days of the date of this Order.


THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

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By 



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

December 22, 2010

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

DAVID H. KARCESKI, ESQUIRE
CHRISTOPHER MUDD, ESQUIRE
VENABLE, LLP
201 WEST CHESAPEAKE AVENUE
TOWSON MD 21204

Re: Petition for Special Exception
Case No. 2011-0097-X
Property: 20234 Middletown Road

Dear Messrs Karceski and Mudd:

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.

Sincerely,

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

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

Enclosure

- c: Jon Charles Meadowcroft, 20234 Middletown Road, Freeland MD 21053
Michael McGarity and Mitchell Kellman, Daft McCune Walker Inc., 200 East Pennsylvania Avenue, Towson MD 21286
Charles Ryan, SCE Engineering, PO Box 4782, Upper Marlboro MD 20775
Jose Espino, Verizon, 900 Junction Drive, Annapolis Junction MD 20701
Paul Dugan, Millennium Engineering, 303 Valley Hunt Drive, Phoenixville PA 19460
Maureen Taylor, EBI Consulting, 21 B Street, Burlington MA 01803
Jeff Lambert, 1130 Oakland Road, Freeland MD 21053
Reb Scavone, 20220 Middletown Road, Freeland MD 21053



Petition for Special Exception

to the Zoning Commissioner of Baltimore County for the property located at 20234 Middletown Road

which is presently zoned RC 2

Deed Reference: 14141 / 270 Tax Account # 0613040320

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

a wireless telecommunications tower, 155 feet in height, and related facilities pursuant to Section 1A01.2.C.28, 426, and 502 of the Baltimore County Zoning Regulations.

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:

Cellco Partnership d/b/a Verizon Wireless

Name - Type or Print By: Brian Stover, Real Estate
and Zoning Manager

Signature [Signature]
9000 Junction Drive 301-512-2000
Address Telephone No.
Annapolis Junction MD 20701
City State Zip Code

Attorney For Petitioner:

David H. Karceski/Arnold Jablon

Name - Type or Print [Signature]

Signature [Signature]
Venable, LLP
Company
210 W. Pennsylvania Avenue 410-494-6200
Address Telephone No.
Towson MD 21204
City State Zip Code

Legal Owner(s):

SEE ATTACHED

Name - Type or Print _____

Signature _____

Name - Type or Print _____

Signature _____

Address Telephone No. _____

City State Zip Code _____

Representative to be Contacted:

David H. Karceski

Name
210 W. Pennsylvania Avenue 410-494-6200
Address Telephone No.
Towson MD 21204
City State Zip Code

Case No. 2011-0097-X

REV 07/27/2007

ORDER RECEIVED FOR FILING

Date 12-22-10

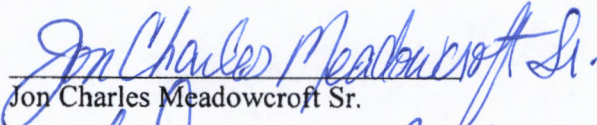
By [Signature]

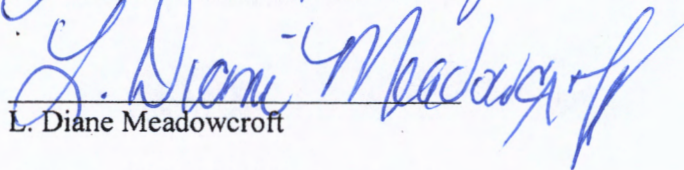
OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING _____
UNAVAILABLE FOR HEARING _____

Reviewed by [Signature] Date 9/10/10

**PETITION FOR SPECIAL EXCEPTION
ATTACHED SHEET**

Legal Owners:


Jon Charles Meadowcroft Sr.


L. Diane Meadowcroft

Address: 20234 Middletown Road

Phone: 410-357-8222



Description
To Accompany Petition
For A Special Exception
Middletown Road
Baltimore County, Maryland

Beginning for the same at the end of the fourth of the following four courses and distances measured from the point formed by the intersection of the centerline of Beckleysville Road with the centerline of Middletown Road, northwesterly along the centerline of Middletown Road, 1,361 feet, more or less, thence southwesterly 25.43 feet, more or less, to the beginning of the third or South 48 degrees 53 minutes 52 seconds West 231.00 foot line of Parcel No. 2 as described by a deed dated September 22, 1999, conveyed by Patricia Ann Meadowcroft and Jon Charles Meadowcroft to Jon Charles Meadowcroft, Sr., and L. Diane Meadowcroft and recorded among the Land Records of Baltimore County, Maryland, in Liber 14141, Folio 270, thence leaving said point and running with and binding on said third line as now surveyed, South 48 degrees 41 minutes 21 seconds East 231.00 feet to intersect the twelfth line of Parcel 1 as described in said deed, thence South 51 degrees 39 minutes 21 seconds West 178.57 feet to the point of beginning, thence leaving said point of beginning and running through, over, and across a portion of said Parcel No. 2 the four following courses and distances, and referring all courses of this description to the Maryland Coordinate System (NAD 83/1991): (1) South 66 degrees 32 minutes 15 seconds West 507.00 feet, thence (2) North 23 degrees 27 minutes 45 seconds West 430.00 feet, thence (3) North 66 degrees 32 minute 15 seconds

Item #0097

East 507.00 feet, and thence (4) South 23 degrees 27 minutes 45 seconds East 430.00 feet
to the point of beginning; containing 5.00 acres of land, more or less.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS
NOT INTENDED TO BE USED FOR CONVEYANCE.

June 16, 2010

Project No. 09069 (L09069)

6th Election District
3rd Councilmanic District



Michael D. Martin
6.16.10

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

No. **60012**

Date: **9/10/10**

PAID RECEIPT

BUSINESS ACTUAL TIME
 9/14/2010 9/10/2010 14:13:46 2

REG #302 MAIL JEVA JEE
 >>RECEIPT # 701499 9/10/2010 OFLN

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Obj	Dept	Obj	BS Acct	Amount
001	806	0000		6150					6380

Dept 5 528 ZONING VERIFICATION
 CR NO. 060012

Recpt Tot \$380.00
 \$380.00 OK \$1.00 CA
 Baltimore County, Maryland

Total: **\$ 380**

Rec From: _____
 For: **zoning hearing - case #2011-0097-X**

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: # 2011-0097-X
20234 Middletown Road
S/west side of Middletown Road, 1361 ft. n/west of the centerline of Beckleysville Road
6th Election District
3rd Councilmanic District
Legal Owner(s): Jon & Diane Meadowcroft
Contract Purchasers: Celco Partnership d/b/a Verizon Wireless
Special Exception: for a wireless telecommunications tower, 155 feet in height and related facilities.
Hearing: Friday, December 10, 2010 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.

JT 11/699 Nov. 23 261493

CERTIFICATE OF PUBLICATION

11/25/, 2010

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 11/23/, 2010.

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

S. Wilkinson

LEGAL ADVERTISING

**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: # 2011-0097-X
20234 Middletown Road
S/west side of Middletown
Road, 1361 ft. n/west of the
centerline of Beckleysville
Road
6th Election District
3rd Councilmanic District
Legal Owner(s): Jon & Diane
Meadowcroft
Contract Purchasers:
Celco Partnership d/b/a
Verizon Wireless

Special Exception: for a
wireless telecommunica-
tions tower, 155 feet in
height and related facilities.
**Hearing: Friday, Novem-
ber 12, 2010 at 9:00 a.m.**
In Room 106, County Of-
fice Building, 111 West
Chesapeake Avenue,
Towson 21204.

WILLIAM J. WISEMAN, III
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
Handicapped Accessible;
for special accommoda-
tions Please Contact the
Zoning Commissioner's Of-
fice at (410) 887-4386.

(2) For information
certified

Practice

CERTIFICATE OF PUBLICATION

10/28/, 2010

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 10/28/, 2010.

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

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

2011-0097-X

RE: Case No.: _____

Petitioner/Developer: _____

Cellco Partnership d/b/a Verizon

Wireless . _____

Nov. 12 2010

Date of Hearing/Closing: _____

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
posted conspicuously
20234 Middletown Road

October 28, 2010

The sign(s) were posted on _____

(Month, Day, Year)

Sincerely,

Robert Black October 29 2010
(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 2011-0097-X

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

PLACE Room 106, COUNTY OFFICE BUILDING 21204
111 WEST CHESAPEAKE AVE., TOWSON

DATE AND TIME FRIDAY, NOVEMBER 12, 2010 AT 9:00 A.M.

REQUEST: SPECIAL EXCEPTION FOR A WIRELESS TELECOMMUNICATIONS TOWER, 155 FEET IN HEIGHT AND RELATED FACILITIES.

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

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

CERTIFICATE OF POSTING

2011-0097-X

RE: Case No.: _____

Petitioner/Developer: _____

Cellco Partnership d/b/a Verizon Wireless

Dec 10, 2010

Date of Hearing/Closing: _____

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 posted conspicuously on the property located at: _____

20234 Middletown Road

November 24, 2010

The sign(s) were posted on _____
(Month, Day, Year)

Sincerely,

Robert Black November 24, 2010
(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

2011-0097-X

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

PLACE

ROOM 104, JEFFERSON BUILDING
105 WEST CHESAPEAKE AVENUE, TOWSON 21204

DATE AND TIME: FRIDAY, DECEMBER 10, 2010 AT 9:00 AM

REQUEST: SPECIAL EXCEPTION FOR A WIRELESS TELECOMMUNICATIONS TOWER, 155 FEET IN HEIGHT AND RELATED FACILITIES.

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

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

TO: PATUXENT PUBLISHING COMPANY
Thursday, October 28, 2010 Issue - Jeffersonian

Please forward billing to:

Kedrick Whitmore

410-494-6204

Venable, LLP

210 W. Pennsylvania Avenue, Ste. 500

Towson, MD 21204

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: 2011-0097-X

20234 Middletown Road

S/west side of Middletown Road, 1361 ft. n/west of the centerline of Beckleysville Road

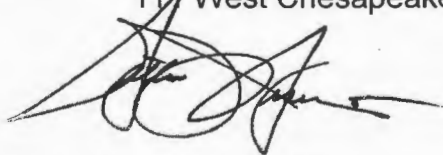
6th Election District – 3rd Councilmanic District

Legal Owners: Jon & Diane Meadowcroft

Contract Purchasers: Cellco Partnership d/b/a Verizon Wireless

Special Exception for a wireless telecommunications tower, 155 feet in height and related facilities.

Hearing: Friday, November 12, 2010 at 9:00 a.m. in Room 106, County Office Building,
111 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

October 13, 2010

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: 2011-0097-X

20234 Middletown Road

S/west side of Middletown Road, 1361 ft. n/west of the centerline of Beckleysville Road

6th Election District – 3rd Councilmanic District

Legal Owners: Jon & Diane Meadowcroft

Contract Purchasers: Cellco Partnership d/b/a Verizon Wireless

Special Exception for a wireless telecommunications tower, 155 feet in height and related facilities.

Hearing: Friday, November 12, 2010 at 9:00 a.m. in Room 106, County Office Building,
111 West Chesapeake Avenue, Towson 21204

Timothy Kotroco
Director

TK:kl

C: David Karceski, 210 W. Pennsylvania Avenue, Towson 21204
Brian Stover, Verizon Wireless, 9000 Junction Dr., Annapolis Junction 20701

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, OCTOBER 28, 2010.**
- (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 23, 2010 Issue - Jeffersonian

Please forward billing to:

Kedrick Whitmore
Venable, LLP
210 W. Pennsylvania Avenue, Ste. 500
Towson, MD 21204

410-494-6204

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: 2011-0097-X

20234 Middletown Road

S/west side of Middletown Road, 1361 ft. n/west of the centerline of Beckleysville Road

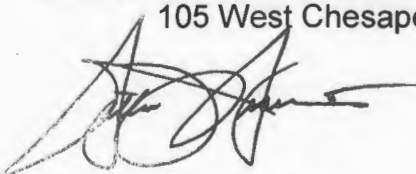
6th Election District – 3rd Councilmanic District

Legal Owners: Jon & Diane Meadowcroft

Contract Purchasers: Cellco Partnership d/b/a Verizon Wireless

Special Exception for a wireless telecommunications tower, 155 feet in height and related facilities.

Hearing: Friday, December 10, 2010 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

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

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

November 5, 2010

NEW 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: 2011-0097-X

20234 Middletown Road

S/west side of Middletown Road, 1361 ft. n/west of the centerline of Beckleysville Road

6th Election District – 3rd Councilmanic District

Legal Owners: Jon & Diane Meadowcroft

Contract Purchasers: Cellco Partnership d/b/a Verizon Wireless

Special Exception for a wireless telecommunications tower, 155 feet in height and related facilities.

Hearing: Friday, December 10, 2010 at 9:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Timothy Kotroco
Director

TK:ki

C: David Karceski, 210 W. Pennsylvania Avenue, Towson 21204
Brian Stover, Verizon Wireless, 9000 Junction Dr., Annapolis Junction 20701

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WED., NOVEMBER 24, 2010.**
- (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.

**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: 2011-0097-X
Petitioner: Cellico Partnership
Address or Location: 20234 Middletown Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Kedrick Whitmore
Address: Venable LLP
210 W. Pennsylvania Ave., Suite 500
Towson, MD 21204
Telephone Number: 410 494 6204



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

December 1, 2010

Venable, LLP
David Karceski/Arnold Jablon
210 W. Pennsylvania Avenue
Towson, Maryland 21204

Dear Mr. Karceski/Mr. Jablon:

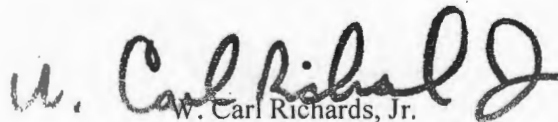
RE: 2011-0097-X 20234 Middletown Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 10, 2010. 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:rjc
Enclosures

c: People's Counsel
Cellco Partnership d/b/a Verizon Wireless Brian Stover 9000 Junction Drive Annapolis MD 20701
Jon Charles Sr. & L. Diane Meadowcroft 20234 Middletown Rd. Freeland MD 21053

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: October 5, 2010

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

SUBJECT: Zoning Advisory Committee Meeting
For October 12, 2010
Item Nos. 2011- 085, 089, 090, 092,
093, 094, 096, 097, 098, 100, 101
And 104

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

DAK:CEN:cab

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-10122010 -NO COMMENTS.doc

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

October 4, 2010

ATTENTION: Zoning Review Planners

Distribution Meeting Of: September 27, 2010

Item Number: 2011-0097-X

The Baltimore County Fire Department has no comments.

Lt. Jimmie D. Mezick
Fire Marshal's Office
410-887-4880
MS-1102F

cc: File



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

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: Oct. 1, 2010

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

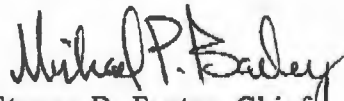
RE: Baltimore County
Item No. 2011-0097-X
2034 MIDDLETOWN RD
MEADOWCROFT PROPERTY
SPECIAL EXCEPTION -

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. 2011-0097-X.

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

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

OCT 26 2010

ZONING COMMISSIONER

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination

DATE: October 25, 2010

SUBJECT: Zoning Item # 11-097-X
Address 20234 Middletown Road
(Meadowcroft Property)

Zoning Advisory Committee Meeting of September 27, 2010

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

X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

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). – *Charles Batchelder; Environmental Impact Review*

Additional Comments:

This request is for the location of a monopole cellular tower at 20234 Middletown Road. The request has been reviewed for impact on State and County Agricultural easements and the Master Plan designated Agricultural Preservation Area in which this property is located. One of the purposes of the easements is to control urban sprawl and as part of the support for these easements, the County's zoning controls sprawl on surrounding properties. At the same time, this utility infrastructure provides important safety and communication services to the community including the agricultural community of the area. The proposed location appears to have the merit of being sited nearer a more residential part of the APA and not in one of the open fields further to the northwest on Middletown Road. The tower is proposed to be a monopole that also reduces its visual impact. Both of these features should reduce the "impact of urban sprawl" on the APA. One feature that may potentially be a concern is the proposed height. I defer to the Office of Planning for their determination on the impact of the height on the character of the area. – *W. Lippincott; Agricultural Preservation*

TB 12/10 9AM

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: George Klunk
Acting Director, Department of Permits and
Development Management

DATE: December 8, 2010

FROM: Jeff Mayhew
Acting Director, Office of Planning

RECEIVED

DEC 09 2010

SUBJECT: 20234 Middletown Road

ZONING COMMISSIONER

INFORMATION:

Item Number: 11-097

Petitioner: Cellco Partnership d/b/a Verizon Wireless

Zoning: RC 2

Requested Action: Special Exception

The petitioner requests a special exception for a wireless communications tower, 155 feet in height, and related facilities pursuant to Section 1A01.2.C.28, 426, and 502 of the BCZR.

SUMMARY OF RECOMMENDATIONS:

The subject property is bound by or in close proximity to the designated scenic routes of Middletown Road, Beckleysville Road, Cotter Road, Freeland Road and Keeney Mill Road.

The property at 20220 Middletown Road is the "Middletown Lodge # 92 I.O.O.F. & setting" and comprises the main structure and the historic environmental setting of 0.26 acres is located two properties away from the subject property. It was added to the Baltimore County Final Landmarks List via County Council Bill 92-08.

A balloon test was conducted on site on April 7, 2010 at 8:00 am with the Office of Planning staff present. During the balloon test, staff drove along the scenic routes of Middletown Road, Beckleysville Road, Cotter Road, and Keeney Mill Road to determine the visual impact to the scenic routes and the Final Landmark property from the proposed tower. The proposed tower location is adjacent to a large stand of trees, but they are not close enough in height to the proposed tower to mitigate the balloon's visual impact.

During the balloon test, the balloon was visible from the Landmark Structure property and the designated scenic routes. The designated scenic routes are strengthened by nearby properties that have an agricultural easements placed on them. The subject site and surrounding area are also located within the Gunpowder Rural Legacy area.

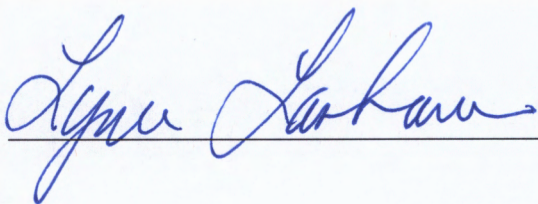
The height of the proposed tower is less than 200 feet which defines the Area of Potential Effect (APE) for Visual Effects as any geographical area within a 1/2 mile in which the undertaking has the potential to introduce visual elements that diminish or alter the setting when the setting is a character defining feature of a historic property. The property at 20220 Middletown Road is within the APE for visual effect for the proposed tower (approximately 700').

As part of the National Programming Agreement between the FCC and FCC Applicants, the State Historic Preservation Office and the applicant do not have to evaluate the APE for direct or visual effects on local landmarks or districts. However, as a Certified Local Government (CLG), Baltimore County does have the ability to determine that there is an adverse visual effect to the locally designated landmark at 20220 Middletown Road. The balloon test provided evidence that the proposed tower would be visible from the landmark property and would diminish the historical setting and the quality of the views from the designated scenic routes.

Staff recommends that every effort should be made to find another location for the proposed tower that would minimize the harmful impact on the landmark property historical setting and the designated scenic routes.

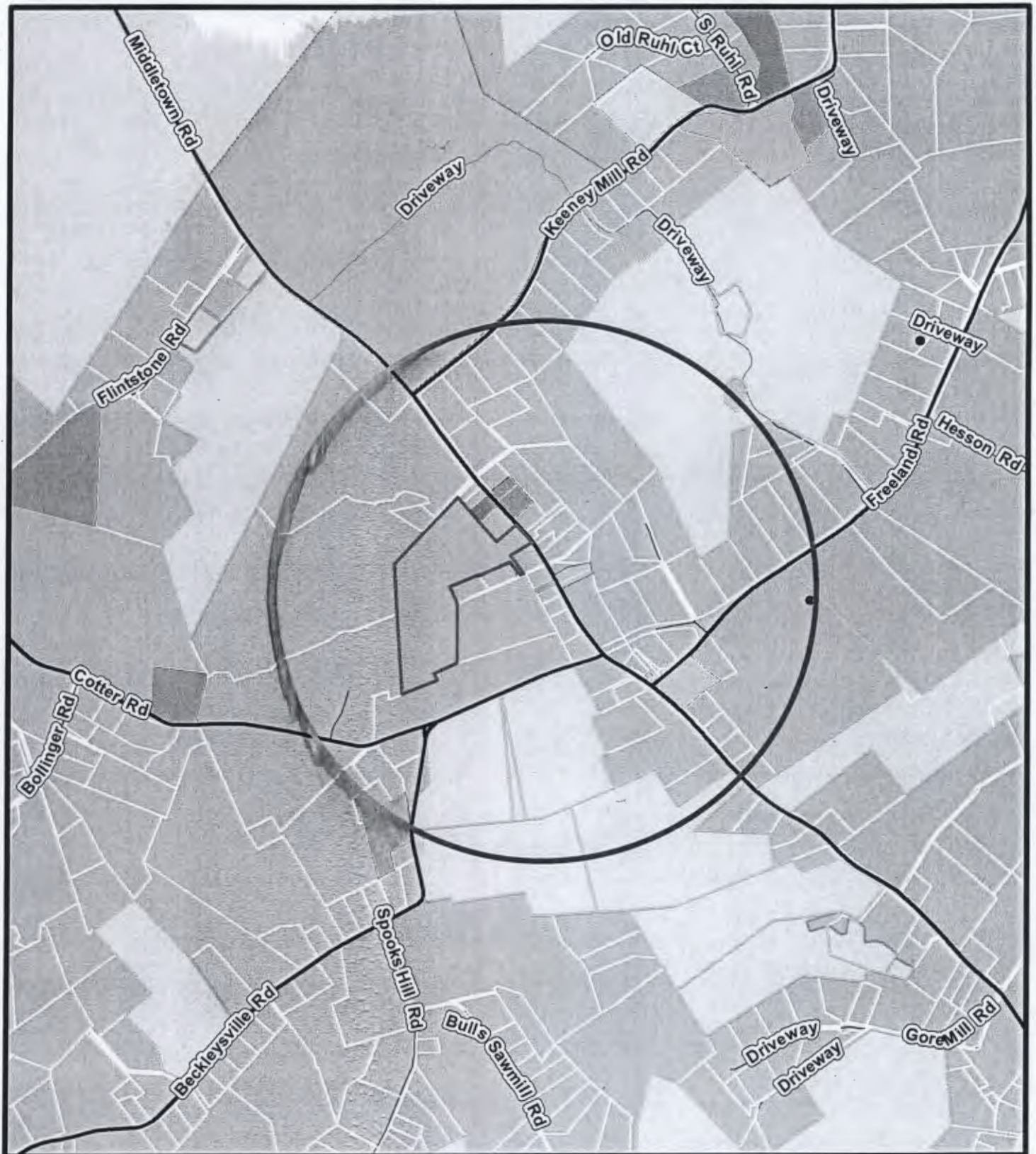
Attached is a map showing the relationship between the proposed tower and the historic properties, the scenic roads and the properties under agricultural easement.

Section Chief:



Attachment
JM:jb

TITLE



Map prepared by:
Baltimore County Office of Planning
401 Bosley Avenue
Towson, MD
21204



0 625 1,250 2,500
Feet



Map Prepared December 8, 2010 by: Jessie Blaik
Baltimore County Office of Planning
101 W. Chesapeake Ave, Towson, MD 21204
<http://www.baltimorecountymd.gov>

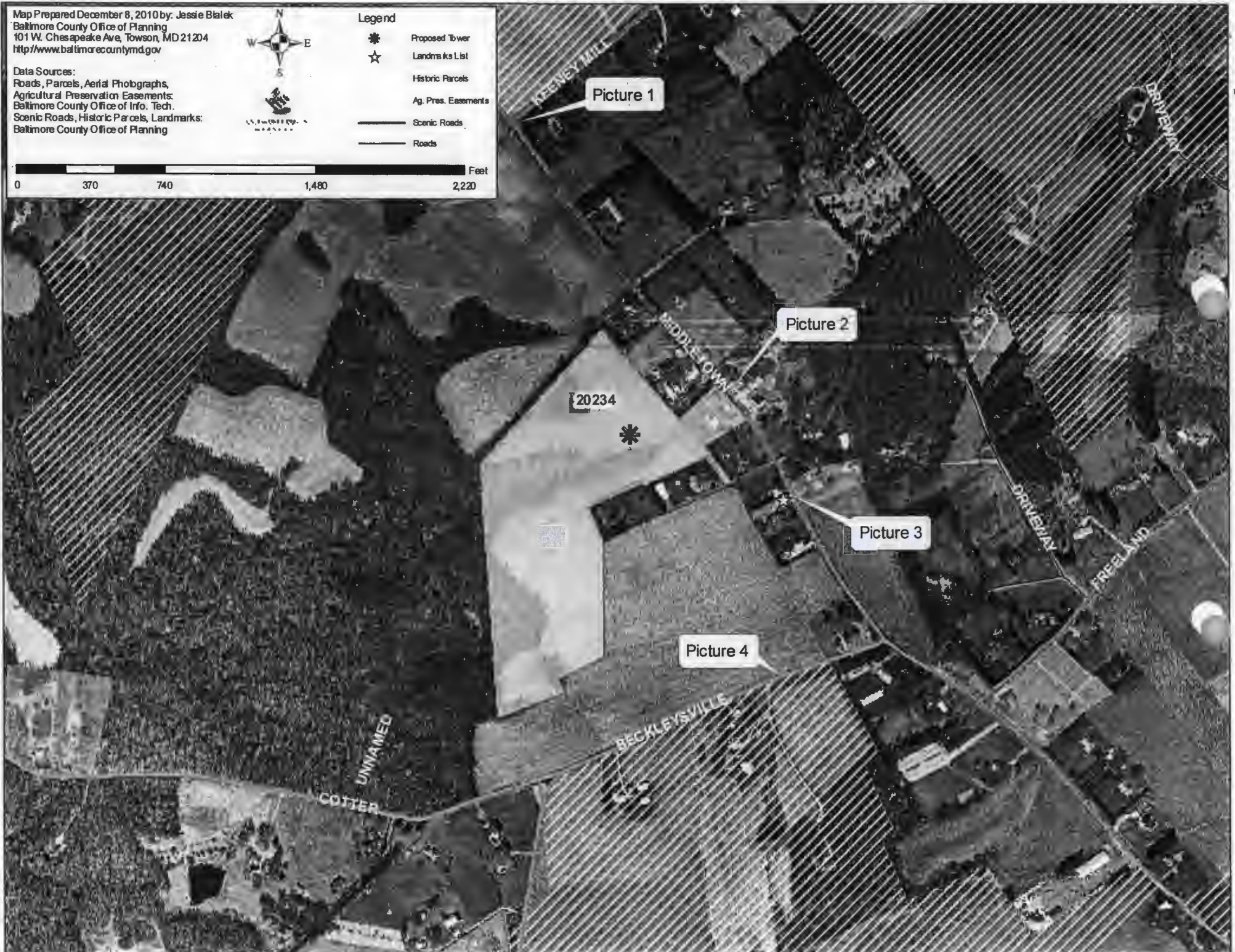
Data Sources:
Roads, Parcels, Aerial Photographs,
Agricultural Preservation Easements,
Baltimore County Office of Info. Tech.
Scenic Roads, Historic Parcels, Landmarks:
Baltimore County Office of Planning



Legend

- ✱ Proposed Tower
- ☆ Landmarks List
- Historic Parcels
- Ag. Pres. Easements
- Scenic Roads
- Roads

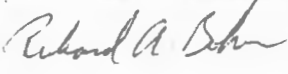
0 370 740 1,480 2,220 Feet



BALTIMORE COUNTY, MARYLAND
Interoffice Correspondence

DATE: May 21, 2010

TO: Colleen Kelley, Development Manager
Department of Permits and Development Management

FROM: Tower Review Committee 

SUBJECT: New Tower – Verizon Wireless –20234 Middletown Rd

The Tower Review Committee (TRC) met on March 30, 2010, to discuss the application submitted by Verizon on March 3, 2010. 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, and in reference to the proposed construction of a new 155 ft monopole telecommunications tower. The structure is to be located on property owned by Jon Charles Meadowcroft, Sr and L. Diane Meadowcroft, at 20234 Middletown Rd, Freeland, MD, 21053, Councilmanic District #3.

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

Findings: We, the TRC, agree that Verizon has provided all requested information to the TRC to effectively demonstrate that no other co-location opportunities exists in or around their search field that would suffice in providing Verizon its required coverage in the intended area. The total height planned by Verizon for the new monopole tower structure is 155 ft, including all appurtenances.

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

Findings: Verizon has shown, in supplemental drawings submitted to the TRC along with their application, that its proposed monopole tower will be constructed to support antennas for at least (2) two, but up to as many as (3) three, other wireless service providers in addition to Verizon. The TRC was informed by Verizon that BGE has expressed interest in co-locating on the proposed tower, if approved for construction by Verizon.

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

Findings: The proposed site is primarily in an RC2 (Agricultural), BL-CR (Business Local – Commercial Rural) zoned location. Per construction drawings, aerial photography, and other information presented to the TRC by Verizon, the site's lot size at

(25) twenty-five acres meets/exceeds the (5) acre minimum lot size requirement for an RC zone, and meets/exceeds the 200 ft setback rule on all sides, and at a distance of 284 ft from the nearest residential structure, and 207 ft from the nearest property line, it should not create a disturbance. The proposed site will, however, require a special exception according to Section 502.1 standards.

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

Findings: Based on the site survey and information presented, we find that Verizon's plan to locate their monopole designed tower on significantly sized property, in an area of Middletown Road zoned RC2/BL-CR, will minimize its visual impact; however, visual impact minimization would be greater if Verizon's plans included the screening of their equipment.

Conclusion

Based on the above findings, a new 155 ft monopole tower in the proposed location would serve to fill-in a coverage gap in Verizon's target area and help toward their goal of seamless connectivity. It would meet all of the requirements of Section-426, while allowing for needed emergency and non-emergency communications for their customers in the area.

Therefore, by a unanimous decision, the Tower Review Committee recommends the construction of a new 155 ft Verizon telecommunications tower in the location as proposed by Verizon, conditioned upon their agreement to screen the site's equipment area according to zoning regulations. The Tower Review Committee requests that the advisory comments provided herein be forwarded to the Development Review Committee for further processing.

Tower Review Committee

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

CC: Donald Rascoe, Deputy Director, Permits and Development Management
David Karceski, Venable c/o Verizon
Sabrina Chase, Baltimore County Office of Law
Robert Stradling, Director, Baltimore County Office of Information Technology
celltower Administrator

RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
20234 Middletown Road; SW/S Middletown *
Rd, 1361' NW of c/line of Beckleysville Rd * ZONING COMMISSIONER
6th Election & 3rd Councilmanic Districts
Legal Owner(s): Jon & Diane Meadowcroft * FOR
Contract Purchaser(s): Cellco Partnership
d/b/a Verizon Wireless * BALTIMORE COUNTY
Petitioner(s) * 2011-097-X

* * * * *

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.

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

RECEIVED

OCT 06 2010

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6th day of October, 2010, a copy of the foregoing Entry of Appearance was mailed to David Karceski, Esquire, Venable, LLP, 210 West Pennsylvania Avenue, Suite 500, Towson, MD 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

November 4, 2010

David H. Karceski

T 410.494.6285
F 410.821.0147
DHKarceski@Venable.com

HAND-DELIVERED

Timothy M. Kotroco, Director
Department of Permits
and Development Management
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Case No. 2011-0097-X
20234 Middletown Road

Dear Mr. Kotroco:

Our client and petitioner in Case No. 2011-0097-X, Cellco Partnership, requests a postponement of the hearing scheduled for November 12, 2010 at 9:00 a.m. Kristen Matthews of the Zoning Review Office indicated to me that December 10, 2010 at 9:00 a.m. is an available hearing date. By way of this letter, I am respectfully requesting that the Department of Permits and Development Management postpone and reschedule the hearing for December 10th at 9:00 a.m., as a result of discussions with County agencies.

I appreciate your consideration of this request.

Very truly yours,



David H. Karceski

DHK/ rab

cc: Arnold Jablon, Esquire

OK to postpone
JMK
11/4/10

9 December 2010

Arnold Jablon

T 410.494.6298
F 410.821.0147
AEJablon@Venable.com

Hon. Thomas Bostwick
Deputy Zoning Commissioner
Baltimore County
Jefferson Bldg
Towson, Maryland 21204

Re: Case No. 2011-0097 X
In Re: Cellco partnership d/b/a
Verizon Wireless

Dear Mr. Bostwick:

By this letter, I am withdrawing my appearance as co-counsel in the above captioned zoning matter. David Karceski, Esq., of 210 West Pennsylvania Ave., Towson, Maryland 21204, will continue to represent the Petitioner.

Thank you.

Sincerely,



Arnold Jablon
AEJ/aj

c: Peter M. Zimmerman, Esq.
People's Counsel

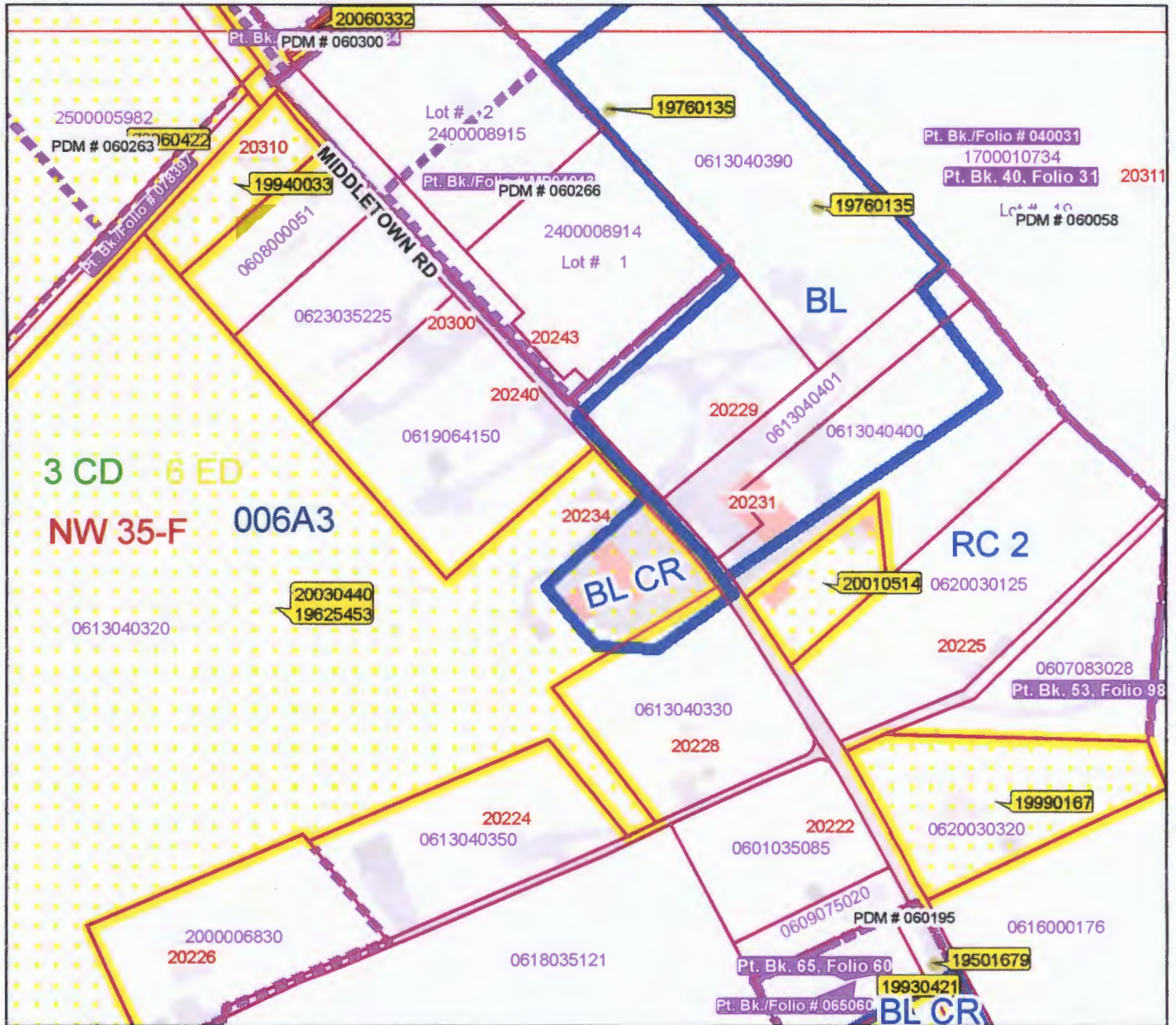
CASE NAME _____
CASE NUMBER _____
DATE _____

[illegible]

CASE NAME De0234 Middlesex Rd.
CASE NUMBER 2011-0097-X
DATE 12/10/10

[illegible]

20234 Middletown Road



Publication Date: September 10, 2010
 Publication Agency: Department of Permits & Development Management
 Projection/Datum: Maryland State Plane,
 FIPS 1900, NAD 1983/91 HARN, US Foot



0 200 400 Feet

1 inch = 200 feet

Item #0097

Case No.: 2011-0097-X

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	3 - page site plan	
No. 2	letters of support	
No. 3	BGE letter of support	
No. 4	Kellman resume	
No. 5	McGarity resume	
No. 6	Mr. Ryan resume	
No. 7	Jose Espino resume	
No. 8	site candidate map + search ring	
No. 9	Freeland search area	
No. 10	Aerial Photograph + Zoning Map	
No. 11	5-21-10 TRC Report	
No. 12	Photo of nearby church steeple - not high enough	

Case No.:

2011-0097-X

Exhibit Sheet - Continued

Petitioner/Developer

Protestant

No. 13 A-F	photos of property	
No. 14	photo simulations	
No. 15 A-C	photos of monopole alternatives (tree) and colors (blue v. gray)	
No. 16	email stating proposal would have no adverse impact on Historic Properties	
No. 17	Mr. Dugan report + resume RE: Safety + FCC compliance	
No. 18 A+B	A- propagation map w/out tower B- propagation map w/ tower	
No. 19		
No. 20		
No. 21		
No. 22		
No. 23		
No. 24		

Dear Mr. Hearing Examiner:

I am writing this letter in support of Special Exception 2011-097-X which is scheduled for hearing on ~~November 12th~~ ^{December 10, 2010}. I am in full support of the construction of the telecommunication facility behind 20230 Middletown Road in Freeland. I live at 20815 Middletown Rd. and would like to see the Verizon Wireless coverage in the area improved.

Yours truly,

Arthur A. Tracey

PETITIONER' S

EXHIBIT NO. 2



April 6, 2010

RE: Baltimore Gas & Electric Company
Antenna Installation on Proposed Verizon Wireless Tower-Freeland

To Whom It May Concern:

Baltimore Gas & Electric Company (BGE) has determined the need for a telecommunications facility at the proposed Verizon Wireless tower at 20230 Middletown Rd. in Freeland, Maryland to support various wireless communications needs of the Company. BGE has recently converted its existing internal emergency communications network from an analog system to an 800 MHz digital radio system which we refer to as the "Harmony Network". This newly upgraded system provides critical communications for the field crews in conducting the day-to-day maintenance of the gas and electric infrastructure and enables us to better serve the community by means of reliable communications during storm restoration and other emergency situations. We have determined that a site at this location would aid in our expansion efforts and provide much needed fill-in coverage in an area where signal levels are currently unreliable. Additionally, BGE operates a 900 MHz Distribution Automation System (DAS) comprised of approximately 1600 distribution system remote terminal units that communicate via radio frequencies to tower-based transceivers throughout the BGE service territory. The DAS is used to collect feeder performance, alarms and reliability information, and to allow remote access and control of distribution system switching equipment. Since this system operates in real time, operation performance and fault conditions are detected and acted upon immediately greatly reducing response time to outages and fault conditions thus improving BGE's electric system reliability and availability. The proposed Verizon tower would be used for DAS feeder communications.

In consideration of the independent wireless systems mentioned above, BGE is in full support of Verizon's proposal to construct a new tower at 20230 Middletown Rd., Freeland, MD 21053.

A handwritten signature in black ink, appearing to read "David C. Juchno", is written over a horizontal line.

David C. Juchno
Director - Wide Area Network

PETITIONER' S

EXHIBIT NO. 3

DMW

DAFT MCCUNE WALKER INC

MITCHELL J. KELLMAN DIRECTOR OF ZONING SERVICES

Education

Towson University, BA, Geography and Environmental Planning, Urban Planning
Towson University, Masters, Geography and Environmental Planning, Urban Planning

Professional Summary

Mr. Kellman has over 11 years of experience working in zoning administration and subdivision regulation for the public sector; 9 of those years were with the Baltimore County Office of Planning and Zoning. His responsibilities included review, approval and signatory powers on behalf of the Director of Final Development Plans and Record Plats. He represented the Zoning Office on the County Development Review Committee, a body reviewing the procedural compliance of all development submissions. Review of petitions and site plans filed for zoning hearing approvals were within his authority. Additionally, he supervised county review staff, met with professionals and public on development project matters, and made determinations regarding developments and their compliance with county regulations. In working for DMW, he has extensive experience in testifying before the Baltimore County Zoning Commissioner, Hearing Officer, and Board of Appeals. He also regularly represents the company at the Baltimore County Development Review Committee meetings.

Partial List of Projects

Charlestown Retirement Community, Baltimore County, MD
GBMC, Baltimore County, MD
Goucher College, Baltimore County, MD
Hopewell Point, Baltimore County, MD
Notre Dame Preparatory School, Baltimore County, MD
Oakcrest Village Retirement Community, Baltimore County, MD
Sheppard and Enoch Pratt Hospital, Baltimore County, MD
Waterview, Baltimore County, MD

Professional Experience

Daft-McCune-Walker, Inc., Towson, MD: 2000-Present
Baltimore County Office of Permits and Development Management - Development Control,
1988-2000

PETITIONER'S

EXHIBIT NO. 4



MICHAEL D. MCGARITY
Director of Wireless Services

Education

University of Maryland College Park, B.S., Civil Engineering

Professional Summary

Mr. McGarity has 13 years experience in managing wireless telecommunications projects for numerous carriers, including AT&T Wireless Services, Sprint PCS, Nextel Communications, Cingular Wireless, and T-Mobile USA. Mr. McGarity implements an innovative and practical approach to providing site planning, zoning, engineering, surveying and permitting services for wireless carriers throughout Maryland. Mr. McGarity provides a close and personal link with his clients, providing expertise from site inception to completion in the field. Mr. McGarity is proficient with Microstation and mentors his staff with providing detailed plans that are compliant with local jurisdictional standards. Mr. McGarity is actively involved with other development projects within DMW to gain additional engineering experience as he works toward acquiring his Professional Engineering License.

Partial List of Projects

AT&T Wireless expansions throughout the Maryland area
Cellular One network expansions throughout the Maryland area
Cingular Wireless network expansions throughout the Maryland area
Nextel Communications network expansions throughout the Maryland area
Sprint PCS network expansions throughout the Maryland area
T-Mobile USA network expansions throughout the Maryland and Northern Virginia areas
Verizon Wireless network expansions throughout the Maryland West Virginia areas

Memberships and Awards

American Society of Civil Engineers (Student Chapter 1994-1996)

Professional Experience

Daft-McCune-Walker, Inc., Towson, Maryland, 1997 - Present
Pavex, Inc., Cockeysville, MD, 1996-1997

PETITIONER'S

EXHIBIT NO.

5

Charles J. Ryan III, ESQ

12502 Trelawn Terrace
Mitchellville, Md. 20721

(O) 301 249-3010
(h) 301 249-9050
cryan12502@juno.com

Education

University of Baltimore School of Law
(Evening Division, 1985), J.D.
Tufts University
(Economics and Political Science, 1979) B.A.
St. John's College High School (1976)

Admitted to Practice: State of Maryland 1985
Real Estate Broker 1989- Present

Telecommunications

Project Manager for Clearwire Communications. Responsible for the management of outside vendors with 156 sites for Washington DC build. Duties include Purchase Order management, Weekly Deployment assessment and assisting RF team in market wide site evaluation for problem locations

Zoning Manager for Cricket Communications. Responsible for setting initial policy and procedures for 667 site build for Baltimore-Washington Market including design. Responsible for filing and securing zoning approvals for 212 sites for the DC team and supporting zoning team in other markets.

Zoning Manager for Clearwire Communications. Initial assignment of 75 sites for analysis and preparation for filing. Market shutdown within 60 days of assignment.

Project Manager for Preferred Communication Systems Inc. Responsible for the initial design, site acquisition, leasing, materials procurement and construction management of 800 MHz system in 11 BEA's. Served as General Counsel for corporation in FCC matters and general corporate and private placement security matters.

Project Manager for LCC International for the XM Satellite Radio project Washington HUB. Responsible for the management of a team to Identify, Drive Test, Lease, Zone and Permit 200 sites in Washington HUB and serve as national point person on zoning issues related to the project

PETITIONER' S

EXHIBIT NO.

6

Jose Manuel Espino
20000 Pinebark Way
Brinklow, MD. 20862
(301) 641-8222

CAREER:

October '06 to Present Verizon Wireless
RF Engineer

Responsible for the RF design of regional wireless (Cellular and PCS) voice and data network

- Issue search areas based on existing network design.
- Assess multiple candidates to assure best possible network functionality and reliability.
- Redesign mature network areas to minimize capacity constraints.
- Work with the System Performance group to reduce Lost Calls and Ineffective Attempts (LC's & IA's)
- Prepare FCC/FAA submissions.
- Conduct and oversee field tests for potential sites, analyze data.
- Analyze switch statistics and drive data for optimal new site integration, system optimization.
- Perform radio engineering evaluation for system planning and site acquisition.
- Create and use RF propagation and planning tools.
- Plan frequency assignments and identify technical parameters for network growth
- Plan near-term integration of new technologies for first applications in network
- Identify causes of RF interference and troubleshoot interference problems with System Performance
- Attend Zoning hearings in support of new cell site acquisitions
- Perform Macro/Micro Cell design, including antenna selection, placement, utilizing knowledge of CDMA, EVDO and microwave to contribute to network design

June '02 to October '06 Verizon Wireless
Sr. Switch Technician

Responsible for advanced installation, operation and maintenance of switching, data communications, and peripheral equipment in the MTSO.

- Performed maintenance, upgrades and integrations to MTSO switching equipment such as 5E, ECP, Flexent GNP & MM-AP platforms.
- Produce written procedures for cell integrations, HD cuts, carrier adds, etc.
- Instrumental in EV-DO deployment for Washington D.C. system.
- Work closely with Performance (PSG) to ensure optimal network quality.
- Priority Access team leader for network operations.
- Conduct quality audits and perform preventative maintenance procedures to ensure optimal switch performance.
- Recipient of numerous MVP awards.

June '99 to June '02 Verizon Wireless
Switch Technician

Responsible for daily maintenance of cellular communications equipment including Lucent 5ESS and ECP switches, Flexent GNP-AP and MM-AP, CDPD, OMP-FX, IWF and other peripheral equipment.

- Performed system wide AMPS retune.
- Tested, accepted, provisioned, hooked up T1's and T3's.
- Created virtual T1.
- Performed numerous software upgrades to 5ESS, ECP, OMP-FX, GNP-AP and MM-AP, CSD - IWF.
- Involved with the new ATM cut over and F-link additions between AJ and Adelphi MTSO's.
- Add new IMA/CA voice mail systems to Adelphi switch; provide VM support for W/B region.
- Received Data training from Global Knowledge: Networking Fundamentals & Internetworking with TCP/IP as well as Verizon Wireless data training, 3Com IWF training, UNIX training through Lucent as well as OMP-FX, IMA-CA.
- Received 3 E.L.E.C.T. awards in team commitment, leadership and customers first

May '96 to June '99: Bell Atlantic Mobile
Field Engineer - Cells

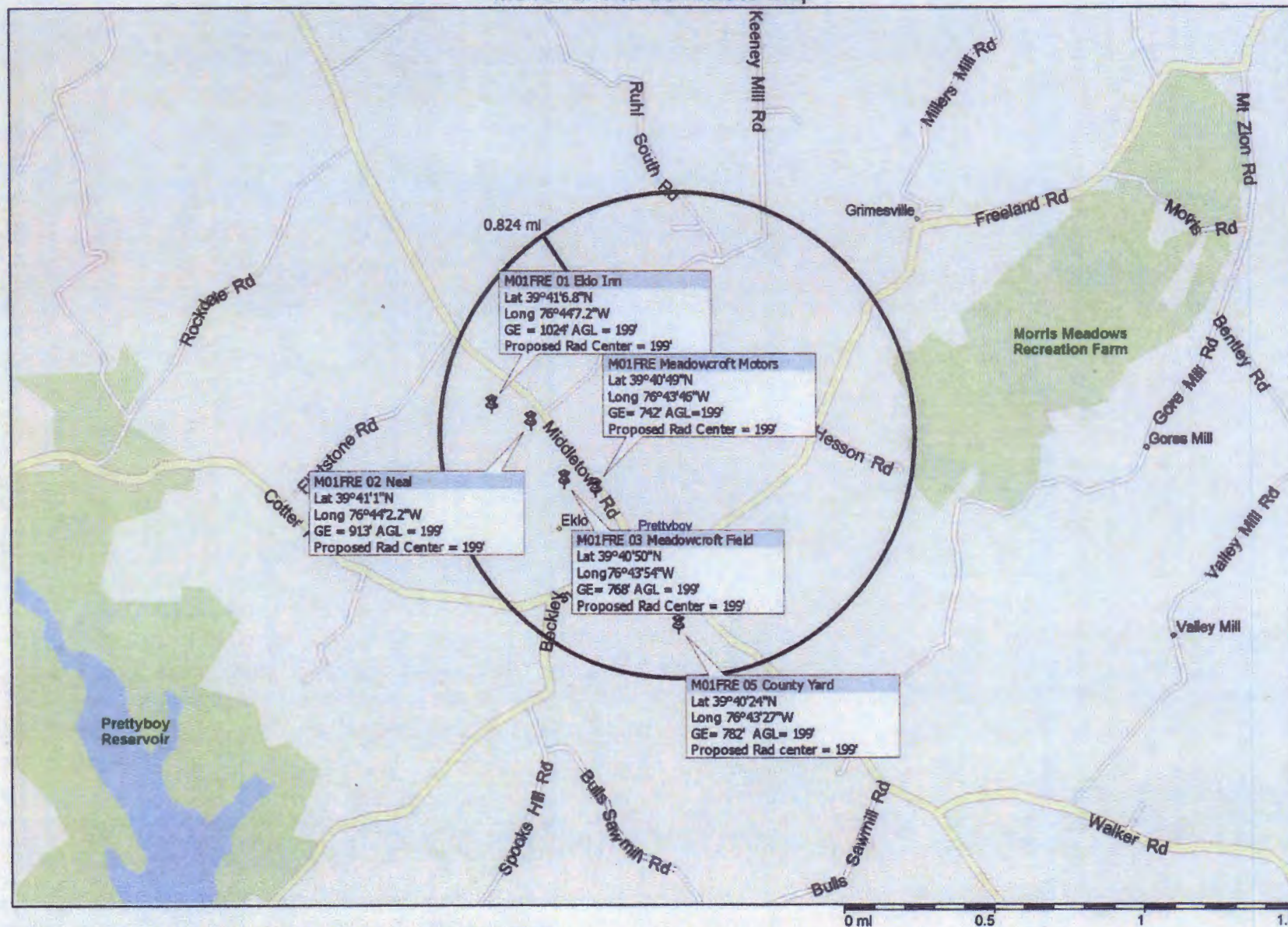
Responsible for daily maintenance & operation of cellular digital, analog and packet data systems in Washington D.C.

- Member of integration team for the following projects: CDMA, CDMA over ADC, RF fingerprinting / interdiction, IIMM and AML, & CRTU.
- Beta tested ADPCM and CDMA over AML for engineering team.
- Recognized ADC expert.
- Project manager for Windows 95 deployment for Baltimore / Washington Network Division
- Member of 1998 Internship recruiting team.

PETITIONER'S

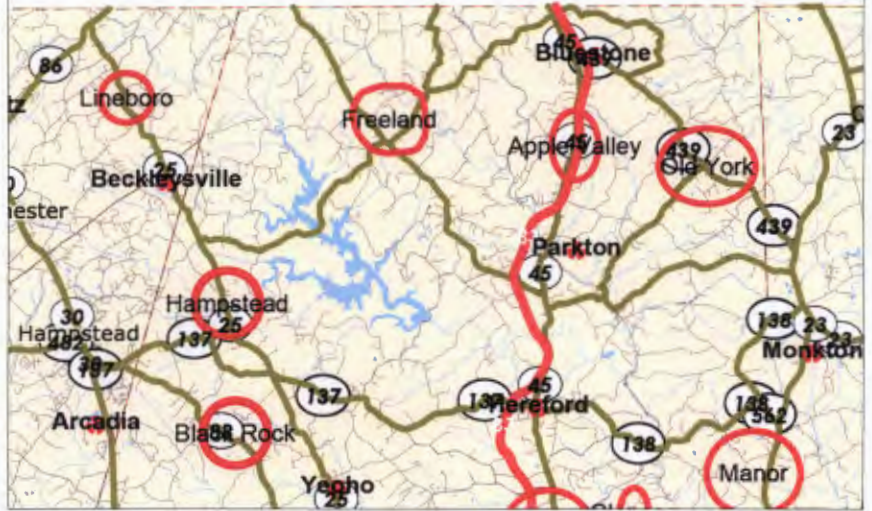
EXHIBIT NO. 7

M01FRE Site Candidate Map



FREELAND SEARCH AREA

System_nam: WASH/BALT
Mtso: Baltimore
Date_issue: 11/15/2001
Issued_by: ZS
Site_name: Freeland
Maps:
Alpha:
City: Freeland
County: Baltimore
State: MD
Type: MOD 4.0B
Year_proj: 2002
Number_ant: 12
Armsl: 767
Structure_: 199
Requiremen: Coverage
Rf_eng: ZHONGTING SHEN
Status: New
Pcs_search:
Coverage_n: Y
Traffic_ne:
Zip_code: 21053
Latitude: 39.684384000
Longitude: -76.724599000



ACCOUNTING CODE

APPROVED BY

DATE



PETITIONER'S

EXHIBIT NO.

9



PETITIONER'S

EXHIBIT NO. 10

BALTIMORE COUNTY, MARYLAND
Interoffice Correspondence

DATE: May 21, 2010

TO: Colleen Kelley, Development Manager
Department of Permits and Development Management

FROM: Tower Review Committee *Richard A. Behn*

SUBJECT: New Tower – Verizon Wireless –20234 Middletown Rd

The Tower Review Committee (TRC) met on March 30, 2010, to discuss the application submitted by Verizon on March 3, 2010. 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, and in reference to the proposed construction of a new 155 ft monopole telecommunications tower. The structure is to be located on property owned by Jon Charles Meadowcroft, Sr and L. Diane Meadowcroft, at 20234 Middletown Rd, Freeland, MD, 21053, Councilmanic District #3.

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

Findings: We, the TRC, agree that Verizon has provided all requested information to the TRC to effectively demonstrate that no other co-location opportunities exists in or around their search field that would suffice in providing Verizon its required coverage in the intended area. The total height planned by Verizon for the new monopole tower structure is 155 ft, including all appurtenances.

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

Findings: Verizon has shown, in supplemental drawings submitted to the TRC along with their application, that its proposed monopole tower will be constructed to support antennas for at least (2) two, but up to as many as (3) three, other wireless service providers in addition to Verizon. The TRC was informed by Verizon that BGE has expressed interest in co-locating on the proposed tower, if approved for construction by Verizon.

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

Findings: The proposed site is primarily in an RC2 (Agricultural), BL-CR (Business Local – Commercial Rural) zoned location. Per construction drawings, aerial photography, and other information presented to the TRC by Verizon, the site's lot size at



PETITIONER'S

EXHIBIT NO. 12



PETITIONER'S
EXHIBIT NO. 13A-F







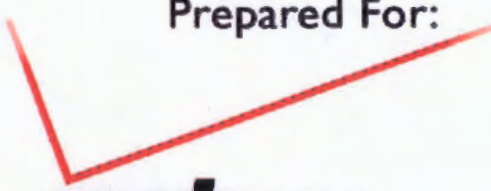




EBI Consulting

Visual Analysis

Prepared For:



verizonwireless

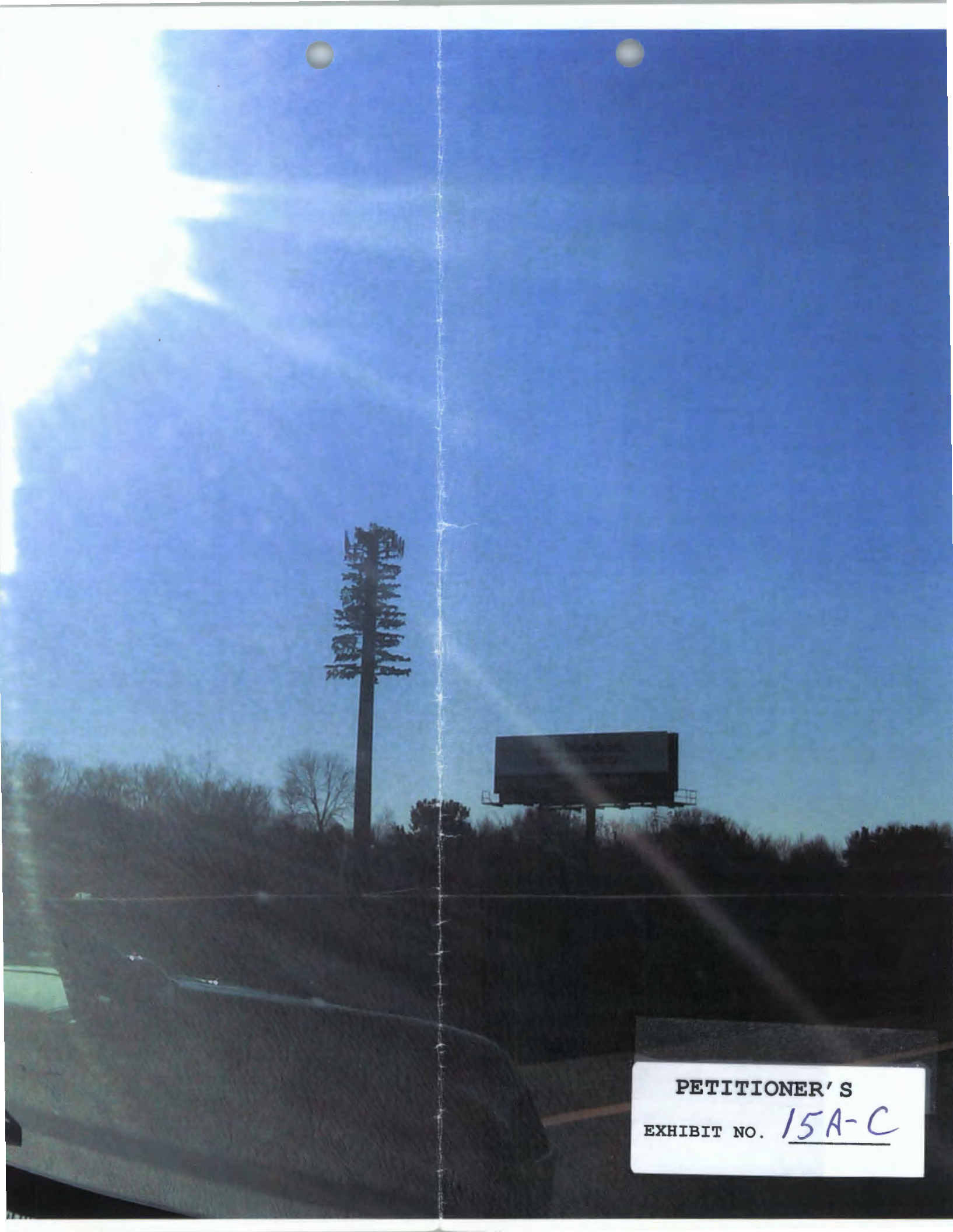
PROPOSED PUBLIC UTILITY
WIRELESS COMMUNICATIONS FACILITY

2001064342
FREELAND

Provided By:

EBI Consulting

April 20, 2010



PETITIONER'S
EXHIBIT NO. 15A-C



15B



15c

Talia Gilmore

From: towernotifyinfo@fcc.gov
Sent: Thursday, June 10, 2010 10:00 AM
To: acourselle@ebiconsulting.com
Subject: Section 106 Notification of SHPO/THPO Concurrence- Email ID #60684

This is to notify you that the Lead SHPO/THPO has concurred with the following filing:

Date of Action: 06/10/2010

Direct Effect: No Historic Properties in Area of Potential Effects (APE)

Visual Effect: No Adverse Effect on Historic Properties in APE

Comment Text: None

File Number: 0004239874

Purpose: New Tower Submission Packet

Notification Date: 7AM EST 05/11/2010

Applicant: Verizon Wireless - 61093664

Consultant: EnviroBusiness dba EBI Consulting

Site Name: 2001064342 / Freeland

Site Address: 20230 Middletown Road

Site Coordinates: 39-40-50.0 N, 76-43-54.0 W

City: Freeland

County: BALTIMORE

State:MD

Lead SHPO/THPO: Maryland Historical Trust

NOTICE OF FRAUDULENT USE OF SYSTEM, ABUSE OF PASSWORD AND RELATED MISUSE

Use of the Section 106 system is intended to facilitate consultation under Section 106 of the National Historic Preservation Act and may contain information that is confidential, privileged or otherwise protected from disclosure under applicable laws. Any person having access to Section 106 information shall use it only for its intended purpose. Appropriate action will be taken with respect to any misuse of the system.

MILLENNIUM ENGINEERING, P.C.

303 Valley Hunt Drive
Phoenixville, Pennsylvania 19460

Office: 610-495-0690
Fax: 610-495-0691

www.millenniumengineering.net

Mobile: 610-220-3820
Email: pauldugan@comcast.net

November 5, 2010

Attn: Jose Espino, RF Engineer
Verizon Wireless
9000 Junction Drive
Annapolis Junction, MD 20701

Re: RF Safety FCC Compliance of Proposed Communications Facility

Site Name: Freeland, Proposed 155' Monopole

20234 Middletown Road, Freeland, MD 21053 (District 6, Baltimore County)

Dear Mr. Espino,

I have performed an analysis to provide an independent determination and certification that the proposed Verizon Wireless and Baltimore Gas & Electric Company (BGE) communications facilities at the above referenced property will comply with Federal Communications Commission (FCC) exposure limits and guidelines for human exposure to radiofrequency electromagnetic fields (Code of Federal Regulation 47 CFR 1.1307 and 1.1310). As a registered professional engineer I am under the jurisdiction of the State Registration Boards in which I am licensed to hold paramount the safety, health, and welfare of the public and to issue all public statements in an objective and truthful manner.

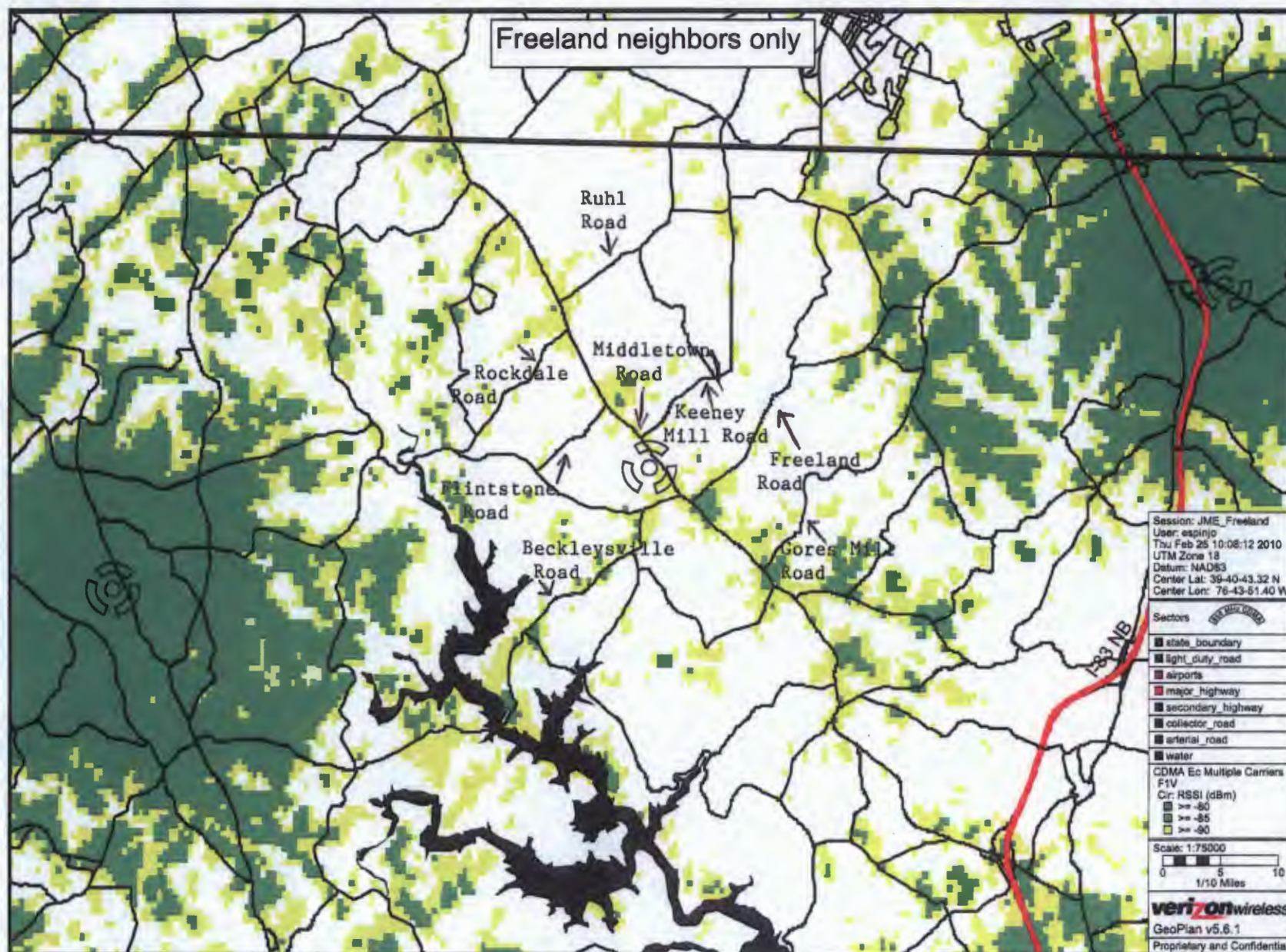
The proposed communications facility consists of a proposed 155' monopole. The proposed antenna systems are outlined as follows:

Verizon Wireless

The proposed Verizon Wireless antenna configuration from the information furnished to me consists of (1) 700 MHz (LTE) antenna (RFS APX75-866515T0 or equivalent), (2) 850 MHz (cellular) antennas (CSS SA15-78-0D or equivalent), and (2) 1900 MHz (PCS) antennas (Antel LPA-185080/12CF or equivalent) on each of three faces (total of 15 antennas) spaced 120 degrees apart (AZ 4/124/244) on the horizontal plane with a centerline of 150' above ground level and mechanical downtilt of 4 degrees for 700 MHz (LTE) and 850 MHz (cellular) and 3 degrees for 1900 MHz (PCS) on each face. Transmitting from these antennas initially will be (1) 700 MHz (LTE) wideband channel, up to (8) 850 MHz (cellular) CDMA channels, and up to (10) 1900 MHz (PCS) CDMA channels per face.

The following assumptions are made for reasonable upper limit radiofrequency emissions from the proposed facility due to Verizon Wireless antennas alone:

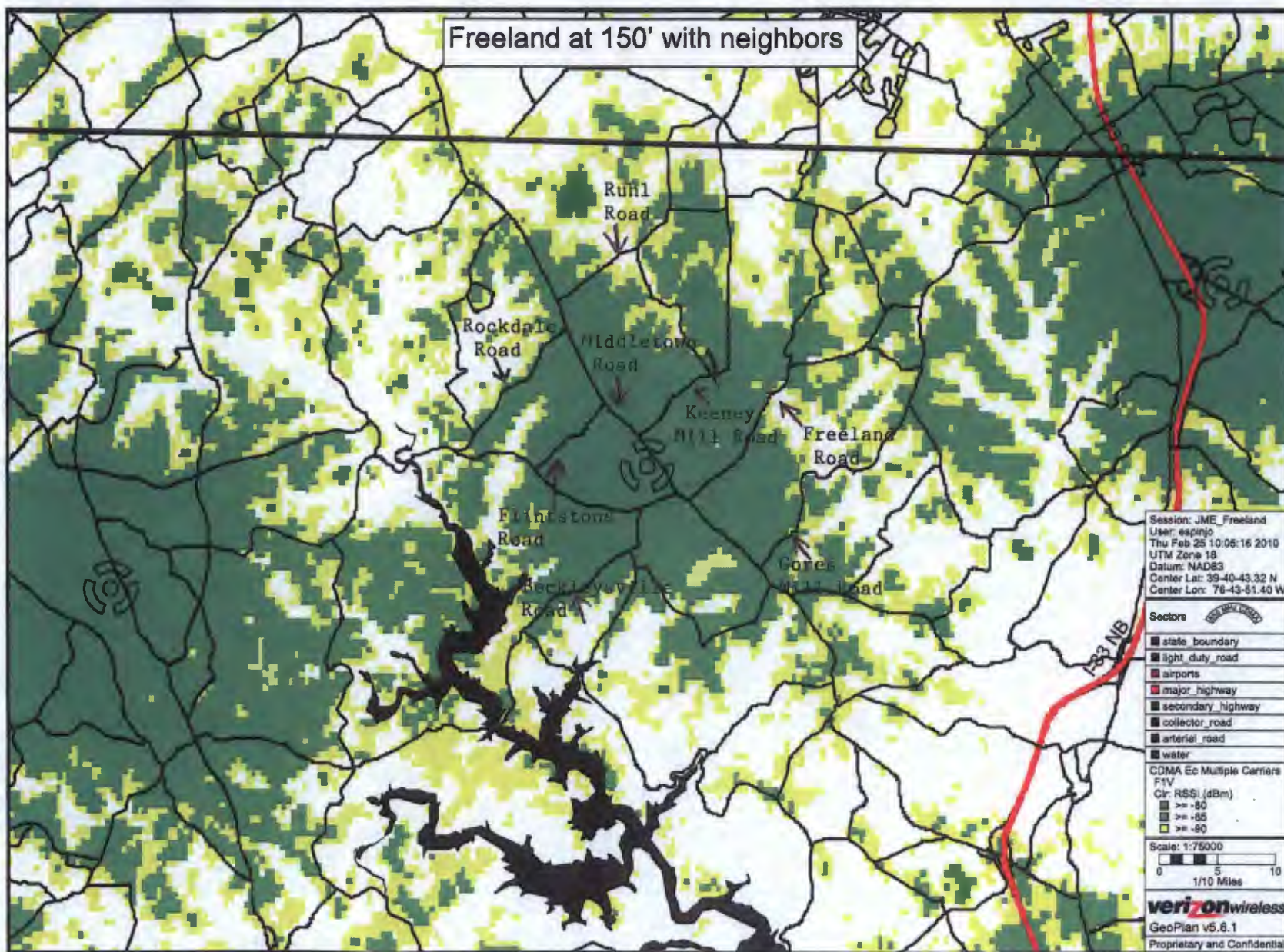
- (1) 700 MHz (LTE) transmit antenna (APX75-866515T0) per face at 0-10 deg mech downtilt
- (1) 850 MHz (cellular) transmit antenna (SA15-78-0D) per face at 0-10 deg mech downtilt
- (1) 1900 MHz (PCS) transmit antenna (LPA-185080/12CF) per face at 0-10 deg mech downtilt
- (1) 700 MHz (LTE) wideband channel at 40W max power before cable loss/antenna gain
- (8) 850 MHz (cellular) CDMA channels at 20W max power (per channel) before cable loss/antenna gain



PETITIONER'S

EXHIBIT NO.

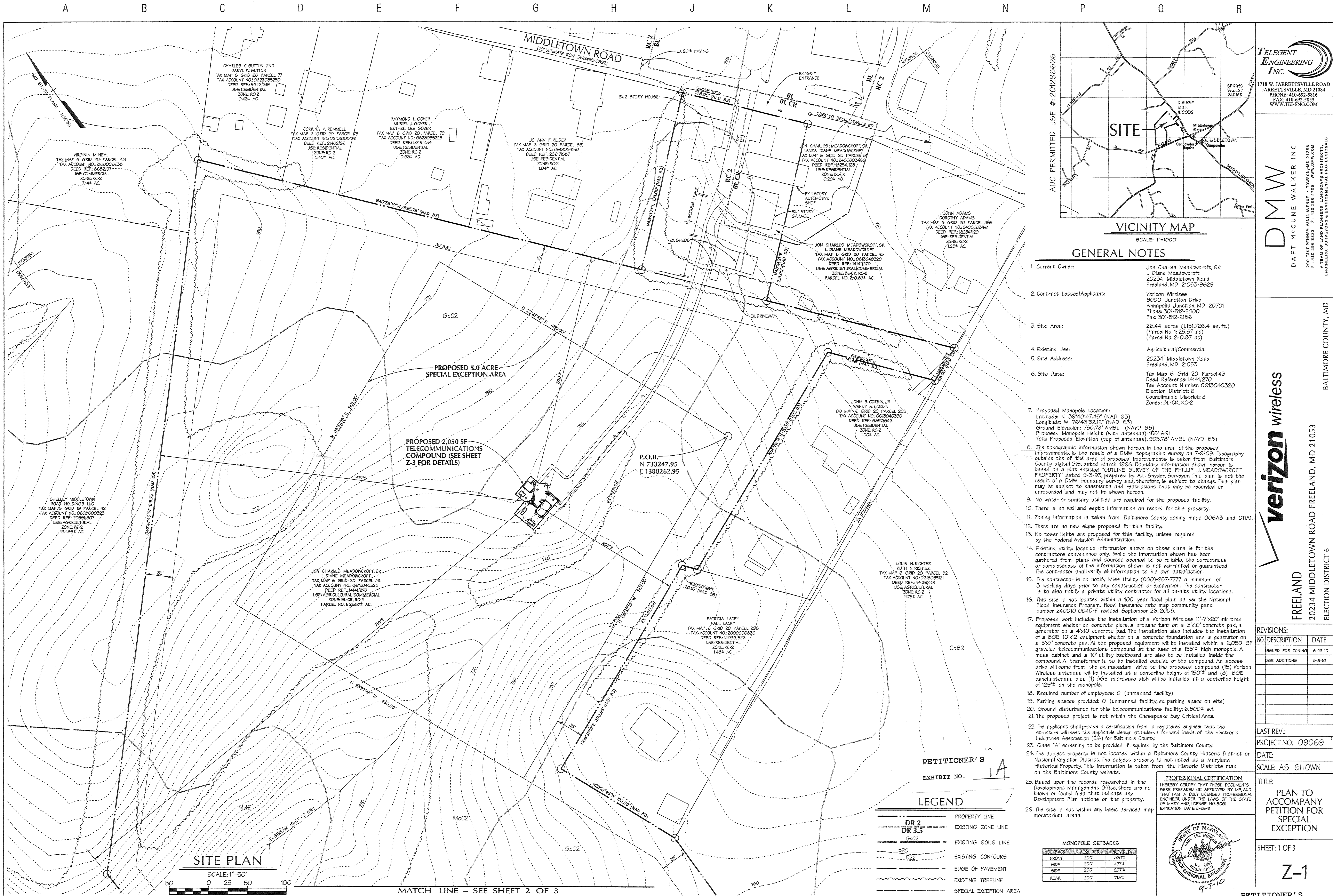
18 A



PETITIONER' S

EXHIBIT NO.

188



MATCH LINE - SEE SHEET 1 OF 3

JON-CHARLES MEADOWCROFT, SR.
L. DIANE MEADOWCROFT
TAX MAP 6, GRID 20 PARCEL 43
TAX ACCOUNT NO. 0612040320
DEED REF. 1441270
USE: AGRICULTURAL/COMMERCIAL
ZONE: BL OR RC-2
PARCEL NO. 1.25.57± AC.

LOUIS H. RICHTER
RUTH N. RICHTER
TAX MAP 6, GRID 20 PARCEL 82
TAX ACCOUNT NO. 0618005821
DEED REF. 44351239
USE: AGRICULTURAL
ZONE: RC-2
11.75± AC.

LOUIS H. RICHTER
RUTH N. RICHTER
TAX MAP 11, GRID 2 PARCEL 185
TAX ACCOUNT NO. 0618005820
DEED REF. 44071382
USE: AGRICULTURAL
ZONE: RC-2
17.36± AC.

SHELLEY MIDDLETOWN
ROAD HOLDINGS LLC
TAX MAP 6, GRID 19 PARCEL 42
TAX ACCOUNT NO. 0606000325
DEED REF. 20391307
USE: AGRICULTURAL
ZONE: RC-2
134.25± AC.

PERMIT HISTORY

(from 1989 to 2005)

B095617 | C-1084-91
B106801 | C-1233-91
B206496
B207391
B220709
E004467
E006724
E209571
E209617

Note: Permit history based upon archive files in the Building Inspection Office. Based upon verification from an office staff member, there are no building permits after year 2005 for the subject address.

LEGEND

ZONING HISTORY

Zoning Case 5453-RX
Petition for Reclassification from R-6 to BL and Special Exception for a gasoline service station.

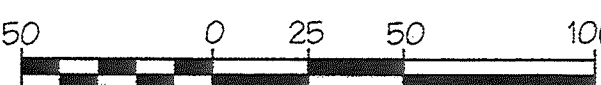
01/11/1962 - Order for Reclassification and Special Exception granted by the Zoning Commissioner

Zoning Case 03-440-X
05/06/2003 - Petition for Special Exception for an automotive service Station approved by the Deputy Zoning Commissioner.

Note: Zoning history based upon a review of the 1971, 1"=200' Zoning Maps and a Geographic Information Systems (GIS) review with a Planner in the Zoning Review Office.

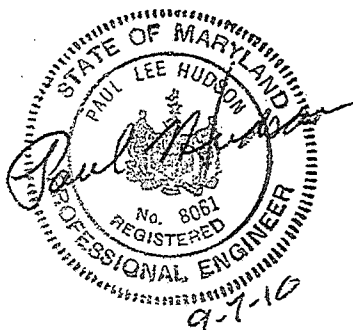
SITE PLAN

SCALE: 1"=50'



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. 8061 EXPIRATION DATE: 8-25-11



1718 W. JARRETTSVILLE ROAD
JARRETTSVILLE, MD 21084
PHONE: 410-692-5816
FAX: 410-692-5833
WWW.TEL-ENG.COM

DMW

DAFT MCCUNE WALKER INC
200 EAST PENNSYLVANIA AVENUE • TOWSON, MD 21286
P: 410 296 3333 F: 410 296 4705 WWW.DMW.COM
A TEAM OF LAND PLANNERS, LANDSCAPE ARCHITECTS

verizon wireless

FREELAND

20234 MIDDLETOWN ROAD FREELAND, MD 21053

REVISIONS:	
NO.	DESCRIPTION
1	ISSUED FOR ZONING
2	BGE ADDITIONS

LAST REV.:
PROJECT NO: 09069
DATE:
SCALE: AS SHOWN

TITLE:
PLAN TO
ACCOMPANY
PETITION FOR
SPECIAL
EXCEPTION

SHEET: 2 OF 3

Z-2

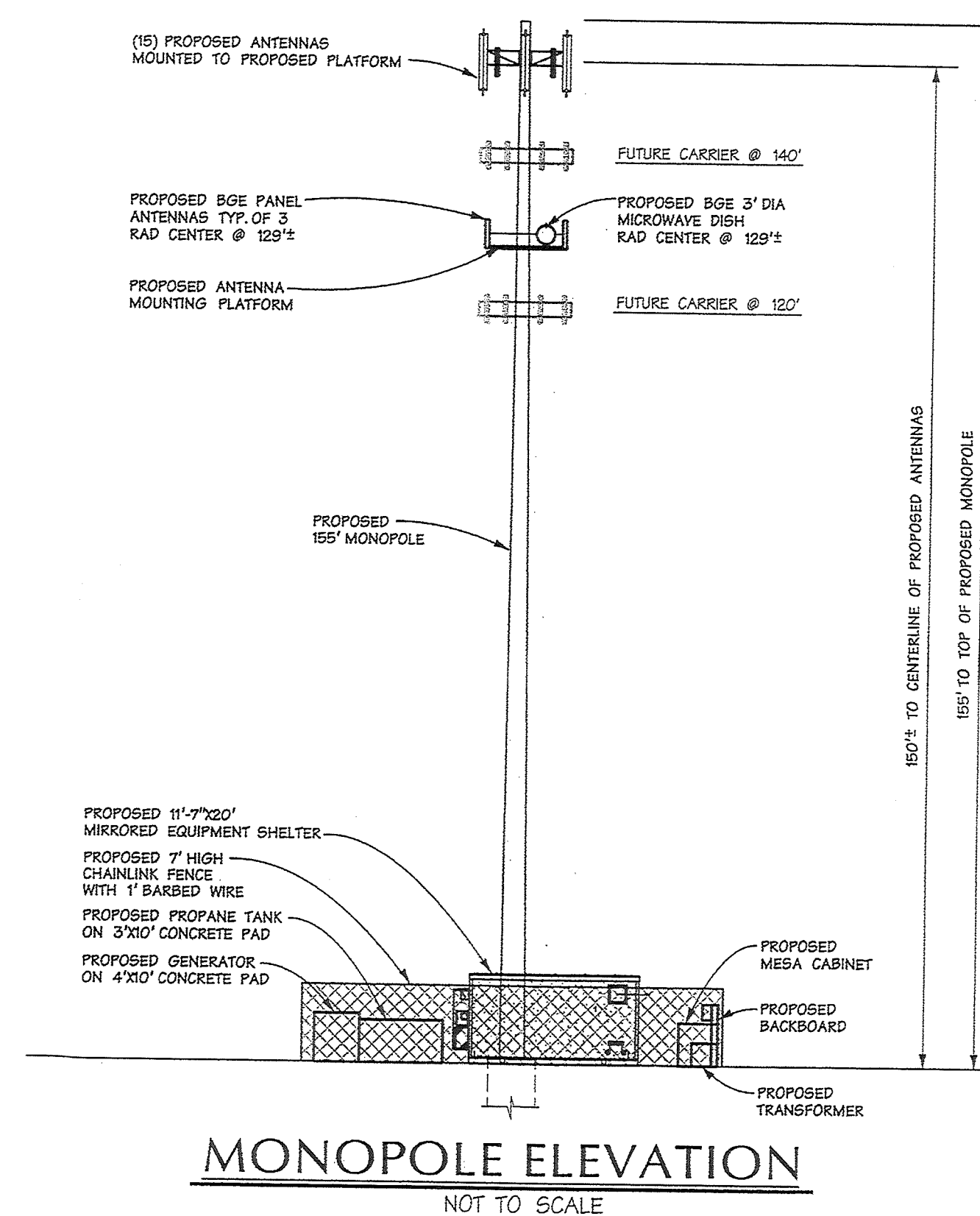
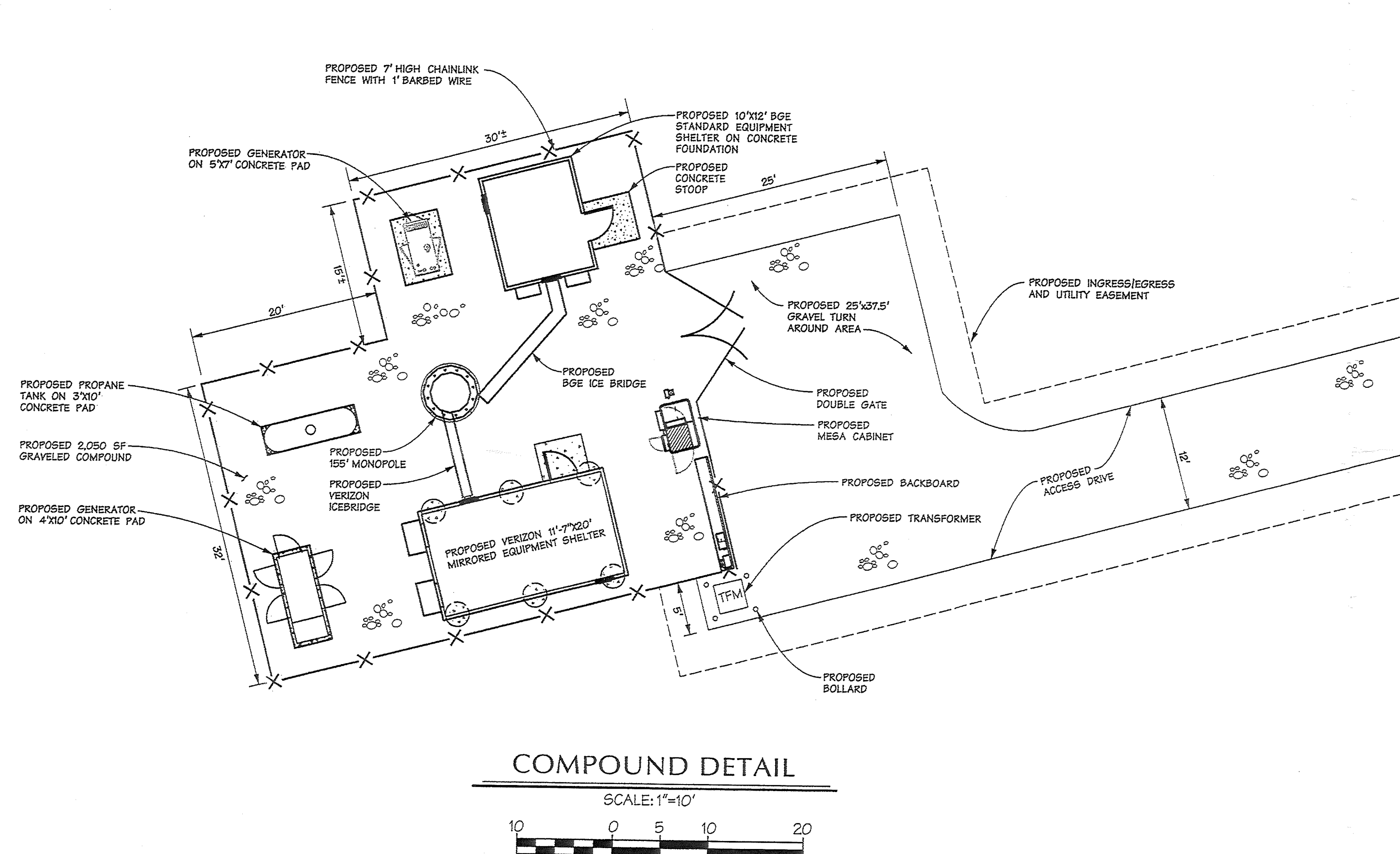
[illegible]

LAST REV.:
PROJECT NO: 09069
DATE:
SCALE: AS SHOWN

TITLE:
PLAN TO
ACCOMPANY
PETITION FOR
SPECIAL
EXCEPTION

SHEET: 3 OF 3

Z-3



LEGEND

Legend:

- DR 2
- DR 3.5
- GcC2
- 520
- 522
- PROPERTY LINE
- EXISTING ZONE LINE
- EXISTING SOILS LINE
- EXISTING CONTOURS
- EDGE OF PAVEMENT
- EXISTING TREELINE
- EXISTING CROP LINE
- SPECIAL EXCEPTION AREA

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. 8061
EXPIRATION DATE: 8-26-11

